

APPEAL	Non NABC+ EIGHT
Subject	Unauthorized Information (UI) - Tempo
DIC	Matt Smith
Event	NAP – Flight B
Session	First Final
Date	March 18, 2007

BD#	22
VUL	E/W
DLR	East

1,200 Masterpoints	
♠	K Q 2
♥	K Q 4 3 2
♦	K 5 4
♣	K 2

700 Masterpoints		Spring 2007 St. Louis, Missouri	400 Masterpoints	
♠	8 7		♠	J T 9 4 3
♥	J T 9 7 5		♥	A 8
♦	Q		♦	A T 9 7
♣	A Q T 8 6		♣	J 5

1,000 Masterpoints	
♠	A 6 5
♥	6
♦	J 8 6 3 2
♣	9 7 4 3

West	North	East	South
		Pass	Pass
1♥	Pass	1♠	Pass
2♣	Pass	2♦	Pass
2♥	Dbl	Pass ¹	Pass
2♠	Pass	Pass	Pass

Final Contract	2♠ by East
Opening Lead	♠5
Table Result	2♠ E, made 2, E/W +110
Director Ruling	2♥ W dbld down 1, E/W -200
Panel Ruling	2♠ E, made 2, E/W +110

(1) Unmistakable break in tempo (BIT) – agreed at the table.

The Facts: The unmistakable BIT was agreed to at the table. 2♦ by a passed hand was not Alerted and was natural.

The Ruling: The UI demonstrably suggested bidding 2♠ and pass is considered a logical alternative (LA). In accordance with laws 16 A2 and 12 C2, the result was adjusted to 2♥ by West, doubled down one, E/W minus 200.

The Appeal: All players were in agreement that there was a BIT over the double. West stated that after North's double, as he had bid twice on a bad heart suit, he knew that he was likely to be in trouble. Since partner's bidding implied five spades, he preferred to play in a known 5-2 fit rather than in what might be a substantially worse heart fit. Clearly partner could not have three hearts on the auction and might have one or none.

N/S thought that the BIT might suggest that there was a better place to play the hand than in 2♥ doubled.

The Decision: Three expert players and nine peer group players were polled. All of the experts stated that they would bid 2♠. All but two of the peers chose to pull the double – some bid 2♠ and some bid 3♣. Only two peers passed the double. When asked what a BIT over the double might suggest, some players thought it might suggest a problem and that it might make pulling the double more attractive. Others thought that it might make pulling less attractive, thinking that partner might be thinking about redoubling. On this basis, the panel determined that pass was not a LA to the action taken. The table result of 2♠ by East making two, E/W plus 110 was restored.

Players Consulted: Jerry Clerkin, Bjorn Fallenius and Linda Perlman.

The Panel: Harry Falk (Reviewer), Su Doe and Candy Kuschner.

Commentary:

Polisner This is the most troubling of the group of cases as 2 out of 9 of the peers polled passed. We do not have a percentage formula (I like the 75% we used previously), but I think that 2 out of 9 qualifies to make pass a LA. It is likely that many of the peers who passed would likely have bid 2♠ at the previous turn and were now merely doing what they thought they should have done previously. However, this particular West apparently did not think that way. I would have upheld the director's ruling.

Rigal This is a very tough ruling; the panel of experts vote made the panel's job very hard, and the case itself is really challenging. There is some authorized information (AI) from the auction, some UI from the tempo, and the argument that East might have been considering a redouble is a fair one (Maybe he was!) though I'm not sure I believe or accept that argument. I guess 2♥ would go one down; not on a diamond lead though!

Wildavsky The ACBL Laws Commission has defined LA as "an action that a significant number of the player's peers would seriously consider, and some would actually take, in the absence of the UI."
Given the definition I see no point in polling anyone except the players' peers.
Two of the nine peers would have passed. That's the "some would actually take." At least those two, and likely more, must have seriously considered it.
The poll showed that pass was a LA. I cannot fathom why the panel ruled as it did. The TD ruling was better.

Wolff A well decided case, since East could be (and was) thinking of redoubling. Since this is a hard case to adjudicate, both from the standpoint of why East was thinking and exactly how many tricks West would take in 2♥ doubled, the final decision of allowing 2♠, E/W plus 110, is entirely acceptable. Compare this case with some of the previous ones and you will understand when I think someone should flat out be called unethical. Here it is very different since West, after rebidding that mangy looking heart suit, had real cause to run and would have, IMO, even without the hesitation.