

APPEAL	Non-NABC+ Eight
Subject	Unauthorized Information (UI)
DIC	Tom Marsh
Event	Tuesday Open Pairs
Session	Second
Date	November 27, 2007

BD#	<b>11</b>
VUL	<b>None</b>
DLR	<b>South</b>

<b>32,206 Masterpoints</b>	
♠	8 2
♥	T
♦	A J 9 7 5
♣	K 8 6 3 2

<b>3,104 Masterpoints</b>	<b>Fall 2007 San Francisco, CA</b>	<b>2,294 Masterpoints</b>		
♠		K J 9 6	♠	A Q T 7 5 4
♥		A K Q 7 6 3	♥	
♦		3	♦	K Q T 2
♣		9 4	♣	A Q 7

<b>12,037 Masterpoints</b>	
♠	3
♥	J 9 8 5 4 2
♦	8 6 4
♣	J T 5

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

Final Contract	<b>6♠ by East</b>
Opening Lead	<b>♣J</b>
Table Result	<b>Made 6, E/W + 980</b>
Director Ruling	<b>6♥ W, down 3, E/W -150</b>
Panel Ruling	<b>6♥ W, down 3, E/W -150</b>

(1) | Alerted with statement: I guess I have to Alert that.

**The Facts:** The director was called before the opening lead. E/W was a new partnership. West thought East's 4♠ bid was some sort of slam try.

**The Ruling:** The semi-Alert made UI available to East such that West was not playing her for a spade suit. In accordance with laws 16, 12C2 and 73F1, the result was adjusted to 6♥ by West down three, E/W minus 150.

**The Appeal:** East mentioned that her 5♠ bid was not a response to KCB but to play. She said that 6♥ was an attempt to play the hand, but her void and good spades convinced her to bid 6♠. They do play unusual versus unusual but she thought her hand too big. West thought 4♠ was some sort of general slam try, thus 6♥.

Only North appeared and said that it appeared that the reluctant Alert of 4♠ made it much more likely that West did not have self-sustaining hearts and would have spade cards.

**The Decision:** Most of the players consulted assumed 4NT was key-card Blackwood (KCB) and chose to pass 6♥ with the East hand. A few thought seriously about bidding 6NT. Only one player mentioned that 4NT surely set spades as trump and thought seriously about 7♠ or 7NT.

Two members of the panel believe that 4NT is KCB and sets spades as the trump suit such that 6♥ is a choice of contracts.

The Panel believed that had East not insisted that her 5♠ response was not an answer to KCB that the Panel would have been much more interested in whether the auction itself suggested bidding 6♠.

However, the testimony that she was trying to suggest playing in spades with 4♠, 5♠ and 6♠ pushed the Panel to decide that the UI communicated to East that West's hearts were not self-sustaining and that West might have some spades.

It is clear that West never believed that East had spades when he bid 6♥. Even with all this, the Panel was split on whether to allow 6♠.

When the panel reached the decision that East could not give a reason that partner had spade support, the contract of 6♥ became likely and was the most favorable result likely to occur for N/S. The table director's ruling of 6♥ by West down three, E/W minus 150 was upheld.

Since E/W could not voice credible rationale for bidding 6♠, they were assessed an appeal without merit warning (AWMW).

**The Panel:** Ron Johnston (Reviewer), Ken Van Cleve and Doug Grove.

### **Commentary:**

**Polisner** Good ruling and decision. This case is very close to the issuance of a procedural penalty.

**Rigal** Definitely not an AWMW given the length of time needed to debate and the analysis provided. Quite a complex case although I agree with the conclusion reached.

**Smith** Good and thorough job by the panel.

**Wildavsky** I'd have considered a procedural penalty in addition. When the authorized information suggests playing in a ridiculous contract we must give players some incentive to follow the laws, especially since we know that in practice they'll occasionally get away with their malfeasance.

**Wolff**

Far out and very punitive but convention disruption is very irritating to the opponents so I think it is the correct ruling. If a partnership indulges itself with "home brew" treatments or conventions they are REQUIRED to play them according to what is Alerted.