

APPEAL	NABC+ NINE
Subject	Unauthorized Information (UI)
DIC	Henry Cukoff
Event	Rockwell Mixed Pairs
Session	Second Final
Date	March 14, 2007

BD#	19
VUL	E/W
DLR	South

Thomas Carmichael	
♠	J 9 7 4 3
♥	K Q T 9 5
♦	T 7 4
♣	

Susan Jackowitz		Spring 2007 St. Louis, Missouri	Yatindra Sahae	
♠	T 5		♠	A Q 2
♥	A 8 4 2		♥	J 7 6
♦	K Q 9		♦	8 6 3 2
♣	A Q T 9		♣	K J 8

Jill Wooldridge	
♠	K 8 6
♥	3
♦	A J 5
♣	7 6 5 4 3 2

West	North	East	South
			Pass
1NT ¹	2♦ ²	3NT ³	Pass
4♣	Pass	4NT ⁴	Pass
Pass	Pass		

Final Contract	4NT by West
Opening Lead	♥Q
Table Result	4NT - W making 4, E/W +630
Director Ruling	4NT - W making 4, E/W +630 plus ¼ board penalty to E/W
Committee Ruling	4♣ by W down 2, E/W -200

(1)	15-17 HCP.
(2)	Shows spades plus another suit.
(3)	No spade stopper.
(4)	Prior to bid, E said "I think I misunderstand. I thought you said, 'denies spades.'

The Facts: The director was called following the pass to 4♣. The facts are as noted above.

The Ruling: The director ruled that, although there was UI and the UI demonstrably suggested passing 4NT, there was no logical alternative (LA) to passing. However, a ¼ board procedural penalty (PP) was imposed on E/W for the inappropriate remark by East.

The Appeal: The evidence presented showed that East, in addition to his comment about having misunderstood the prior explanation of 2♦, showed an upset demeanor, a break in tempo and discomfort from body language.

The Decision: The committee concluded that the end effect of all the UI passed by East was to “announce” that 4NT was to play. The committee concluded that it could have suggested a partial stopper in spades or that East had four diamonds and three clubs.

Therefore, if West had 4-4 in the minors, 5♦ would be a better contract.

The committee concluded that if it allowed the 4NT bid, it would then free West to bid over 4NT. The committee concluded that there were LAs to pass over 4NT (if East is allowed to bid 4NT), and, rather than force West to bid over 4NT, it disallowed 4NT by East.

A result of 4♣ down two, E/W minus 200 was assigned to both pairs. The procedural penalty was withdrawn.

The Committee: Mike Kovacich (Chair and Scribe), Ed Lazarus and Bob White.

Commentary:

Goldsmith N/S appealed. Either the appeals committee’s (AC's) ruling is poorly conceived or poorly described. My money's on the former, as neither the director nor the scribe seems to have had a handle on this case. Oddly, despite getting there by incorrect reasoning, they got to the right spot! They argued that East's gratuitous UI made 4NT clearly to play. So what? 4NT is obviously to play no matter what East says; it just means that East forgot to bid 2NT and really has a spade stopper. Who hasn't seen that auction before? I've seen it at least five times, and always opener passed without UI. So the UI from East's comment was all a red herring. But, how did East know that North had spades? From East's comment, it appears that he thought that North's 2♦ bid showed diamonds, so he was denying a diamond stopper by bidding 3NT. How did he get disabused of this notion? By hearing the explanation of 3NT! So his 4NT was, in fact, a violation, and he must pass 4♣. Which is how the AC ruled. If, however, there had been no explanation of 3NT at the table, then East would have been free to do what he pleased. Another but: 4♣ is down only one. I wonder if the director's PP is legal. Normally, blatant transmission of UI deserves a PP if it causes the board not to be able to be played normally. But, here it had no impact whatsoever, and moreover, was totally irrelevant other than to demonstrate that East was violating the laws! If he had shut up, he could have bid 4NT in comfort, known his partner would pass, and would have got a normal result. He could just have said, "whoops, I forgot to bid 2NT then 3NT. Brain fart." His 4NT would have been legal; partner's 4♣ bid would have made it obvious what had happened, and getting to 4NT would have been easy. So the only effect of East's comment was to cost him the board.

