

APPEAL	NABC+ TWO
Subject	Unauthorized Information (UI) - Tempo
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	Second Qualifying
Date	November 25, 2008

BD#	10
VUL	Both
DLR	East

Piotr Tuszynski	
♠	K J 4 3 2
♥	K Q 9 7
♦	T 9 4
♣	8

Chuck Lamprey		Fall 2008 Boston, MA	Arch McKellar	
♠			♠	A 9 8
♥	J T 8 6		♥	A 5
♦	A J 6		♦	K Q 8 7 3
♣	A K Q 7 6 4		♣	J 5 3

Apolinary Kowalski	
♠	Q T 7 6 5
♥	4 3 2
♦	5 2
♣	T 9 2

West	North	East	South
		1♦	Pass
2♣	Pass	2♦	Pass
2♥	Pass	2NT	Pass
3♦	Pass	3♠	Pass
3NT ¹	Pass	4♦ ²	Pass
4NT	Pass	6♦	Pass
Pass	Pass		

Final Contract	6♦ by East
Opening Lead	♠5
Table Result	Making 7, E/W +1390
Director Ruling	3NT E, making 7, E/W +720
Committee Ruling	3NT E, making 7, E/W +720

(1)	Alleged break in tempo (BIT) – N/S said 10 seconds, E/W 6 or 7 seconds.
(2)	Roman Keycard Blackwood for diamonds.

The Facts: South called the director after the auction and again after the play of the hand. Initially the table director had thought that E/W had denied a BIT; however, the screening director determined that E/W thought the BIT was as above. The director determined that an unmistakable hesitation had occurred due to the statements by N/S and West's hand.

The Ruling: The director judged that the BIT demonstrably suggested bidding. He polled six players as to their action over 3NT with the East hand. Four passed and two bid on. Therefore, the director judged that pass was a logical alternative. In accordance with Laws 16B1 and 12C1(e), the result for both sides was adjusted to 3NT by East, making seven, E/W plus 720.

The Appeal: E/W appealed the director's ruling. All four players attended the hearing. Notwithstanding the appeal form, West allowed that 3NT might have taken 2-4 seconds more than the rest of his bids, since he did have alternatives to consider. He said that 3♠ and similar calls usually showed concentration of strength for notrump purposes, opposite which he had no matchpoint interest in minor suit contracts. East said that over 3♦ he had huge slam potential and never intended to play in 3NT. He said he rejected an immediate keycard 4♦ over 3♦ because he hoped partner would be able to bid 4♦ over 3♠, eventually finding out about all of East's controls and the queen of diamonds. Once West didn't take charge over 3♠, East felt it was time someone bid keycard but he was no longer interested in seven over West's supposed lack of interest.

The Decision: The committee found there was an unmistakable hesitation relative to the tempo of the earlier auction. It also found that the hesitation demonstrably suggested not passing 3NT and that passing 3NT was a logical alternative to bidding on, thereby upholding the adjustment to 3NT by East, making seven, E/W plus 720. In doing so, the committee felt that East might have intended 3♠ as asking for a singleton spade honor so that West's 3NT could have shown K, Jxxx, Axx, AKxxx, making slam no bargain. There was also some sentiment that East's first two calls were not optimal so that there was no reason for him to be alive to the possibility of slam other than the suggestion of the hesitation. The committee did not disbelieve East's reasoning for bidding 3♠ but found it irrelevant in light of the UI created by the hesitation. The appeal was determined to have substantial merit.

Dissent (Ron Gerard): In my opinion, passing 3NT was not a logical alternative (LA) to bidding on. To bid 3♠ asking specifically for the singleton king of spades was fatuous since West would also bid it with singleton queen in case East's spade holding were KJx or K10x. Do any pairs have that specific an agreement about bids opposite marked shortness rather than the standard meaning of "I have a maximum holding for my previous auction knowing you are short?" Furthermore, why would West go out of his way to bid around his singleton king with the hand the committee cited as a reason for passing 3NT? No, East's 3♠ had to be a prepared slam try, not some quixotic inquiry about a 12-1 shot.

To penalize East for his 1♦ and 2♦ calls shows lack of proper appeals temperament. Opening 1NT or rebidding 2NT may be clear to your way of thinking, but holding that anything else is so irrational that you forfeit your right to later intelligent action does not belong in the committee room. East had reasons for each of his calls and was under no restrictions when he bid 3♠ as a slam try rather than that ridiculous "notrump help" thing the committee foisted on him.

