

APPEAL	NABC+ FIVE
Subject	Unauthorized Information (UI)
DIC	Steve Bates
Event	Victor Mitchell Open BAM Teams
Session	Second Qualifying
Date	November 29, 2009

BD#	<b>7</b>
VUL	<b>Both</b>
DLR	<b>South</b>

<b>Nick L'Ecuyer</b>	
♠	6 4
♥	A 7
♦	A Q 8 5 4
♣	T 9 3 2

<b>Waldemar Frukacz</b>		<b>Fall 2009 San Diego, CA</b>	<b>John Valliant</b>	
♠	A Q J T 8 3 2		♠	K
♥	K 9 6 4 3		♥	Q T 8 5
♦			♦	T 3
♣	J		♣	A Q 7 6 5 4

<b>Sheila Ekeblad</b>	
♠	9 7 5
♥	J 2
♦	K J 9 7 6 2
♣	K 8

West	North	East	South
			Pass
1♠	Pass	1NT <sup>1</sup>	Pass
2♥	Pass	4♥	Pass
5♦ <sup>2</sup>	Pass	5♠ <sup>3</sup>	Pass
6♥	Pass	Pass	Pass

Final Contract	<b>6♥ by West</b>
Opening Lead	<b>♣T</b>
Table Result	<b>Made 6, E/W +1430</b>
Director Ruling	<b>6♥ W made 6, E/W+1430</b>
Committee Ruling	<b>6♥ W made 6, E/W+1430</b>

(1)	Forcing and Unlimited.
(2)	Intended as Exclusion Keycard Blackwood
(3)	Meant as cue bid over a diamond cue. North said it was slow.

**The Facts:** North contended that if East knew that 5♦ was Exclusion, 5♠ showed 0 or 3 (E/W play 1430) and West should have passed.

**The Ruling:** The director judged that the authorized information conveyed by 5♠ (going past 5♥) allowed West to bid 6♥. Therefore there was no violation of Law 16B1 and the table result of 6♥ by West making six, E/W plus 1430 was allowed to stand.

**The Appeal:** N/S appealed and all players except South attended the hearing. North said that East thought for about fifteen seconds before bidding 5♠. This suggests that East is not responding to Exclusion Blackwood. North did not lead the diamond ace (his original choice) because he was told that 5♦ was Exclusion. E/W agreed that East thought for about ten seconds or so. West said the 1NT was unlimited and East said up to 13 HCP. West intended 5♦ as Exclusion Blackwood but did not know the responses thereto. East took 5♦ as a cuebid, so he cuebid 5♠ to show the spade king or void plus the club ace by inference. E/W is not a regular partnership -- they play once or twice a year. East did not believe the partnership had agreed to use Exclusion Blackwood on any auction.

The committee discovered in questioning that:

- There is no mention of Exclusion Blackwood on the E/W convention card.
- Their responses to keycard are 1430.
- Exclusion was discussed before the opening lead.
- The director was called at the end of the hand.

The Decision: It is not sensible to play 1430 after Exclusion Blackwood even if played after keycard. In this case, West did not even know what the responses were and clearly was not intending to stop below slam unless the response was 5♥. So a pass of 5♠ was not a logical alternative. Therefore, the committee allowed the table result of 6♥ by West making six, E/W plus 1430 to stand.

The argument that a slow 5♠ suggests that the 5♦ bid as Exclusion Blackwood was misunderstood seems plausible and together with E/W's evident uncertainty as to what they were playing was sufficient to give the appeal merit.

**The Committee:** Gail Greenberg (Chair), E.J. Kales, Ellen Kent, Ed Lazarus and David Stevenson (Scribe).

### **Commentary:**

**Goldsmith** I don't buy the merit argument. Other than that, good decision.

**Polisner** The committee's critique of E/W's methods is uncalled for and totally irrelevant. The long and short of this hand is that East and West were not on the same track. West's 5♦ which he intended as exclusion is evidence of his confusion in that; A) they were not playing exclusion and B) exclusion requires a jump to 5♦ to apply. It reasonably follows that he would not know what the responses would be. He did know that hearts was trump and thus he couldn't pass 5♠ no matter what it showed. I would have found this appeal without merit.

**Rigal** Very feeble argument (I would call it legalistic except any lawyers commenting would probably consider it libelous). In my opinion N/S were lucky to get away without an AWMW. Once the director has turned down this argument there must be more salutary ways to earn matchpoints.

- Smith** Good decision by the directors and the committee. I don't see too much meat to the N/S argument.
- Wildavsky** I agree with the director and committee rulings. I think a large part of the confusion was caused by West's description of his bid as "Exclusion Blackwood," when it seems clear that his intent was to show a first round control in diamonds and let partner decide whether or not to play 6♥. Most of us would call that a cue bid.
- Wolf** I would allow 6♥ since everyone is guessing and the normal playing luck (NPL) of the hand had 6♥ being bid and made. To change the score is a case of the committee being overactive. It would be hard to believe that West could think that 5♦ is Exclusion Blackwood so what difference does it make what he does once his partner bids 5♠. That might not show the king so he wants to play hearts and it is hard to get there after someone has bid 5♠.