

APPEAL	NABC+ ONE
Subject	Unauthorized Information (UI)
DIC	Olin Hubert
Event	Silver Ribbon Pairs
Session	Second Qualifying
Date	March 9, 2008

BD#	<b>9</b>
VUL	<b>E/W</b>
DLR	<b>North</b>

<b>Bill Hale</b>	
♠	9 5 4
♥	3
♦	J T 4
♣	J T 9 8 6 5

<b>Bernard Fudor</b>		<b>Spring 2008 Detroit, MI</b>	<b>Jay Levy</b>	
♠	6 3 2		♠	J T 8
♥	9 7 5 4 2		♥	A J 6
♦	K 9 8 7 5		♦	Q 2
♣			♣	A K 7 3 2

<b>Robert Katz</b>	
♠	A K Q 7
♥	K Q T 8
♦	A 6 3
♣	Q 4

West	North	East	South
	Pass	1NT <sup>1</sup>	Pass <sup>2</sup>
2♦ <sup>3</sup>	Pass	2♥	Pass
Pass	3♣	Dbl	Pass
3♦	Pass	3♥	Dbl
Pass	Pass	Pass	

Final Contract	3♥ doubled by East
Opening Lead	♠A
Table Result	Down 3, E/W -800
Director Ruling	2♥ by E, down 2, E/W -200
Committee Ruling	3♥ dbld by E, down 3, E/W -800

(1)	15-17 HCP.
(2)	Break in Tempo (BIT) = North said 10 sec., West said 10 sec. And East said 30 sec.
(3)	Announced as "Transfer" to hearts.

**The Facts:** The director was called after the 3♣ call and returned after the hand. The length of the BIT was as noted above.

**The Ruling:** The director determined that there was an unmistakable BIT, which demonstrably suggested that North take action and that pass was a logical alternative. Therefore, in accordance with laws 16 A 2 and 12 C 2, the result was adjusted to 2♥ by East, down two, E/W minus 200.

**The Appeal:** South (the appellant) was the only player to appear at the hearing. He agreed that he noticeably broke tempo before passing at his first opportunity to call. He did not agree that the UI suggested bidding.

He continued that from the auction, North knows that South has at least opening bid values. North also knows that South is not markedly unbalanced since the N/S methods handle one and two-suited hands well. Their defense is:

Double = a minor one-suiter or the majors

2♣ = clubs and a major

2♦ = diamonds and a major

2♥ = hearts

2♠ = spades

2NT = both minors

North had contended that within the context of the system, the 3♣ bid was clear-cut. If, however, the committee disagreed, then it should find that 3♣ was worse than a pass because 3♣ was aimed at plus 110 or 130, when plus 200 was available by passing.

**The Decision:** The committee found that the BIT did not demonstrably suggest a line of action – in this case bidding. By bidding, North may be trading a plus score for a minus score and he also might be trading a plus 200 for a plus 110 or 130. The stronger one thinks south's hand is, the more likely this unprofitable trade might be. Therefore, because bidding was not demonstrably suggested by the BIT, the committee permitted North to bid 3♣. East could then have passed, as some Easts did, and have received a good score. It was East's decision to double that caused E/W to dive "back into the soup." Therefore, the table result of 3♥ doubled by East, down three, E/W minus 800 was reinstated.

**The Committee:** Doug Doub (Chair), Dick Budd, Jerry Gaer, Gene Kales and Ed Lazarus. Michael Huston (Scribe).

### **Commentary:**

**Goldsmith** The UI tells North that partner does not have a minimum; he could easily have only about 13 HCP, not 20. North has a 10-loser hand---if he catches partner with a minimum, he's going for a huge number. The UI suggests that responder does not have, say Jx Qxxxx xxx KQx, which would likely lead to a four-digit number.

Passing is certainly a LA, and knowing partner is very strong makes it far safer to bid, so North must pass. E/W's later actions were not foolish, so the director got it right, N/S plus 200.

**Polisner** I disagree. What was demonstrably suggested by the BIT was that South's hand was stronger (perhaps substantially) than a strong one notrump as in the context of their system pass is an easy bid with a balanced 15-17. Of course, there is no guarantee that bidding 3♣ would be successful; however, at this vulnerability, it is clear if you put partner with say AKQx, Q10xx, Ax, Kxx or the like, 3♣ is a standout. E/W minus 200.

