

APPEAL	Non-NABC+ THIRTEEN
Subject	Misinformation (MI) and Unauthorized Information (UI)
DIC	Scott Campbell
Event	Stratified Open Pairs
Session	First of Two
Date	August 1, 2009

BD#	32
VUL	E/W
DLR	West

746 Masterpoints	
♠	Q
♥	5 3
♦	A Q 9 6 5 3
♣	K 9 7 3

1,713 Masterpoints		Summer 2009 Washington D.C.	1,757 Masterpoints	
♠	K J T 8 2		♠	9 5 4
♥	K J T 9 8 4 2		♥	A Q 7
♦	8		♦	K J T 2
♣			♣	A Q 6

730 Masterpoints	
♠	A 7 6 3
♥	6
♦	7 4
♣	J T 8 5 4 2

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

Final Contract	6♥ by West
Opening Lead	♣3
Table Result	Made 6, E/W + 1430
Director Ruling	6♥ W made 6, E/W + 1430
Panel Ruling	6♥ W made 6, E/W + 1430 ¼ bd penalty against E/W

(1)	By agreement shows 5 spades and 4 hearts – Alerted by East.
(2)	Roman Keycard Blackwood.
(3)	Two controls, no spade queen.

The Facts: The director was called before the opening lead and again after the hand was played. West said that he did not forget his agreements, but wanted to find out about spades before bidding 6♥. There was no mention of a break in tempo (BIT).

The Ruling: The director judged that there was no infraction of law. Therefore, the Table Result of 6♥ by West making six, E/W plus 1430 was allowed to stand for both sides.

The Appeal: N/S appealed and all players except North attended the hearing. N/S maintained that the tempo slowed after 4NT and mannerisms (sighs) were present during the auction.

East felt that West decided on the contract and accepted partner's choice of contracts. E/W were non-specific about the possible presence of mannerisms during the auction.

The Decision: The reviewer polled five players. One answer was not in line with a rational approach to this hand and was discarded. Two players felt that 6♥ fixed the contract and passed. One suggested that 6♥ showed that the wheels were off this auction and also passed. One thought they should correct and bid 6♠.

The panel determined that there was sufficient authorized information available to allow East to pass 6♥. Therefore, the table result of 6♥ by West making six E/W plus 1430 was allowed to stand for both pairs.

West stated that 3♥ was intended as Smolen. Subsequent actions in the auction suggest that this was not so. Therefore, it is probable that there were improper mannerisms at the table. Players in the 1,700 masterpoint range should control those reactions; so, the panel assessed a ¼ board procedural penalty against E/W.

The Panel: William Michael (Reviewer), Bernie Gorkin and Ken Van Cleve.

Commentary:

Polisner I'm confused. N/S called the director. What was it about the auction which caused the call? The only thing that the director determined was that there was not a contention of a BIT. There apparently was not any mention of other UI (gesture, etc.) during the time the director was at the table. Such contentions, which were denied by E/W, were first raised at the hearing. I cannot see giving a procedural penalty for this without more conclusive evidence; however, I might do so for West blatantly lying about his intention in bidding 3♥.

Rigal I do not like anything about this ruling, but I do not know what I'd do, so maybe I can't be too critical. The UI issues are complex – and yes of course West forgot Smolen. I think N/S came out of this without any redress but I'm still not sure if they were hard done-by or not.

Smith It seems from the writeup that the table director was not told of any UI by N/S. And to the reviewer they apparently were not too specific about when the alleged UI infractions occurred. It would seem that they originally called the director because of East's surprise pass of 6♥. So I am not inclined to put too much stock in the contention that UI assisted E/W, especially since the final bid by West was such an alarm bell to East. But maybe you just had to be there to know for sure. I am again troubled by the panel's conclusion regarding a logical alternative based on the polling. 25% among peers constitutes a logical alternative according to Law 16. Maybe the passer was an aberration, but if so only more polling would have revealed that. It's one thing to say that the UI didn't exist or that it didn't suggest the action taken or even that the UI was outweighed by authorized information (the auction itself), but quite another based on the polling to say that no logical alternative to pass existed.

Wildavsky I'd love to know how declarer took 12 tricks, but it doesn't seem relevant to the case. West's explanation is not credible. If he wanted to find out about the ♠Q then why did he bid slam after learning that his side was off two key cards and the ♠Q? I think N/S were due redress.

Wolff By the way, how did 6♥ make? By West going up with the king of spades (catching the queen) or by South rising with the ace when a spade is led from dummy? I'll bet on the latter way and if so for them to want an adjusted score should also accrue extra discipline against them.