

APPEAL	NABC+ One
Subject	Unauthorized Information (UI)
DIC	Steve Bates
Event	Open Board-a-Match Teams
Session	Second Qualifying
Date	November 23, 2008

BD#	30
VUL	None
DLR	East

Simon Erlich	
♠	K Q J 6 5
♥	8 4
♦	Q J T 3
♣	9 5

Ed Freeman		Fall 2008 Boston, MA	Don Kersey	
♠	8 7		♠	A 9 3 2
♥	J T 6 3 2		♥	7
♦	A		♦	K 8 7 5 2
♣	A Q 8 7 2		♣	K J 4

Jeff Rothstein	
♠	T 4
♥	A K Q 9 5
♦	9 6 4
♣	T 6 3

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

Final Contract	3♣ by West
Opening Lead	♣5
Table Result	Making 3, E/W + 110
Director Ruling	3♣ W made 3, E/W +110
Committee Ruling	3♣ W made 3, E/W +110

(1)	Alerted. West explained "I'm taking it as Drury."
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The Facts: The director was called at the end of the auction. E/W had not discussed whether Drury applied in competition. East said that he believed he had another call based on his hand not the UI.

The Ruling: Four players with similar masterpoint holdings were consulted. None thought that a pass over 2♥ was a logical alternative (LA). Therefore, in accordance with Law 16, the table result of 3♣ making three, E/W plus 110 was permitted to stand.

The Appeal: All four players attended the hearing. South stated that a pass of 2♥ was automatic in his opinion.
E/W is a pickup partnership using standard methods.

The Decision: The committee felt unanimously that pass was not a logical alternative. The committee knows that there are players in the event who would pass 2♥, but it felt that the percentage of those who would do so did not meet the standard set in Law 16B1(b) – i.e. "...be given serious consideration by a significant proportion of such players, of whom it is judged some might select it."

Therefore, the director's decision to allow the table result of 3♣ making three, E/W plus 110, was upheld.

Since the appellants were informed of the results of the director's poll, the committee initially decided that the appeal lacked substantial merit and imposed an appeal without merit warning (AWMW). At the request of the National Appeals Chairman and the National Appeals Director the committee subsequently reconsidered the warning. Realizing the issue of whether or not pass is a logical alternative is closer than it had judged initially, the committee removed the AWMW.

The Committee: Robb Gordon (Chair), Doug Doub, Ellen Kent, Ed Lazarus and Chris Moll.

Commentary:

Goldsmith I suspect the poll is flawed. The directors needed to find a panel of players who would have passed East's hand to start with. In this day and age, there aren't a lot of those. If a player wasn't comfortable having passed the hand, he likely thought, "I have an opening bid; how can I pass now?" overwhelming other issues. I think the decision is very close, and I'd lean towards pass' being a LA, but that's why we have five players on an appeals committee.

Polisner Apparently the directors do not know how to take a proper poll. You don't ask the players polled if a particular bid is a logical alternative, you ask two questions (both without any knowledge of any UI):

1. What calls would you seriously consider?
2. What call would you make?

After taking the poll in this case, the directors determine if a significant number of peers would have considered calls other than 2NT and whether some would have actually have passed 2♥. Only then can they determine what is or is not a LA.

The appeals committee's logic is suspect since they determined that some players would pass 2♥, but not enough to be the "some" required to achieve LA status. I am baffled.

Rigal

West's failure to open a weak-two bid suggests that the auction he followed suggests either bad hearts, five hearts, or normal opening values. Thus East's decision to continue looks like normal bridge. I think pass IS a logical alternative but the group polled produced a united reaction that it was not. We have to respect them. Correct committee decision and I think it is a lot closer to the AWMW than the NAC Chairman and Director of National Appeals did.

Smith

I am more than a little surprised at the result of the player poll. Passing a natural 2♥ bid sure looks like an alternative to me. But I guess that is why we have player polls and committees. But the committee's stated reason for ruling pass not to be a logical alternative is faulty in my opinion. The committee states that there needs to be a "significant proportion" of players who would seriously consider pass for it to be deemed a logical alternative (Law 16B1(b)), and then it gives an opinion on the likelihood of players passing that I think confirms that statement to be true as applied to this case.

Finally, if the committee informed the players of its decision including the AWMW and then later reconsidered it, I think a very bad precedent was set. An AWMW is part of the committee's bridge decision and once a committee has rendered its decision that decision just has to be final, right or wrong. It is probably illegal for a committee to revisit its own decision in a case once it has been delivered, and it is certainly unwise.

Wildavsky The poll results and the appeals committee's (AC) judgment surprised me so I took my own poll. The questions and results are available here:

http://spreadsheets.google.com/ccc?key=pZJesnDzgUg6coOKRy-_eZA

16 players chose to pass, 5 bid 2♠, and 16 bid 2NT. Most, no matter what call they chose, seriously considered at least one other call. My poll results should make it clear that both pass and 2♠ are Logical Alternatives (LA). The director ought to have polled more players. Here his odds of finding four 2NT bidders were about 3.5%. We were unlucky, but polling more players would reduce the role of that luck. Suppose 80% of players would bid 2NT, most after seriously considering pass. Then pass is still a LA, but 41% of the time each of the four respondents will bid 2NT. This is much too high a chance of making an incorrect ruling.

The AC ought to be a safeguard against this kind of result. The committee cited the relevant portion of Law 16, so we know they had it in mind. Apparently their judgment differs substantially from mine. I can't say for sure what went wrong, but we get a hint when the write-up states, "The committee knows that there are people in the event that would pass 2♥." If some would pass then many more would seriously consider it. I have argued for years that directors and ACs ought to take a more expansive view of LAs. Here the AC realized that some players would judge differently than they themselves. A little more introspection might have let them conclude that they could easily be mistaken as to how many such players there are. It should only take one AC member to come to this conclusion. If anyone believes a call is a LA his colleagues should give that opinion great weight.

I don't recall why I didn't give the case to the AC as a blind preview, and I regret not doing so. A blind preview might have helped the AC members realize that the decision was a close one.

Wolff Since convention disruption (CD) caused the whole problem some continued effort should be made to diminish and eventually eradicate it from our game. Because of the director's and committee's position, perhaps plus 110 should remain for E/W and minus 110 for N/S, but with a 1/4 to 1/2 board procedural penalty to E/W for not knowing their convention and causing CD. All masters get served, justice, right score, protection of the field, and ongoing improvement in our scoring.