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| APPEAL | Non-NABC+ One |
| Subject | Unauthorized Information (UI) |
| DIC | John Ashton |
| Event | First Fri/Sat Knockout – Bracket Four |
| Session | Round Two |
| Date | November 23, 2007 |

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|-----|------|
| BD# | 12 |
| VUL | N/S |
| DLR | West |

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|------------------|-------------|
| 800 Masterpoints | |
| ♠ | K Q |
| ♥ | A K Q J T 7 |
| ♦ | Q 8 6 2 |
| ♣ | A |

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|--------------------|-----------|--|--------------------|---------|
| 1,632 Masterpoints | | Fall 2007 San Francisco, CA | 1,438 Masterpoints | |
| ♠ | J T 4 2 | | ♠ | 9 8 6 5 |
| ♥ | 8 5 | | ♥ | 9 6 4 2 |
| ♦ | T 4 | | ♦ | 9 |
| ♣ | Q T 8 5 3 | | ♣ | 9 7 6 2 |

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|--------------------|-------------|
| 2,000 Masterpoints | |
| ♠ | A 7 3 |
| ♥ | 3 |
| ♦ | A K J 7 5 3 |
| ♣ | K J 4 |

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|------|-----------------|------|-----------------|
| West | North | East | South |
| Pass | 2♣ | Pass | 2♦ |
| Pass | 2♥ | Pass | 3♦ |
| Pass | 4♥ | Pass | 4NT |
| Pass | 5♣ ¹ | Pass | 5♥ ² |
| Pass | 6♥ | Pass | Pass |
| Pass | | | |

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| Final Contract | 6♥ Hearts by N |
| Opening Lead | ♦9 |
| Table Result | 6♥ by North, making 7, +1010 |
| Director Ruling | 5♥ by North, making 7, +510 |
| Panel Ruling | 5♥ by North, making 7, +510 |
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| (1) | Supposed to be one or four controls |
| (2) | All agreed break in tempo |

The Facts: All agreed there was a noticeable break in tempo before the 5♥ bid by South.

The Ruling: Per Law 16 and 12 C 2, the result was adjusted to 5♥, making seven, North/South plus 510.

The Appeal: South said that he was trying to figure out what kind of hand could open 2♣ and only have one key card and insist on a heart game without both the Ace and King of hearts. He finally decided to bid 5♥, thinking they were off two key cards.

North said she realized she made the wrong bid and thought she could bid 6♥. The E/W pair agreed with the facts presented. An approximate length of the break in tempo was stated as “noticeable” and “obvious thought by South”.

The Decision: South took control of the hand after North’s jump to 4♥. South could have had a hand without a key card. When South broke tempo, North realized that she gave the wrong response and should have bid 5♦ (0-3, 1430). Since South had a problem, North now knew that South must have at least two key cards and, therefore, assumed that she, North, had one and not four key cards. Using this UI, North knew that they were not missing two keys, and can bid slam without risk.

The panel felt that North was awakened to the misbid by South’s hesitation. The panel felt the use of the U.I. was blatant enough to issue a procedural penalty (PP) and an appeal without merit warning (AWMW). The penalty was 3 IMPs (not relevant to the outcome of the match) to make the point that not only was the appeal without merit but advantage was taken from the UI.

Law 73 F 1 requires an adjustment when a player selected from among logical alternatives one that could demonstrably have been suggested by a break in tempo. Law 73 sends the director to Law 16 and from there to 12 C 2 which requires the non-offending side be given the most favorable result likely had the irregularity not occurred. That result was judged to be 5♥ by North, made seven, N/S plus 510.

The Panel: Candy Kuschner (Reviewer), Charles MacCracken and Jean Molnar.

Players Consulted: None.

Commentary:

Polisner I disagree. Normally when a responder to Roman Key Card Blackwood shows either 0 or 3, or 1 or 4 and partner signs off, the responder should assume that partner is playing him/her for the lesser of the possibilities and if he/she has the greater, he/she should bid again. This is a classic case of such a principal except that North realized that she wrongfully showed the correct number of key cards. The fact that she realized this during South’s BIT is not relevant. It wasn’t the BIT which told North to bid 6♥, but the realization that she had possibly shown only one key card and she had three. Table result stands.

- Rigal** Although I'm usually a fan of PPs when an appealing side brings a case without merit, I think the chain of reasoning North was deemed to have followed that led to the PP was not sufficiently direct to require one. I agree with the decision on the case itself though.
- Smith** In some situations where a player has responded to Roman Key Card Blackwood showing either/or, it is permissible to allow them to bid on to slam after a signoff by partner when they hold the higher number, even opposite a hesitation. That is not true here, however, since it is all but impossible for a player who opened 2C to have zero or one key card. Even though South obviously had trouble believing it (Who can blame him!), he did decide it was possible in this case since it was impossible for his partner to have four. So from North's point of view, his partner could have had no key cards and the partnership could have been off two aces. Cases like this in recent years have in my opinion correctly established the precedent that partner's hesitation before signing off is UI in terms of alerting a player to recheck his previous bid for accuracy. With no hesitation, a player may well not consider the possibility of an earlier misbid and just pass reflexively. So I agree with the directors and the panel here. The write-up is a bit disjointed, but the ultimate decision is correct.
- Wildavsky** I love that PP! Too bad it didn't affect the result of the match. I know some disagree with this use of PPs, in particular Marvin French and Michael Rosenberg. I find the practice unobjectionable and in fact beneficial, "pour encourager les autres."
Mostly I agreed with the panel's decisions. As usual, the cases tend to be more straightforward than the ones from NABC+ events.
- Wolff** A proper ruling. Sadly for the N/S pair, the circumstance of how the bidding developed must preclude making an exception in the use of hesitation Blackwood.