

APPEAL NON-NABC+ SIX
 Subject: Unauthorized Information (UI)
 DIC: Matt Smith
 Event: North American NLM Pairs
 Session: First Qualifying, April 8, 2006

(406 MPs)
 Board #26 ♠ A4
 Vul: Both ♥ KQT32
 Dlr: East ♦ T5
 ♣ AQ52

(420 MPs)	(303 MPs)
♠ KQT75	♠ J832
♥ 98	♥ 764
♦ A6	♦ QJ9832
♣ KJ94	♣

(518 MPs)
 ♠ 96
 ♥ AJ5
 ♦ K74
 ♣ T8763

West	North	East	South
		Pass	Pass
1♠	2♥	3♠ ¹	Pass ²
Pass	4♥	All Pass	

- (1) Preemptive.
- (2) Break in Tempo of more than 10 seconds after explanation of the 3♠ call.

The Facts: As indicated above, South asked for an explanation of the 3♠ call. After receiving the explanation, there was an agreed break in tempo beyond the required 10 seconds. The opening lead of the ♦Queen was ducked by declarer. A second diamond, ducked by declarer, was won by West who shifted to the spade King. West discarded a spade and a club on the third round of trump and the diamond King. North fulfilled his contract of 4♥. The table result was 4♥ making exactly, N/S +620.

The Ruling: There was a break in tempo (BIT), the UI from which demonstrably suggested action (by North) over a less successful logical alternative of pass. Even though some regarded the defense (discarding a club) as egregious, E/W would have been able to salvage +100. If there were no 4♥ call, E/W would have score +170. Therefore, the table result was adjusted to 3♠ by West making four, E/W +170 and N/S -170.

The Appeal: Appellants agreed that there was an unmistakable break in tempo after South questioned and received an explanation of East's 3♠ bid. North stated that he believed his cards were well-placed and that the auction marked partner with some values.

E/W believed that the break in tempo suggested heart support and values and that the 4♥ bid should be disallowed based upon the UI from the break in tempo.

The Decision: Three of the five players polled (see below) passed and two bid 4♣. This establishes pass as a logical alternative. All players polled said that the break in tempo suggested values and four thought it suggested heart support. One respondent thought partner might have diamonds. Based upon these responses, the panel determined that a 4♥ bid is demonstrably suggested by the UI.

The expert consulted on the play at 3♠ believed that all lines of play led to making ten tricks.

The panel upheld the director's adjustment of the table result (i.e. 3♠ by East making four, E/W +170 and N/S -170). Since the appellants were advised, by the table director, that several peers had been polled and all had passed with the North hand before the table ruling had been made, the panel imposed a ¼ board procedural penalty for blatantly taking advantage of the UI and issued an Appeal Without Merit Warning to the N/S pair.

The Committee: Harry Falk (Reviewer), Candy Kushner and Patty Holmes

Players consulted: Five players in the 300-500 masterpoint range on the auction, and Zeke Jabbour on the play at 3♠.

Commentary:

Gerard Yes that is the correct way to handle alleged egregious errors. See NABC+ FIVE for the improper treatment. But as to the play, making ten tricks requires playing North for doubleton ace of spades, South for the king of diamonds and diamonds breaking 3-2. After three rounds of hearts, if West ruffs and plays the king of spades, North can duck to hold West to no more than +140. And West can't afford to ruff the third heart and play a spade to the jack, what if South REALLY had his hesitation with the spade ace instead of the diamond king and won the first spade to return a club. Now declarer needs 2-2 trumps to make three. Playing for ten tricks is indulging in a fog of optimism, jeopardizing the contract for an overtrick when planning to play ace and a diamond almost certainly ensures making three.

Polisner Excellent all around.

Rigal In a way the mis-defense (egregious as it is) is a red herring. E/W had been deprived of their +170. I'm impressed by the AWMW and procedural penalty. I'd be tempted to declaim "O si sic omnes!" but I'll settle for hoping to see such firmness in the future from both panels and ACs.

Wildavsky Good work by the AC. What do this N/S think the game of bridge involves? Where do they play that they get away with such shenanigans and think it's legal? In addition to the AWMW and the procedural penalty (PP), I'd recommend notifying the recorder. In fact it would be a good idea if the recorder were automatically notified of every PP.

Wolff Here is a case, because of the flagrant UI, that E/W deserved +170, but because of the terrible defense to 4♥ (discarding a club late in the play) I would give them at best an average and am close to recommending -620. N/S deserve -170 and a procedural penalty for their blatant UI. Let the punishment fit the crimes. Also PTF (protect the field) is served.