

APPEAL	NABC+ EIGHT
Subject	Unauthorized Information (UI) – Tempo
DIC	Henry Cukoff
Event	Rockwell Mixed Pairs
Session	First Final
Date	March 14, 2007

BD#	<b>3</b>
VUL	<b>E/W</b>
DLR	<b>South</b>

<b>Lance Shull</b>	
♠	9 2
♥	Q 6 4 3
♦	T 7 3
♣	J 9 6 4

<b>Ethan Stein</b>		<b>Spring 2007 St. Louis, Missouri</b>	<b>Halina Jamner</b>	
♠	J 8 7 6		♠	A Q 5 4 3
♥	A J T 5		♥	K 8 7
♦	K 2		♦	A 9
♣	A K 8		♣	Q T 7

<b>Audrey Ventura</b>	
♠	K T
♥	9 2
♦	Q J 8 6 5 4
♣	5 3 2

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

Final Contract	<b>6♠ by West</b>
Opening Lead	<b>♦3</b>
Table Result	<b>6♠ making 6, E/W +1430</b>
Director Ruling	<b>4♠ by W making 6, E/W +680</b>
Committee Ruling	<b>4♠ by W making 6, E/W +680</b>

(1)	Shows four spades and maximum.
(2)	Agreed hesitation of at least 20 seconds.
(3)	Shows two controls with the queen of spades.

**The Facts:** The director was called at the end of the auction to ascertain the fact of the hesitation. The director ascertained that there was agreement on a break in tempo (BIT). He told the players to call after conclusion of play if there was the possibility that, in their opinion, the call taken was demonstrably suggested by the UI and there was a logical alternative (LA) and there was damage. The players called the director after the conclusion of the play.

**The Ruling:** The director concluded that the BIT suggested further action over 4♠ and that pass was a LA. In accordance with laws 12, 16 and 73 F 1, the score was adjusted to 4♠ by West, making six, E/W plus 680.

**The Appeal:** West stated to the committee that he never intended to allow his partner to sign off in 4♠. He passed the double of 4♦ to allow his partner a free bid. She did not redouble or bid 4♥ but bid 4♠ after a long hesitation. The appellant argued that he could construct numerous minimum hands that partner might have where he would be safe at the five-level.

**The Decision:** The committee disagreed. It concluded that, after the 4♠ bid, pass was a clear LA and that action was demonstrably suggested by the UI. The committee upheld the director's decision and adjustment.

The committee had agreed to assess an appeal without merit warning (AWMW) only if all members of the committee agreed. Since only two members thought the appeal lacked substantial merit, no AWMW was assessed.

**The Committee:** Mike Kovacich (Chair and Scribe), Ed Lazarus and Bob White.

**Commentary:**

**Goldsmith** Right, except that an AWMW is appropriate. The appeals committee (AC) could agree only to give AWMWs on alternate Thursdays, but that doesn't make their agreement valid. Here I don't think a procedural penalty (PP) for abuse of UI is appropriate. West thought he was taking the normal action, and while it was illegal, generally a PP ought not be given in such a case.

**Polisner** This is the kind of case where the directors should poll players of the caliber of West to see if, in fact, there is a logical alternative after all. East (who might not be an expert) did make a slam try and West is rich with controls. My guess is that 8 or 9 out of 10 would bid on.

**Rigal** The awkwardness in this case comes from the fact that I suspect East is a client and West a pro. While West might believe his hand is worth a move, facing a client (whose slow 4♠ call is very revealing) I think he has to suck it up and pass 4♠. 5♠ is likely to be excellent I agree; but there are clearly hands where East has short diamonds, where 5♠ is very poor. (AQxxx/KQx/Q/xxx)

**Smith** Another somewhat disturbing appeal. Maybe AWMWs need to be handed out more readily or they need to have more teeth to prevent these kinds of appeals.

**Wildavsky** I'd have bid again with the West hand absent the UI. After partner's 4♦ call, if I had to choose between 4♠ and 6♠ I'd choose 6♠. That said, West has already shown a maximum with four trumps and then shown slam interest. While he argued that he was safe at the five-level opposite many minimums a more relevant question is whether he was in danger at the five-level. Clearly he was -- partner might hold something like Qxxxx/KQ/AQJxx/x, where 5♠ is a favorite but not a lock. I'm not sure what West's comment about partner's not bidding 4♥ implied - did he plan to bid 4♠ over 4♥? Signing off over a second try seems way too conservative to me.

I do think the appeal had merit. The appeals committee (AC) was asked to make a bridge judgment; whether bidding over 4♠ was so clear-cut that passing would have been illogical. It would be unreasonable for the AC to find such an appeal without merit any time they believe the action chosen was not clear. Then the appellants would face only two possible outcomes, winning their case or receiving an AWMW.

**Wolff** Probably a proper ruling. East, likely a client, could have saved the day by redoubling (showing first round control) and the auction would probably get to 6♠. East, no doubt, had not gotten that far in her learning so did what she thought best. I believe that West was honest in saying he intended to go further, but the hesitation disruption (HD) made it easier. This case is further complicated by the necessity for the declarer to guess the hearts right. South, in a sense made an error when she doubled 4♦ with only the QJ. It probably influenced the expert declarer to play her partner for the ♥Q. So South's possible costly double, instead of causing an adverse slam result, rather led directly to her getting to rule the contract back to game. Because of that I would either keep N/S at minus 1430 or at most, rule N/S up to average minus. I think it is fair to rule E/W back to plus 680 because of the HD. Sometimes we forget that the section(s) in a pair game are always interested parties to appeals and should be protected – protect the field (PTF).

**Zeiger** West is a far better bridge player than I'll ever be, but I don't understand his failure to cuebid 4♥, or redouble 4♦ to show second round control. His explanation to the Committee was inadequate, at best. If he always intended to Blackwood, why wait? Was he trying for a grand? Was refusal to make a forward going call himself going to help find a grand? Broken record time - no merit.