

APPEAL	Non NABC+ Eleven
Subject	Unauthorized Information (UI) - Tempo
DIC	Nancy Watkins
Event	Second Thursday Open Pairs
Session	Second
Date	December 3, 2009

BD#	15
VUL	N/S
DLR	South

3,147 Masterpoints	
♠	T
♥	K J 4 3 2
♦	T 8 7 2
♣	J 7 6

1,500 Masterpoints		Fall 2009 San Diego, CA	1,600 Masterpoints	
♠	K Q J 9 8 6 4		♠	A 5
♥	A T 6		♥	9 7 5
♦	9 4		♦	A K J 6 5
♣	K		♣	A Q 5

2,398 Masterpoints	
♠	7 3 2
♥	Q 8
♦	Q 3
♣	T 9 8 4 3 2

West	North	East	South
			Pass
1♠	Pass	2♦	Pass
2♠	Pass	4NT	Pass
5♠ ¹	Pass	5NT	Pass
6♦ ²	Pass	6♠ ³	Pass
7NT	Pass	Pass	Pass

Final Contract	7NT by East
Opening Lead	♥2 - out of turn accepted
Table Result	Made 7, E/W + 1520
Director Ruling	6♠ W made 7, E/W + 1010
Panel Ruling	6♠ W made 7, E/W + 1010

(1)	Shows 2 keycards and the spade queen.
(2)	Shows 1 non-spade king.
(3)	Break in tempo (BIT).

The Facts: The director was called when West bid 7NT and remained at the table until the play of the hand was completed.
All agreed to the BIT of 20-30 seconds.

The Ruling: The director judged that the BIT demonstrably suggested that West bid on. Pass was judged to be a logical alternative. Therefore, the result was adjusted for both sides to 6♠ by West making 7, E/W plus 1010.

The Appeal: E/W appealed and all four players attended the hearing.

All agreed that there was a BIT of 20-30 seconds. East stated that she had a lot to think about in evaluating whether to bid six or seven and whether to play spades or notrump. West stated that they played a system where any bid above 2♠ by opener at his second turn would show extra values; therefore, the 2♠ bid chosen did not show extra length as it would in other methods. He said he was always bidding 7♠ or 7NT. He did not bid it directly over 5NT because he was not sure where partner was heading and was not sure partner had a second spade. He felt he had two more tricks than partner was promised. North stated that West cannot count 13 tricks and that very small changes in location of East's honors would make a seven level contract undesirable. Both North and South felt that the BIT demonstrably suggested bidding further.

The Decision: Law 16B1 states that after a player makes available extraneous information to partner by a hesitation, partner may not choose from among logical alternatives one that could have been demonstrably suggested by that information. A logical alternative is one that, among the class of players in question and using the methods of the partnership, would be given serious consideration by a significant proportion of such players, of whom it is judged some might select it. Law 73C further states that when a player has available to him unauthorized information from partner, he must carefully avoid taking any advantage from it.

Eight players with a masterpoint holding similar to that of West's were polled on how they would handle the West hand without the unauthorized information, given the partnership's methods: Standard American, Keycard Blackwood and 5NT promises all the keycards, invites seven, or to show the number of kings outside of trump. Seven chose to bid 6♦ to show one king. Of those seven, over 6♠: one chose to bid 7NT, two bid 7♠ and four passed.

The panel judged that the 7NT call chosen at the table was demonstrably suggested by the BIT and that the poll established pass as a logical alternative; therefore, N/S was damaged. Law 16B3 requires the director in this case to assign an adjusted score in accordance with Law 12C, which states that the score for the offending side is the least favorable result that was at all probable, and for the non-offending side, the best result that was likely. The panel determined that 6♠ making seven, E/W plus 1010 fit both criteria; so the table director's decision was affirmed.

The appeal was judged to have merit.

The Panel: Jay Albright (Reviewer), Bernie Gorkin, Charlie MacCracken and Tom Marsh.

Commentary:

Polisner How many times have we seen this identical situation? How many times have we heard "I was always going to bid seven?" Here where the poll clearly indicated that pass was a logical alternative, the ruling and decision were correct.

- Rigal** Tough case; West has a surpassingly obvious drive to a grand slam in my opinion. But the panel took a poll that produced quite another opinion – bridge in the slow lane no doubt. They who live by the panel must die by it; sensible ruling, in context. I guess West will work out to bid 7NT over 5NT next time – that'll prevent partner screwing you over!
- Smith** Even though I actually have some sympathy for West since I expect she just didn't think this through when she woodenly bid 6♦, we simply cannot allow people to show any apparent profit after a slow sign off. Why should we believe that this West might not have woodenly passed over an in tempo 6♠ bid from partner? We don't, so an adjustment should be automatic. The poll confirms it. I am such a hard-liner in these cases that I would give E/W an AWMW.
- Wildavsky** I agree with the rulings. East needed to plan his auction so that he could bid in tempo over 6♦. Perhaps there is some merit to the appeal. West knew that 7NT could not be worse than on a finesse.
- Wolff** West could have (should have) bid 7NT over 5NT but didn't and so is barred from doing so after partner's BIT. The ruling should be E/W plus 1010, NS minus 1520 or minus 1510 with NPL (normal playing luck) the rational reason. For those interested in the legal description, the opponents (by whatever method) did bid 7NT so consequently, the event being a pair game, they did nothing to deserve anything less to be bid and to not do so would be unfair to every other pair in that section (or sections) sitting the same way. E/W deserved to be penalized for hesitation disruption and partner possibly taking advantage of the UI created. Until we, as administrators, steadfastly rule the same way on every one of these hands, we are doing our game a great disservice.