

APPEAL	NABC+ SIX
Subject	Unauthorized Information (UI)
DIC	Henry Cukoff
Event	Von Zedtwitz Life Master Pairs
Session	Second Semifinal
Date	July 25, 2009

BD#	17
VUL	None
DLR	North

Roy Welland	
♠	Q T
♥	A Q J
♦	6 4 3 2
♣	K 8 7 5

William Hacker		Summer 2009 Washington D.C.		Leo LaSota	
♠	A K 8 2	♠	J 9 3		
♥	9 8 7 2	♥	K T 6		
♦	K 8	♦	Q J 9 7		
♣	6 4 3	♣	A Q 9		

Tor Helness	
♠	7 6 5 4
♥	5 4 3
♦	A T 5
♣	J T 2

West	North	East	South
	1♣ ¹	Pass	1♠
Pass	1NT	Pass	Pass
Dbl	Pass	Pass	Pass

Final Contract	1NT doubled by North
Opening Lead	♦Q
Table Result	Down 4, N/S - 800
Director Ruling	1NT N down 4, N/S - 200
Committee Ruling	1NT N down 4, N/S - 200 1/8 board penalty to E/W

(1)	Alerted.
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The Facts: The director was called after the hand was played.

1♣, which could be short, was Alerted. The explanation of the Alert seemed somewhat confusing to East. After the Alert, East asked several questions about the bid. After South's initial explanation East asked a few more questions, then looked at the NS convention card before passing.

The Ruling: The director judged that the questioning made UI available to West, that it suggested doubling over passing, and that Pass by West was a logical alternative. In accordance with Laws 16 and 12 the director adjusted the result to 1NT by North down four, N/S minus 200 for both pairs.

The Appeal: E/W appealed the director's ruling. Only North and West attended the hearing.

East asked a total of five questions due to South's confusing initial responses. Both sides agreed that the questioning took the form of:

Q. What's the Alert?

A. Could be short.

Q. What kinds of hands?

A. Five-card Majors (unclear due to South's accent).

Q. It can contain a 5-card major?

A. We play five-card majors.

Q. What kinds of hands would be short clubs?

A. Those with a bad diamond suit.

Q. Could you clarify?

A. It could be 4-2 in the minors since we need a good diamond suit to open 1♦.

East then picked up N/S's convention card and examined it before passing. East further stated that West's double said, "Do something" and did not guarantee any specific suit length. It didn't guarantee spade values and might contain only two spades. East asserted that with both sides not vulnerable at matchpoints they are extremely aggressive in balancing over 1NT (except with poor 4333 hands). They almost never let declarer play a 1NT contract at this vulnerability.

North stated that this was the first time that he and his partner had played together, and that they had filled out a convention card 15 minutes before game time. Their system was not completely defined, but they did agree that 1♦ couldn't be opened on a bad suit. He believed there was zero safety in balancing with West's hand, and noted that it contained only Kx in an unbid suit. West had UI from the earlier table action, and it was likely that East would pass the double. A significant number of players would pass with West's cards.

The committee discovered that E/W had been playing together 1 ½ years and that they essentially play the same "short club" treatment. The discussion had taken somewhere in the range of 20-30 seconds before East finally passed. Additionally, the double had not been Alerted, nothing was noted on the E/W convention card concerning their balancing style, and no pre-Alerts had been given to N/S. Answers to other system questions yielded responses that indicated that their competitive treatments over 1♣ and 1♠ - pass - 1♠ were typical of the vast majority of tournament players.

The Decision: The committee believed that UI had indeed been made available to West via the questioning, and especially when East examined the N/S convention card prior to passing. The UI demonstrably suggested that a balancing double by West would be safe and likely to be successful. Pass was clearly deemed to be a logical alternative. Therefore the committee agreed with the director's decision to change the contract to 1NT by North undoubled.

Regarding the number of tricks that North would likely have taken, the actual line adopted (explained by North as a deceptive attempt to deter E/W from attacking spades since he believed West had something like AJxxx of spades) was deemed to be representative and unaffected by the infraction. Therefore, the score of down four, N/S minus 200 was assigned to both sides.

Additionally, the committee believed that the appellants had presented no substantive evidence or argument for overturning the director's ruling. Accordingly the committee issued an appeal without merit warning (AWMW) to East and West.

The committee members were also disturbed by both the length of questioning and follow-up inspection of the convention card and by the balancing action by West in the face of UI from the aforementioned actions. A 1/8 of a board procedural penalty was assessed to E/W for the balancing double when UI was available.

Finally, based upon guidance from the screening director, West was told that such a treatment needed to be listed on their convention card and that they needed to pre-Alert their opponents regarding their aggressive balancing style.

The Committee: Mark Bartusek (Chair), Michael Huston, Gene Kales, Ellen Kent and JoAnn Sprung.

Commentary:

Goldsmith Good job. Very good job with the procedural penalty.

Polisner Yes, there was UI. However, I know of several prior appeals involving North and a 1♣ opening. It is more than "could be a short" bid. In the San Francisco. 2007 NABC, it was a 5422. If N/S were playing this style, I can understand East's questions especially in light of South's seemingly inane responses to East's questions. However, it was silly for East to be asking questions as he wasn't thinking about taking action over 1♣.

Rigal Finally! A committee who hands out the sort of justice that will, I hope, make E/W think twice before taking the action chosen at the table and then bringing a meritless appeal. Well done the committee (and the TD – I do not expect them to give procedural penalties here though maybe they should).

Smith This appeal should not have been brought, and the committee made it crystal clear that it held the same opinion as it correctly addressed all points of the case.

Wildavsky I agree that the appeal had no merit. The procedural penalty looks appropriate as well.

Wolff Good ruling.