

APPEAL	NABC+ FIFTEEN
Subject	Unauthorized Information (UI)
DIC	Guillermo Poplawsky
Event	Open Swiss Teams
Session	Second Qualifying
Date	July 28, 2007

BD#	3
VUL	E/W
DLR	South

Chip Martel	
♠	A Q 8 6
♥	J 9
♦	9 3
♣	K T 4 3 2

Nagy Kamel		<b>Summer 2007 Nashville, Tennessee</b>	Robert Lebi	
♠	9 2		♠	K T 7 4 3
♥	8 7 5 4		♥	A K 6
♦	Q 8 6 4		♦	T 2
♣	J 7 5		♣	A 9 8

Lew Stansby	
♠	J 5
♥	Q T 3 2
♦	A K J 7 5
♣	Q 6

West	North	East	South
			1NT <sup>1</sup>
Pass	Pass	Dbl <sup>2</sup>	Pass
2♣	Dbl	Pass <sup>3</sup>	Pass
Redbl	Pass	2♠	Dbl
Pass	Pass	Pass	

Final Contract	<b>2♠ doubled by East</b>
Opening Lead	♠J
Table Result	<b>2♠ dbl'd E, down 2, E/W -500</b>
Director Ruling	<b>2♣ dbl'd W, down 4, E/W -1100</b>
Committee Ruling	<b>2♣ dbl'd W, down 4, E/W -1100</b>

(1)	12-14 HCP.
(2)	Alerted and explained as DONT.
(3)	Slight hitch.

**The Facts:** The director was called after the dummy was tabled. N/S claimed that East had noticeably flinched after the 2♣ bid had been doubled. East's first-round double had been Alerted and explained as DONT. East had stated that he had made an ethical decision to smoothly pass the double of 2♣. West had decided to redouble for SOS and had stated that if partner really had clubs they would be OK.

**The Ruling:** By slight gesture, movement, hitch or mannerism there was UI that suggested that East didn't want to play 2♣ doubled. Passing was determined to be a logical alternative (LA) to redouble. The result was adjusted to 2♣ doubled by West, down four, E/W minus 1100 (laws 16 and 12C2).

**The Appeal:** E/W were a first time partnership and had only discussed playing DONT over the opponent's notrump opening. West had assumed that the entire system was on over both strong and weak notrumps; while East had stated that logic dictated that a penalty double was penalty over a weak notrump. Additionally, while the initial double of 1NT had been Alerted and explained as DONT, the 2♣ bid by West had not been Alerted. West stated that the auction gave him the necessary information to escape from 2♣ doubled. The partnership only made single-suited DONT doubles with a six-card suit, and the opponents could not be doubling 2♣ with a 2-2 fit.

N/S stated that the double of 2♣ was clearly penalty in their methods and that East had visibly shrugged before passing 2♣ doubled (disputed by E/W). They also stated it is common practice for DONT bidders to occasionally use the double with only a five-card suit as the best way to get into the auction. This would logically permit N/S to be doubling 2C with a 3-card holding in the North hand.

**The Decision:** The committee decided that West was in possession of UI due to his partner's non-Alert of his 2♣ bid. The UI demonstrably suggested that redouble by West would be a successful action. Since a pass of 2♣ doubled was clearly a LA for West, the committee determined a result based upon a pass by West. Therefore, the result was changed for both sides to 2♣ doubled down four for minus 1100 for E/W. The committee considered but rejected awarding an appeal without merit warning (AWMW) to the appellants since a couple of the members did not favor awarding an AWMW.

**The Committee:** Mark Bartusek (Chair), Tom Carmichael, Jeff Goldsmith Abby Heitner and Mike Kovacich.

**Commentary:**

**Goldsmith** An AWMW is clear. I'd probably not give E/W a procedural penalty, because West probably didn't realize that he knew what was going on from UI.

**Polisner** One wonders why the tournament director did not find out that the real UI was the failure to Alert 2♣ which makes the ruling much easier than an alleged "hitch" which is much more subjective.

**Rigal** I side with the minority. An AWMW looks clear-cut; what argument did West produce for his removal? There is none.

- Smith** The committee found a way to adjust the score without really stating whether they thought there was UI from the alleged hitch. I would feel better about the decision if it had addressed that issue in the write-up. I don't buy the E/W argument that West knew from the authorized information of the auction that sitting for 2♣ doubled was wrong because it would mean that an opponent with only two clubs had doubled for penalty. It seems a bit self-serving (and an unusual agreement at that) for a pair who does not agree when DONT applies to argue that they have a firm agreement that a DONT double always shows a six card suit.
- Wildavsky** I see no merit to this appeal. Did West actually testify, as the write-up seems to indicate, that he actively took advantage of his partner's failure to Alert 2♣? That might warrant a procedural penalty, but for the fact that if it was the case we'd know about it only because of West's unusual forthrightness.
- Wolff** A very harsh result considering that 2♠ doubled would probably go down three instead of four in 2♣ doubled. However convention disruption (CD) with small hitches conveying UI can also unduly affect the game making, yet again, the necessity for learning the nuances of the system one plays. I hope all the appeal members reading this hand become convinced that if a partnership plays a convention, then all possible UI, including small hitches will be held against them. The bad news is that this ruling might suggest to non-offenders to bring any possible less than perfect tempo by their opponents to committee for favorable adjudication.
- Zeiger** I like the way the committee cleverly avoided addressing the issue of the hitch by focusing on the failure to alert 2♣. Saved some inflamed tempers, and provided the same UI. East gets credit for at least passing 2♣, and not bidding 2♠. Enough credit to avoid an AWMW even though he deserved one."