

APPEAL	Non NABC+ Five
Subject	Misinformation (MI) and Unauthorized Information (UI) - Tempo
DIC	Roger Putnam
Event	Daylight Stratified Pairs
Session	First of Two
Date	March 17, 2010

BD#	21
VUL	N/S
DLR	North

1,800 Masterpoints	
♠	J 9 4
♥	A K J
♦	A J T 7
♣	A 9 6

1,500 Masterpoints		Spring 2010 Reno, NV	2,000 Masterpoints	
♠	K Q 7		♠	A 8 6 3
♥	7 2		♥	8
♦	6 5		♦	K Q 4 2
♣	J 7 5 4 3 2		♣	K Q T 8

2,200 Masterpoints	
♠	T 5 2
♥	Q T 9 6 5 4 3
♦	9 8 3
♣	

West	North	East	South
	1♦	Pass	2♥ ¹
Pass	Pass	Dbl	Pass
3♣	3♥	Dbl ²	Pass
4♣	Dbl ³	Pass	Pass
Pass			

Final Contract	4♣ doubled by West
Opening Lead	♥ A
Table Result	Made 4, E/W + 510
Director Ruling	4♣ W made 4, E/W + 130
Panel Ruling	4♣ doubled W made 4, E/W +510

(1)	Alerted = weak 0-5 HCP.
(2)	Hesitation, agreed by all the players.
(3)	Before bidding, North asked West if East's second double could be penalty and was told, "Yes."

The Facts: The director was called after East hesitated and then doubled 3♥ and was recalled after the play of the hand was completed. E/W played East's second double as competitive, not penalty, as explained by West. The issue of the hesitation was not brought up by any player until the appeal was screened.

The Ruling: The director judged that the double of 4♣ was based on the MI that the double was penalty oriented (Law 40). The issue of the hesitation was not addressed. The contract was changed to 4♣ by West with the result of making four assigned to both sides (E/W plus 130 and N/S minus 130).

The Appeal: E/W appealed the director's decision and all the players except South attended the review.

West explained East's second double as "could be penalty" in response to a question from North after West's 4♣ bid. In fact E/W play the double as cooperative. West felt she had no defense, a long weak club suit and could not sit for even a penalty double as she probably only had one to one and a half defensive tricks and East took no action over 1♦ initially.

North realized his double was "speculative" but hoped his partner had a defensive trick. The acknowledged hesitation before East's second double, for which the director was called was not mentioned or documented on the appeals form until the end of screening. Both sides agreed to this break in tempo (BIT).

The Decision: The panel first considered whether there was a logical alternative to West's bid of 4♣ after BIT before East's second double. Three players with 1,500 – 2,000 masterpoints were polled. All three bid 4♣ and did not believe West could pass the double in light of East's original pass over 1♦. So, passing, even after an agreed BIT, did not seem to be a logical alternative.

Next the panel considered North's final double. Two of the polled players passed 4♣ with the North hand. One bid 4♥ but would not double. All three players polled agreed that North had no legitimate expectation of setting 4♣ with two of his four defensive tricks in hearts (unlikely that both the ace and king of hearts would cash) and no expectation of South having a defensive trick.

Based on the polling, the panel decided that pass of the double of 3♥ was not a logical alternative. Since the polled players felt that the double of 4♣ was "wild and gambling," the MI was judged not to damage N/S, and, therefore, Law 23B3 does not apply.

The panel restored the table result of 4♣ doubled by West making four for both sides.

The Panel: Peter Marcus (Reviewer), Susan Doe, Bernie Gorkin and Candace Kuschner.

Commentary:

Rigal An excellent ruling. North admitted he found a random double and he does not get to take it back just because he does not like the result. North KNEW the double was not penalty from his own hand... guillotine!

Polisner If I understand the facts, the only evidence that E/W were playing the second double was not for penalties "as explained by W". That "evidence" is insufficient to overcome the presumption that it was MI. Without the information about the BIT, the TD's ruling was correct.

Since it was established that there was a BIT, and 2 of the 3 peers passed 4C, the contract would have been 3 Hx. In my opinion, that is the end of the story unless N's action was "wild or gambling". The standard for this level of bridge is very low. This final double is far better than that standard. Final result should be N/S + 730

Wildavsky If EW's infraction could have contributed to their good result then their score should be adjusted, per Law 12B1. That said, I am not convinced that it did, so I have no quarrel with the Panel's decision. The TD seems to have been too generous to NS.

Wolff The normal playing luck (NPL) will agree with the final decision of 4 clubs doubled -510 NS.