

APPEAL	NABC+ FOUR
Subject	Unauthorized Information
DIC	Tom Marsh
Event	Senior Swiss Teams
Session	2 nd Qualifying
Date	July 26, 2010

BD#	31
VUL	NS
DLR	S

Mark Teaford	
♠	AKQJ865
♥	K53
♦	
♣	Q63

Fred King		Summer 2010 New Orleans, LA	Bob Bell	
♠			♠	32
♥	AQT9876		♥	J
♦	Q843		♦	J65
♣	T9		♣	AKJ7542

Bruce Horiguchi	
♠	T974
♥	42
♦	AKT972
♣	8

West	North	East	South
			2♦
2♥	4♠	P ¹	P
5♥	DBL	P	5♠
P	P	P	

Final Contract	5♠ by North
Opening Lead	♣K
Table Result	Down 1, EW +100
Director Ruling	4♠ made 4, NS +620
Committee Ruling	4♠ made 4, NS +620

(1)	BIT
-----	-----

The Facts: Both sides agreed that there was an extended hesitation by East following North's 4♠ bid. The director ruled that the break in tempo was much longer than might be expected after the use of the stop card. After the break in tempo, the auction continued to a final contract of 5♠ by North. 5♠ went down one.

The Ruling: The director ruled that there was unauthorized information available to West after the break in tempo by East which demonstrably suggested bidding 5♥ and that pass was a logical alternative according to Law 16B1. Therefore, the director adjusted the score to 4♠ making 4 for +620 North-South according to Laws 16 and 12C.

The Appeal: East-West appealed the director's ruling. North, East, and West were present at the committee hearing. East-West asserted that at this vulnerability bidding 5♥ was clear because East would have doubled if 4♠ was going down and 5♥ was likely to be a very cheap save. North/South asserted that pass was a logical alternative to bidding 5♥ after the break in tempo.

The Decision: The Appeals Committee ruled that since each side agreed that there was a break in tempo by East, much longer than what would have been required by a stop card, West had unauthorized information available. The committee decided that the unauthorized information demonstrably suggested that bidding 5♥ was more likely to be successful. The unauthorized information suggested that East had some values, which would make saving a relatively cheap proposition. Had East held less, 5♥ might go down 800 or more. Therefore, the committee found that pass was a logical alternative to bidding 5♥ and adjusted the score as the TD had, per laws 16 and 12.

The Appeals Committee also ruled that the appeal lacked substantial merit and assessed an Appeal Without Merit Warning (AWMW).

The Committee: Richard Popper (Chairman), Ed Lazarus, Josh Parker, Mark Bartusek, and Richard Budd.

Commentary:

Bramley: Agree, including the AWMW.

Goldsmith: I'm not so sure that the tank demonstrably suggested bidding on. Either partner was thinking of bidding on or he was thinking about doubling 4S. West's spade void seems to me to make it very likely that East was thinking of doubling. I'd rule result stands.

At first, it seemed natural to me to rule as the AC did, but upon serious reflection, I decided that result stands was correct. I was convinced by this argument:

In a hypothetical world, I sat West and bid 5H. The director ruled against me, and I appealed thusly: "From my hand, it seemed totally obvious that partner was thinking of doubling 4S. I think passing and bidding 5H are each logical alternatives in my situation. I felt compelled to bid 5H, because it seemed to me that passing was demonstrably suggested over bidding by partner's hesitation. Never in a million years would I have guessed that partner was thinking of bidding 5C. My diamond length was another clue that partner had a one-dimensional hand, that he failed to double for fear of their running to 5D making. Obviously, I learned otherwise when South bid 5S, but I had no reason to suspect spade length from a weak 2D bidder when I bid 5H."

That argument from West seems pretty compelling, and seems to fit the letter of the law to a T. So while ruling in favor of West doesn't feel right, with the laws as currently written, I think it is correct to do so.

Kooijman: With the new laws there is a relevant question to be answered: does South still play bridge by bidding 5♠? Since the answer is 'yes' I arrive at the same conclusion: 4♠ made for both sides. And I applaud for the first wham (AWMW).

Rigal: Correct ruling and sensible AWMW. I wish we had more of them – and I'm surprised that this went to committee.

Wildavsky: West is a member of the NABC Appeals Committee. He apologized to me for bringing this case, which he later decided was without merit. I told him no apology is necessary. Being objective about one's own case is a difficult matter. An AWMW is not a moral condemnation, just a warning to consider more carefully in the future. When in doubt as to whether to appeal I recommend consulting with knowledgeable friends or acquaintances, so long as there's no possibility that they'll be serving on the committee. I try to make myself available for such consultations.

As for the case itself, as Jeff points out East was more likely to have been thinking about doubling than saving. One could argue that West is obliged to save after the hesitation! Adjusting the score here is still reasonable, though. I agree that 4S is likely to make, given that East did not double. If he was considering doubling, though, he must have some values, and those values will likely prove useful on offense as well as defense. They could easily be enough to keep 5H from going for 800. Thus, the hesitation could make 5H more likely to be successful.

All told, I think this was a close case, so I'd say the appeal had merit.

Wolff: A slam dunk ruling about returning it to 4 spades and cancelling West's 5 heart bid. My experience is that when partner (reasonably high-level on up) studies and then passes, it is NEVER (or hardly ever) about doubling but rather about bidding on, whether supporting partner or bidding a new suit. Reason being is that doubling (or its counterpart of thinking about doubling and then not) usually enables declarer (good or better) to play the hand more effectively, so studying and then passing when contemplating a double is quite often costly.