

APPEAL NON-NABC+ SEVEN
 Subject: Unauthorized Information (UI)
 DIC: Matt Smith
 Event: North American Open Pairs – Flight B
 Session: First Qualifying, April 8, 2006

(700 MPs)
 Board #12 ♠ T 5
 Vul: N/S ♥ A Q T 7 6 3
 Dir: West ♦ 7 4
 ♣ 8 5 4

(235 MPs)	(875 MPs)
♠ K J 8 6 3	♠ Q 2
♥ 9 8 2	♥ J 4
♦ J 2	♦ K Q 8 5 3
♣ K 9 2	♣ J 7 6 3

(1100 MPs)
 ♠ A 9 7 4
 ♥ K 5
 ♦ A T 9 6
 ♣ A Q T

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

(1) Announced as a transfer.

The Facts: South thought 3♥ was a transfer to spades. North thought 3♥ was natural. E/W believed that North flinched when “transfer” was Announced. N/S do not have an agreement whether system is on in this auction. After the opening lead of the ♦K, the table result was 4♥ making four, N/S +620.

The Ruling: It was judged that South had UI, which suggested that North held hearts and not spades. The UI demonstrably suggested a pass of 4♥ over a less successful logical alternative of 4♠. It was also judged that after a 4♠ bid by South, North would know (without any UI) that the auction was off track. Therefore, a bid of 5♥ by North would be allowed. In accordance with laws 16A and 12C2, the table result was adjusted to 5♥ down one, N/S -100.

The Appeal: N/S stated that they had played as regular partners about 20 years ago and in the last 6 months had begun playing again and were updating their system. North said they had not agreed to play transfers (Texas or Jacoby) in this auction, even though they play them in other auctions such as over 1NT and 2NT openings and 1NT overcalls. They do have agreements on bidding a 5-5 after a 2N overcall. North said adamantly that his understanding was that his 3♥ bid was natural. South Announced a transfer, reacted quickly and changed his statement; but, away from the table told the director that his understanding was that they play transfers. West was certain that North had flinched and that was the cause of South's change of explanation.

The Decision: The panel decided that South had UI from the flinch and that North had UI from South's explanation.

None of the three players (two players with similar MP holdings and one expert) consulted passed 4♥. Each took a preference to 4♠ or made a move toward slam treating the 4♥ bid as a cuebid when it was presented that 4♦ would show 5-5 in the majors. However, the panel judged that, after a preference to 4♠ by South, North would be permitted to bid 5♥ because a bid of 3♠ followed by 4♠ could not describe a hand with which South would overcall 2N. North would expect that with a very good hand and a 5 or 6 card spade suit that South would have started with an overcall or a double. Since South's 2N bid promised 2 hearts, hearts would provide a much better strain in which to play (rather than a possible weak 5-2 spade fit). The panel upheld the director's adjustment of the table result (5♥ down one, N/S -100).

The panel decided the appeal did not have merit and issued an AWMW.

The Panel: Harry Falk (Reviewer), Patty Holmes, Candy Kuschner and Peter Marcus.

Players consulted: Two peers with similar masterpoint holdings and Zeke Jabbour.

Commentary:

Gerard Which consultant made a move toward slam? If one of the peers, then not just a move but a force toward slam is a logical alternative. Maybe it should be anyway since North showed 6-4 in the majors or something like Kxxxxx, Axx, x, Kxx, but if the peers couldn't appreciate the value of their hand I guess we have to let them bid 4♠. Then 5♥ down one was correct but South should have received a procedural penalty (PP) for blatant misuse of unauthorized information. If a move (force) toward slam was a logical alternative (LA), N/S can't get out for less than -800 (South bids 4NT, North bids 5♦, South bids 6♠ and after the doubling ends North is down three in 7♥). Here too, South should receive a PP for blatant misuse of UI. The panel spent too much time on the obvious decision to allow 5♥ and not enough on whether to force a slam move and the propriety of South's pass of 4♥.

- Polisner** North's auction should be interpreted as 5-5 or 6-5 in the majors. The case boils down to whether the Directors/Panel believed that there was a flinch or some other UI transmitted by North to South. Otherwise South is entitled to pass 4♥ even though it would be counter-intuitive and would seem to support a UI contention. This case would be much more difficult if South was 2-4 in the majors rather than 4-2 as a cue bid by a passed hand is a rarity so it would be reasonable to pass 4♥ believing that North had forgotten their convention. But here, the ruling and decision, including the AWMW, were correct.
- Rigal** Allowing South to pass 5♥ is perhaps just a little generous to the offenders. But the panel more than made up for that by the AWMW. Well done.
- Wildavsky** Good work by the tournament director and the Panel. While it likely made little difference to the matchpoint result, I don't understand how N/S were able to get away with minus 50. Per their testimony 4♥ could not show 5-5 in the Majors so it must have been a slam try. With a prime maximum, South would either have tried Key Card Blackwood or just jumped to 6♠. Over 4NT North would try to show his hearts one more time and South would jump to 6♠ over the 5♥ "response." Now the best N/S can do is 6N down three or 7♥ down three. In any case, I agree that the appeal had no merit.
- Wolff** The decision was a good one in spite of how hard convention disruption is to adjudicate properly.