Finally, I disagree with the polling procedure that established pass as a LA. The director poll resulted in four passes and two bids. The committee was given a blind poll prior to the hearing and two members said they would pass 3NT while I would have cut my tongue out rather than do that, not knowing the hand (x, xxxx, Axx, AKQxx and Bob's your uncle in 7♦). The problem with the director poll is that it is done on the fly, without benefit of insight from the principals. The problem with the blind poll is that members answer in two seconds flat, then spend the rest of the hearing justifying their opinion when they didn't give due consideration to the auction. I defy anyone to support passing 3NT without creating a contortionist meaning for 3♠. And please don't hurl up accusations of bridge lawyering; it doesn't take a bridge lawyer to realize the value of that East hand when West goes out of his way to paint with pastels.

The Committee: Ron Gerard (Chair), Lynn Deas, Mike Kovacich, Richard Popper and Eddie Wold.

Commentary:

Goldsmith I'm with the dissent some of the way, but not with the ruling. Ron's right about the poll, but I think the flaw is that unless a player agreed with East's early bidding, he's thinking, "I should have opened 1NT," which is a strong subconscious push in the direction of passing 3NT. Moreover, if a player would not have bid 3♠, how can he be asked what he'd do here? Maybe it would have been useful to give the problem to players on the previous round and ask them for a plan. If very few would stop in 3NT then, then they should not be stopping now.

On this hand, however, East's bidding is inconsistent. If 3♠ was an advance cue, looking for partner's help to reach a slam, how can he take complete captaincy on the next round after partner made the most discouraging bid? He can't without UI. If East had continued his plan with 4♥, making a slam try, then he'd get to keep his good result. Just taking control, however, indicates that either 3♠ was not an advance cue or he failed to avoid carefully taking advantage of UI, and is not allowed to do so. In other words, if East, without UI, thought his hand was worth key card now, he would have bid 4♦ on the previous round. Therefore, he took advantage of UI. The director's and committee's rulings are correct.

Polisner When Ron Gerard agrees with the player who had potential UI, we all should sit up and take notice, as he is way on the far right normally in cases of UI. When I was given this hand, I felt that it was inconceivable to pass 3NT. In fact, I said that if I had only one bid to make between pass and 7♦, I would select the latter.

If the appeals committee (AC) was even discussing the merit of not having opened 1NT or rebidding 2NT with the East hand, it needs some education about what an AC is supposed to consider. It is not to critique the bidding, but to make decisions about the issues regarding irregularities and infractions.

As you will see in my comments to NABC+ ONE, I am critical of how the directors take polls and wonder if they do it just because they are supposed to do so.

Clearly East knew that West had at most one spade and a very good hand by failing to bid 3♦ (assuming that 2♣ was game forcing - was that true?). Just read Ron's dissent as it more articulately expresses my views.

Rigal I'm torn here. East's decision to bid on over 3♠ does look sensible, but the tempo break if there was one, does point in that direction. Notwithstanding my respect for Gerard's arguments, I might well have bought into the committee decision. I'm not sure this is the time or place to argue the procedure --so I won't.

Smith This seems to be the kind of case where a logical alternative is in the eye of the beholder. Maybe pass really is not a logical alternative to this particular West. The dissenter's argument certainly bolsters that claim. As a director, I have run into this kind of firmly held disagreement on whether a call is a logical alternative depending on who you talk to mostly as it applies to balancing decisions by opener. For example, 1♥ – 2♣ – P – P - ? Some believe that reopening with a double is mandatory with virtually any hand short in clubs, while others believe just as strongly that you need more values than just short clubs to reopen with a double. So yes, as the dissenter states it does point out a flaw in the polling system. But realistically, how could the directors poll any differently? And even if they could, would it matter? The dissenter, despite possessing legendary powers of persuasion himself, was unable to convince his colleagues of his position. Maybe this really is one of those cases where one side will never convince the other side. So as the law is currently written, I think the directors and the committee did the right thing. Pass was found correctly to be a logical alternative according to the only standard we have.

Wildavsky I don't understand East's argument about bidding 3♠ instead of Blackwood. It seems to me that if he discovers his side has all the keycards he can ask for kings and West will know as much as if West had himself bid Blackwood.
I have sympathy for the dissent, but I agree with the director and committee rulings. I see no reason West couldn't hold a hand like K/ KQxx/xxx/AKTxx.

Wolff I agree with Ron Gerard's well thought out dissent. As an aside a deliberate 3NT is not nearly as bad as a fast 3NT which would be much worse. This certainly was a high-level committee, but I don't like their decision.