- Polisner** It seems clear that East forgot Lebensohl and was awakened by West's explanation (assuming that footnote (3) means that West explained that 3NT denied a spade stopper. However, East is entitled to the benefit of the authorized information that West bid 4♣ and would not have psyched a one notrump opening bid in first seat vulnerable versus not vulnerable. I see nothing improper in East bidding 4NT. The only remaining question is whether in bidding 4NT, conveyed UI to West which suggested that 4NT was to play. I don't see anything that assists in resolving this question. I think that I would have allowed the table result based on the facts as presented.
- Rigal** Maybe I'm missing the point, but the grounds for denying a 4♣ bid are not clear to me. What UI did East have? The explanation of the 3NT call? It seems to me that East was probably free to do what he wanted. The authorized information (AI) of the call itself is enough to get East to know what is going on is it not. I prefer the original contract to stand – and maybe the PP.
- Smith** The case write-up leaves some important matters unclear. Did East hear his partner describe his bid as denying a spade stopper rather than denying a diamond stopper? The director's ruling seems to indicate that at least the director believed he did not have that information. If he did, then I agree with the committee that passing 4♣ must be considered as a logical alternative for East. Even if East did not have that information, then I'm not sure I agree with the director that there is no logical alternative for West but to pass 4NT. 4NT without the UI might well suggest that partner wants you to pick a minor suit at the five-level.

Wildavsky Both East and West had UI at their disposal, so there were two possible infractions. The TD decided that West had no LA to the action he took and seems to have ignored the UI available to East. The AC decided that West did indeed have a LA, but to ignore that aspect of the case and instead adjust on the basis that East had a less successful LA to the action he took. The laws are unfortunately not specific as to how to adjust the score when the same side commits two separate infractions. It seems to me we ought to choose the adjustment that produces the least favorable score for the offenders. Why? Many infractions, as in this case, are matters for the TD's and AC's judgment. They may well decide that one of several potential infractions on a deal was in fact not an infraction. The non-offending side should never end up with a worse adjustment if their opponents' action is judged an infraction than if it is not. Otherwise we could be treated to the spectacle of a player pleading, say, that he had in fact provided misinformation, and his opponents arguing the contrary. The AC improved the TD's ruling. I'd have preferred an adjustment to 5♣, perhaps doubled, but it would not likely have resulted in a significantly different matchpoint score. I cannot fathom why the AC removed the PP. It was particularly appropriate -- East violated procedure by addressing his partner during the bidding.

Wolff A "real" draconian ruling. In spite of East's improper comments and the convention disruption (CD) present, it is hard to imagine that West would consider bidding over 4NT. Add that to the likelihood of E/W being too high, in this case they were "lucky" to receive a fortunate opening lead and have the diamonds 3-3 with the ace onside. We wound up penalizing luck instead of the more rational reasoning of allowing E/W plus 630, but then penalizing E/W (perhaps 1/2 of a board) for their transgressions. Again, protect the field (PTF) since N/S did nothing to deserve their top. Some committees are too often influenced by their likes and dislikes which immediately becomes "abuse of power".

Zeiger The write up is garbled. East did give West a ton of UI, which may have contributed to her passing 4NT. This is irrelevant to the ruling of course, since the committee disallowed the 4NT call. Presumably they disallowed it on the basis of East taking advantage of the UI from West's explanation that his 3NT bid denied a spade stopper. They should have said so. I disagree with that analysis anyway. The 4♣ bid is a bell ringer. The authorized information (AI) from the call itself screams to East that the auction is off the rails. East's 4NT bid should be allowed, as there is indeed no LA. The same thinking applies to West's call over 4NT. The auction screams to West that something has gone haywire. The AI commands West to pass 4NT. I understand the Committee's obvious disdain for East's action. Unfortunately, it clouded the Committee's legal analysis. Table result stands, and if we're really dismayed at East's statements, make the PP 1/2 board.