

APPEAL	NABC+ TWO
Subject	Unauthorized Information(UI)- Tempo
DIC	Terry Lavender
Event	Lebhar IMP Pairs
Session	First Qualifying
Date	March 12, 2010

BD#	4
VUL	Both
DLR	West

Leonard Ernst	
♠	7 5
♥	A K Q T 6 2
♦	K Q 3
♣	A 8

Greg Michaels		Spring 2010 Reno, NV	Jon Wright	
♠	9 8		♠	4
♥	4		♥	9 8 3
♦	9 7 6 4		♦	A 8 5 2
♣	T 9 7 5 3 2		♣	K Q J 6 4

Stephen Hosch	
♠	A K Q J T 6 3 2
♥	J 7 5
♦	J T
♣	

West	North	East	South
Pass	1♥	Pass	1♠
Pass	3♥	Pass	3♠
Pass	4♠	Pass	5♣
Pass	5♥	Pass	5♠ ¹
Pass	5NT	Pass	6NT
Pass	Pass	Pass	

Final Contract	6NT by North
Opening Lead	♣ K
Table Result	Made 7, N/S + 1470
Director Ruling	5♠ by S making 6, N/S + 680
Committee Ruling	5♠ by S making 6, N/S + 680

(1) Agreed break in tempo (BIT) prior to the 5♠ bid.
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The Facts: The director was called immediately after the 5♠ bid and again after the play of the hand was completed. Everyone agreed to the BIT

The Ruling: Bidding further was demonstrably suggested by the BIT and pass was a logical alternative. Therefore, the result was adjusted to 5♠ by South making six, N/S plus 680 for both sides. Laws 16B1(a) and 12C.

The Appeal: N/S appealed the director's ruling. All four players attended the hearing. N/S think there is no logical alternative to 5NT. South frequently hesitates due to physical reasons; this may have been one of them. Given his handicaps, he himself cannot tell why he pauses. 5NT promises 2nd round diamond control. North bid 5♥ because they bid first then second round controls, so 5♦ would promise first-round control.

The Decision: Was there an unmistakable hesitation? Yes, South had substantial extra values. He could not bid past 5♠ because he had no diamond control, but clearly he wanted to bid more.

Did that hesitation suggest bidding 5NT over other less successful alternatives? Certainly it did---North cannot imagine that South was thinking of passing 5♥. He had to have been considering bidding more than 5♠, so the hesitation demonstrably suggests bidding over passing.

Is pass a logical alternative? The committee argued for an hour about this. No one on the committee would pass. Would some number of North's peers pass? The directors' poll found three of five who would. Four of the five committee members were convinced that this prima facie evidence was sufficient to conclude that some would pass. If so, there is no alternative; Law 16 requires that the contract be rolled back to 5♠. Law 12 says that in that case, N/S receives the score least favorable to them that was at all probable, and E/W get the most favorable score likely. Since the auction pinpointed a diamond lead, the only possible result was plus 680.

Did the appeal have merit? Certainly. It was a close call, and one of us remained unconvinced.

Was North's action so egregious as to get him a procedural penalty? Definitely not; at least one committee member thought it automatic.

Therefore, the committee's adjustment was the same as the director's.

Dissenting Opinion by John Lusky:

1. N/S testified that their cue bidding style was first round controls first, and that 5♣ showed first round control. North's 5♥ bid confirmed this style.
2. South's slam try despite the absence of a 4♣ or 4♦ cue bid over 3♠ and the absence of a strong jump shift showed a hand with limited high cards but great trumps. Thus, South's sequence (ignoring the hesitation) matched his hand, one with great trumps that couldn't bid slam without a diamond control.
3. North had the diamond control and other undisclosed extras. It was clear for North to bid on over 5♠. Once North bids on, N/S will reach a making slam.
4. If any UI was passed by the hesitation, it was that South had greater trump length than shown. But slam would have been substantially as good if South had had one or two fewer spades, so this UI was irrelevant to North's decision.

5. The committee's decision that pass was a logical alternative was based on the results of director polling. I do not suggest that the directors were other than diligent in their polling. But polling is an imperfect process, as the persons polled do not get to hear all the committee hears about N/S's bidding style, nor do they get a chance to deliberate about inferences that may be available from N/S's bidding. That is what the committee is

there for, and it should not allow itself to be convinced by polling results when the logical alternative analysis as stated above is quite clear.

6. For these reasons, I respectfully dissent from the committee's ruling that pass was a logical alternative.

7. In addition, I note that the evidence that an unmistakable hesitation had occurred that conveyed UI to North was thinner than normal because of the testimony that South's medical issues resulted in random hesitations from time to time. While the committee usually does not pay a lot of attention to this type of testimony because it is self-serving, here there was reason to believe the testimony.

The Committee: Jeff Goldsmith (Chairman), Eugene Kales, John Lusky, Tom Peters and Jim Thurtell.

Commentary:

Goldsmith I was there, of course. This one could go either way, but that most of the polled players passed 5S was convincing. If only one had, that'd be a horse of a different color

Polisner Not knowing the level of the N/S players and assuming that the poll taker did, he/she must have asked a panel of beginners about what to do over 5 S (or at least the passers must have been). An intermediate player would know that S was interested in slam without a D control. N had his bid of 5 NT. The 5 S bid fast or slow showed the same thing. I agree with the dissenter. I think the AC should have gotten more information about the poll before accepting. Shouldn't S determine if N could have a hand without a D control before bidding 5 S? It would take most players more than a normal tempo to figure that N could have something like xx AKQJxxx xx Akx. The BIT did nothing to affect N's 100% action.

Rigal I like the idea that the committee could decide that the players polled had decided based on the wrong information about the N/S system. I think any right-thinking player would say that there was no logical alternative to bidding on, but we do have the problem that when we ask for a poll, we should stick with the decision unless we know they ruled in error. We need to address the problem that the quality of the poll depends on the information - garbage in garbage out. (compare the committee approach in NABC+ 10.)

Wildavsky A well reasoned dissent, but for me the poll results are powerful. True, those polled do not know as much about the NS system as the AC, but here NS were using standard methods, nothing that would come as a surprise to anyone answering a poll.

It's a close case. I like the TD and AC decisions.

Wolff

I feel that the important part of the N/S auction, the one revolving before and after the return to 5♠, was handled in a perfect manner. North had an automatic 5NT bid to show the king of diamonds, (holding the KQ just made it easier and better). Then the continuation to 6NT was called for and done. To me, passing 5♠ by North (with or without a BIT) would be the blackest bridge charge which anyone could receive, since it is not how the high-level game has been played for my whole bridge career of over 65 years.