

APPEAL	NABC+ FIVE
Subject	Unauthorized Information
DIC	Henry Cukoff
Event	Fast Pairs
Session	Second Qualifying
Date	7/29/10

BD#	3
VUL	EW
DLR	S

John Bortins	
♠	K42
♥	A93
♦	96
♣	AKJ43

David Rosenberg		Summer 2010 New Orleans, Louisiana	Gary Kessler	
♠	T9853		♠	AQ76
♥	Q75		♥	J6
♦	J4		♦	AK853
♣	975		♣	Q6
		Nancy Benamati		
		♠	J	
		♥	KT842	
		♦	QT72	
		♣	T82	

West	North	East	South
			P
P	1NT ¹	2♣ ²	2♥ ³
P	2♠	P	3♥
P	P	P	

Final Contract	3♥ by South
Opening Lead	♠T
Table Result	3♥ made 3, NS +140
Director Ruling	3♥ made 3, NS +140
Committee Ruling	3♥ made 3, NS +140

(1)	15-17 HCP
(2)	Major-Minor Two-Suiter or One-Suited Minor
(3)	Transfer to Spades

The Facts: East-West called the director after North's final pass in the auction. South played 3♥ making three for a score of +140 North-South.

The Ruling: The director was called back to the table after the conclusion of play. The director returned to the table a third time after consulting with other directors. The director ruled that there was no use of unauthorized information or misinformation under Laws 16 and 40. After giving the ruling, East-West informed the director that South's bid of 3♥ was accompanied by "body English" that might have betrayed South's intent.

The Appeal: East-West appealed the director's ruling. East-West appeared at the Appeals Committee Hearing. East-West alleged that there was a demonstrable

difference in the way South placed the 3♥ bid card on the table and the way she had previously placed her other bids on the table.

The Decision: The fact that East-West claimed that there was a difference in the manner in which South placed her 3♥ bid on the table from the manner in which she had previously placed her bids on the table was not brought to the director's attention until the third time the director returned to the table. It was not brought up when the director was called originally after the pass of 3♥. It was not brought up when the director was called back at the conclusion of play. It was only brought up when the director came back to deliver his ruling.

After discussion the committee ruled that had the form of her bid been significantly different, it would likely have been brought up earlier to the director. Therefore, the committee ruled that there was no unauthorized information for North and he was free to bid as he chose. Therefore, the table result of 3♥ making three was allowed to stand.

The Committee: Aaron Silverstein (Chairman), Jim Thurtell, and Fred King.

Commentary:

Bramley: In the real world this auction always means "My previous bid was NOT a transfer". Directors and Committees should be loath to force the "transferor's" partner to keep bidding when "everyone" knows what is happening. Good decision.

Goldsmith: How can North pass 3H? Isn't that 100% forcing? How would South have bid AQxxx Kxxxx xx x? If not as she did, then N/S needs to demonstrate to us that the auction as given was impossible to mean anything other than a correction. They didn't and probably can't. So while E/W's late claim about some body English seems lame, it is clear that North figured out that South had forgotten that 2H was a transfer somehow. Not by any authorized way, so passing is illegal. Since South might be 5-6 in the majors, it seems normal for North to bid 4H, so I'd rule reciprocal 50s.

Kooijman: Strange situation. My partner never passes 3♥ in such case. I am surprised that the committee didn't consider this to be a strange action by North and did not investigate further. All evidence seems to point in the direction that the 3♥-bid got some extra information. It is not unusual in my experience not to mention this illegal emphasis on the 3♥ bid, since the auction itself shows clear proof. Why accusing your opponents when the TD will support you anyway? I am not happy with this decision, unless it is my lack of bidding understanding and this is the normal way for NS to reach 3♥ (joke).

Rigal: I HATE with a capital 'H' this sort of appeal. I'm not saying the allegation is not true; what I'm saying is that bringing up new allegations at committee is totally inappropriate.

Wildavsky: I have no quarrel with these rulings. Note that they do not set a precedent – a slightly different set of facts would likely have resulted in an adjusted score.

Wolff: Convention Disruption (CD) strikes and as usual, as of the point of the disruption, renders the rest of the hand unplayable. Here, although West had to consider his partner having spades as one of the possible hand types his bid had shown, when South evidently was transferring to spades, he West was driven out of the picture.

Here, as is usually the case, when CD strikes the opponents cannot protect themselves against it and when South now continues with 3 hearts, North is duty bound to bid either 3 or 4 spades. To not do so is very suspect. Proper ruling EW: Average, NS: Zero with proper disciplines and admonitions to boot. We continue to close our eyes to the cancer which CD represents to our game.