- Rigal** I hate this decision; bidding over 2♣ here looks bizarre to me (maybe that's why I do so badly at pairs). Yes, East might not have acted over 3♣...right! With AK732 of the suit they bid he is supposed to pass!
- Smith** I disagree with the committee. Players of this caliber playing these methods would not hesitate with a run of the mill 16 count. This huddle shows more, and to me it provides an apparent margin of safety to North in deciding to balance. Maybe upon deep analysis there may be more to it than that, but to me that is how it will appear to North and that's all that matters.
- Wildavsky** This case gave me fits. It's the most difficult I've seen in a while. Was there UI? Yes, South's hesitation was unmistakable. What did the hesitation suggest? Let's agree that it suggested a strong hand, perhaps 20 HCP or more. What were the logical alternatives? Let's take for granted that both pass and 3♣ would be logical -- I'm confident that many of North's peers would choose each. Law 16 then instructs us to adjust the score if and only if the UI could demonstrably suggest 3♣ over pass. South made a sophisticated argument to the committee that the UI suggested passing, and that in his judgment the laws required his partner to bid. This sounded implausible to me, and many others; so, I set out to see what I could demonstrate.
- I started by constructing various layouts of the unseen hands. I wondered whether the appeals committee (AC) might have been unduly influenced by the actual layout, which was such a misfit for E/W. I gave West a more balanced pattern and then looked to see how transferring five points or so from E/W to South would affect the results. I had trouble coming up with even one deal whether giving South more points made balancing more attractive. I've no doubt I could have done so had I persevered, but I decided instead to take a different approach.
- I purchased simulation software, Dealmaster Pro, which includes a version of the Deep Finesse double-dummy analyzer. I set up two simulations of 100 deals each. For those who are interested I've posted the criteria I used, along with all 200 generated deals and the double-dummy results playing in hearts and clubs: <http://tinyurl.com/6ky35y>
- I realize that double-dummy results need not mirror real life, but I found the exercise informative. If the UI improves the expectation for balancing double-dummy it seems likely that it would improve it in real life.
- What did I learn? It depends on the assumptions one makes. If E/W always pass out 3♣, then balancing is a big winner overall, and the UI makes balancing substantially \*less\* attractive. That's for precisely the reason given by the appellants, that balancing is likely to lose the chance at plus 200. E/W might do better, though. Suppose that E/W double when they can collect 300, and otherwise bid on to 3♥ when they can make nine tricks or more, half the time. Then balancing will improve the N/S score 76 times out of 100 in the AI case and 74 times out of 100 in the UI case. The UI still makes balancing less attractive.

**Wildavsky continued;**

The assumptions I made ignored a couple factors that argue in favor of balancing being the legal action and one that argues against it. I did not assume that the UI implied that South was 4-4 in the majors, though that seems to be the shape likeliest to give him a problem. I did not take into account that South might bid 3NT, which will tend to be a poor spot, with some 20+ HCP hands. Contrariwise, I did not take into account that E/W might bid and make 4♥ after North balances. That's not at all likely if South has 20 HCP, but could happen occasionally when South has less. The exact figures don't matter, since North is not a computer and can't run a simulation like this at the table. They simply helped me judge whether South's contention, that North knew he was giving up a realistic shot at plus 200, was reasonable. The simulation makes it seem reasonable enough. Whether player looking at the North hand would believe it is another matter.

South's hesitation in a situation where he ought to have known it could cause a problem like this was unfortunate. To play methods like these one must be prepared to pass in tempo. Some would like to see a procedural penalty assessed in cases like this, but the laws are clear that a hesitation is not an infraction in and of itself. South's incentive to act in tempo is that, in the vast majority of cases where the UI does suggest the winning action over the losing one, his partner will be precluded from taking that winning action.

I like the director's ruling, because I believe that in close cases the director ought to rule against the side that may have committed an infraction. It seems wrong to force E/W to appeal here. That said, I have no problem with the AC's decision. It's perfectly plausible to conclude that the UI did not suggest balancing over passing.

This is an unusual case. See my comments on NABC+ Case 8 for my view as to why that one is different. The factors present there seem more typical.

**Wolff**

BITs are BITs and should not contribute to UI which obviously makes a difference with the balancer to balance. All sanctimonious rhetoric does not change that advantage. If players choose methods which require BITs in simple situations (here) they should then not be advantaged by them. Players who use non-standard methods MUST know them and not cause BITs, otherwise they should be penalized. Result stands -200 E/W, +200 N/S, plus a 3MP procedural penalty (PP) for N/S for taking advantage. Sometimes, somewhere errant players need to be penalized, otherwise they will continue to do self-serving things since they have such a good chance of getting away with it.