

APPEAL	Non-NABC+ Three
Subject	Unauthorized Information (UI)
DIC	Richard Mueller
Event	Tuesday Evening Swiss Teams
Session	Only
Date	March 11, 2008

BD#	14
VUL	None
DLR	East

1328 Masterpoints	
♠	7 4 2
♥	A J
♦	J 8 7 6
♣	K T 6 3

802 Masterpoints		Spring 2008 Detroit, MI	829 Masterpoints	
♠	Q T		♠	9 8 3
♥	7		♥	Q 6 5 4 3 2
♦	K Q 9 5 4 2		♦	3
♣	A J 9 7		♣	5 4 2

1152 Masterpoints	
♠	A K J 6 5
♥	K T 9 8
♦	A T
♣	Q 8

West	North	East	South
		Pass	1♠
2♦	2♠	Pass	3♦
Pass	3♠ ¹	Pass	4♠
Pass	Pass	Pass	

Final Contract	4♠ by South
Opening Lead	♦K
Table Result	4♠ by South, making 5, N/S +450
Director Ruling	4♠ by South, making 5, N/S +450 N/S 1 VP procedural penalty (PP)
Panel Ruling	3♠ by South, making 5, N/S +200

(1) Accompanied by statement "I'm taking 3♦ as a help suit game try"

The Facts: North agreed to the facts, including the unsolicited comment. This constitutes unauthorized information per Law 16A.

The Ruling: Per Law 16A, a player who is in possession of extraneous information from his partner may not choose from among logical alternatives one which could have been demonstrably suggested by the extraneous information. The Director found pass to NOT be a logical alternative, therefore the table result of 4♠ by South making five, N/S plus 450 was allowed to stand. N/S were given a one victory point penalty for the extraneous comment.

The Appeal: E/W commented that after the comment and the “denial” of help in diamonds, South could infer that partner’s values were in hearts and clubs and would be helpful in making game. West did not understand the purpose of South’s 3♦ bid. South indicated that he had intended 3♦ to be “tell me more”. South also felt he had a very good hand and would easily make game if partner had a king or queen somewhere.

The Decision: Twenty of South’s peers were polled, and of those seven would have bid 3♠ or 4♠ and eight would have bid 3♥. None of these fifteen players could agree to continuing an auction if they were requested to bid 3♦. Of the remaining five players, four agreed to bid 3♦, and then passed over 3♠. One player chose to continue to 4♠ over 3♠. In addition, the polled players, after responding to the auction questions, were asked what the extraneous comment would mean to them. They stated that the comment suggested that bidding 4♠ was more attractive.

The panel concluded that, after the extraneous comment, 4♠ was demonstrably suggested, and pass was a logical alternative for a player of South’s level. The panel ruled the result to be 3♠ by South, making five, N/S plus 200 per laws 16A2 and Law 12C2. The one victory point PP was removed.

The Panel: Nancy Boyd (Reviewer), Jay Albright, Gary Zeiger.

Commentary:

Polisner Certainly, there was UI and, if the UI demonstrably suggested that bidding 4♠ would be more profitable than passing, then pass would be a LA. However, I am not convinced that the UI did suggest anything in that South chose to rebid 3♦ - a cue bid which most players would consider a game force and probably a slam try or possibly a try for 3NT. Therefore, 3♠ would merely mean (absent the UI) that North could not cooperate in a slam auction and would still be in a forcing auction. Basically, the UI did not suggest bidding more and South just took a shot. In spite of this analysis, I would still adjust the result because South did not intend his 2♦ bid to mean what it should have meant, and he was making a game try.

Rigal Someone needed to ask South what he thought he was showing or asking. I just don't see why the comment implied anything, unless it was established that South meant 3♦ as something other than help-suit. The point is that if South meant 3♦ as a stopper-ask then 3♠ denied a stopper and implied values elsewhere -- by definition. It looks as if South meant 3♦ as a stopper-ask and was choosing between 3NT and 4♠. I would have let the penalty imposed by the director stand. Had there been a tempo break....but there wasn't.

Smith I don't understand why the table director decided that passing 3♠ was not a logical alternative. If South always intended to go to game, why didn't he just bid it over 2♠?

So the panel clearly corrected that error and produced a better and well reasoned decision. I like the panel's methodology in only considering the opinions of those who could accept a 3♦ bid by South. One of the difficulties of polling is that sometimes it is difficult to find true peers who agree with a player's previous action(s), but here the reviewer went the extra mile to find those players.

I am less impressed by the panel's removal of the penalty. I think panels and committees should be very reluctant to remove these kinds of penalties unless it is truly judged that a miscarriage of justice has occurred. Otherwise we will be encouraging people to appeal for the removal of penalties, not something we want. I know that the panel probably removed it since it decided to reduce the N/S score on appeal, but that shouldn't matter. Score adjustments are made to achieve equity, and penalties are separate matters unrelated to that principle.

Wildavsky How did the director determine that there was no LA to 4♠? As the panel's admirably thorough poll showed 3♠ was a standout. The panel corrected an injustice. I do not understand, though, why they removed the PP. I'd have assessed a heavier one! North caused this problem all by himself, by speaking during the auction with no reason. 3♦, being a cue-bid, did not require an Alert. If North, nevertheless, felt the need to call attention to the call he ought to have used the single word "Alert" and to have done so immediately after his partner's call. This is not rocket science, and ought to be well known to a player with over 1000 masterpoints.

Wolff Good ruling based on blatant UI (although probably not intended as such). North probably learned that it is, "Better to be quiet and thought a fool, then to open one's mouth and remove all doubt."