

APPEAL	NABC+ TEN
Subject	Unauthorized Information (UI)
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	First Semi-Final
Date	November 28, 2007

BD#	<b>2</b>
VUL	<b>N/S</b>
DLR	<b>East</b>

<b>Patrick Galligan</b>	
♠	K J 7 6
♥	Q J 8
♦	A K 4
♣	K 9 6

<b>Nicholas Gartaganis</b>		<b>Fall 2007 San Francisco, CA</b>	<b>Judith Gartaganis</b>	
♠	T 9 4		♠	A Q 5
♥	A 7 6 2		♥	T 4
♦	J 3		♦	Q T 5
♣	A 5 3 2		♣	Q J 8 7 4

<b>Ash El Sadi</b>	
♠	8 3 2
♥	K 9 5 3
♦	9 8 7 6 2
♣	T

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

Final Contract	<b>3♦ by S</b>
Opening Lead	<b>♠T</b>
Table Result	<b>Down 1, N/S -100</b>
Director Ruling	<b>2♥ dbld, N -1, N/S -200</b>
Committee Ruling	<b>2♥ dbld, N -1, N/S -200</b>

(1)	Announced as 11-13.
(2)	Announced as transfer (to hearts).

**The Facts:** The director was called at the end of the auction. N/S play transfers over the double. This was noted on the convention card. South said he intended 2♦ as a transfer, then pulled to 3♦ when 2♥ was doubled.

**The Ruling:** It was judged that South was Alerted to his misbid (of 2♦) by partner's Announcement. There was no other logical reason for running to a nine-high five-card suit at a higher level. In accordance with laws 16A, 73F1 and 12C2, the result was adjusted to 2♥ doubled by North down one, N/S minus 200.

**The Appeal:** N/S asserted that, when 5-4, they would transfer to the four-card major and run if doubled to the five-card minor. E/W did not attend the hearing.

**The Decision:** The committee ruled that without notes definitely showing this Canapé treatment it must be presumed that the Alert of the 2♦ bid prompted the run-out to 3♦. The committee evaluated the result of 2♥ doubled such that N/S would take seven tricks. Therefore, the director's adjustment of 2♥ doubled down one, N/S minus 200 was upheld. The majority of the committee believed that South intended 2♦ as a transfer and ran to 3♦ when 2♥ was doubled. However, if the N/S statement was indeed correct as to their agreement then the 2♦ bid as well as the 3♦ bid required Alerts as to the possible Canapé style.

The committee noted that 2♣ Stayman and passing the response was also available. Had the methods been explained and Alerted properly, 3♦ may well have been doubled, which would have resulted in the same final result of minus 200 for N/S.

The appeal was found to have merit.

**The Committee:** Bob Schwartz (Chair), Doug Doub, Robb Gordon, Ellen Kent and Peggy Sutherlin.

### **Commentary:**

**Goldsmith** I don't buy N/S's claims in the slightest. North did not alert or explain the canapé method at the table, nor was there written evidence. Surely anyone would think that 3♦ showing four hearts and five diamonds is Alertable. As well, the methods seem rather ineffective, and most importantly, if they were playing transfers and/or Stayman, why didn't South bid 2♣ the first time? Sorry, but my credulity does not stretch that far – appeal without merit warning (AWMW).

Not only do I not buy any of this, I'm awarding N/S a 1/4 board procedural penalty (PP) for blatant misuse of UI.

It took me a lot longer than one sentence to determine that it isn't at all probable that N/S will go down two in 2♥ doubled.

**Polisner** Everything was well done by the director and appeals committee (AC) except for the non-issuance of an AWMW and probably worse, it is amazing to believe that the majority of the AC believed the cock and bull story as to the alleged Canapé agreement.

**Rigal** N/S deserve to be taken out to the woodshed and severely slapped around to let them know that they can't expect to try to pull the wool over the eyes of (apparently) intelligent appeals committee members with impunity. 'This is how we bid 4-5 hands indeed!' I'd prefer to see 2♥ down 500 myself, and an AWMW at the very least for N/S.

**Smith** One of the elegant things about the Laws is that they don't require us to believe or disbelieve players in this kind of situation. Law 16 states: "After a player makes available to his partner extraneous information that may suggest a call or play, . . . the partner may not choose from among logical alternative actions one that could demonstrably have been suggested over another by the extraneous information." The Announcement was extraneous information, and it clearly suggested not sitting for 2♥ doubled. We don't need to know any more, and we don't need to question South's honesty. The decision to adjust the score is clear, and this appeal had no merit.

**Wildavsky** I see no merit to this appeal. I'd have considered a PP against N/S in addition.

**Wolff** Good ruling.