

APPEAL	NABC+ SEVEN
Subject	Failure to Pre-Alert
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	First Qualifying
Date	November 27, 2007

BD#	29
VUL	Both
DLR	North

Wolfe Thompson	
sx	9 7 6
hx	J
dx	Q T 8 6 5 2
cx	8 6 2

Richard Zeckhauser		Fall 2007 San Francisco, CA	Michael Rosenberg	
sx	A K T 5		sx	J 8
hx	K 7 2		hx	A T 9 5 3
dx	3		dx	9 7 4
cx	A Q 9 7 3		cx	K 5 4

Marc Zwerling	
sx	Q 4 3 2
hx	Q 8 6 4
dx	A K J
cx	J T

West	North	East	South
	Pass	Pass	1hx ¹
1sx	Pass	1NT	Pass
3NT	Pass	Pass	Pass

Final Contract	3NT by E
Opening Lead	dxA
Table Result	Down 2, E/W -200
Director Ruling	4hx by W, E/W +620
Committee Ruling	3NT E down 2, E/W -200 1/6 bd penalty to N/S

(1) Alerted and explained as Canapé

The Facts: The director was called at the conclusion of play. East protested that Canapé was not pre-Alerted. Had it been, East claimed he would have instructed partner to make a takeout double with less rigorous regard to shape. In this case, the auction could have been: P-P-1hx-Dbl-Pass-Pass-?? with unknown results, all of which would be better for E/W than the table result.

The Ruling: In accordance with laws 40 B and 75 A, it was judged that, if Canapé had been pre-Alerted, the auction could have been: Pass-Pass-1hx-Dbl-Pass-Pass-Rdbl-2hx-Pass-4hx. The table result was adjusted to 4hx by West making five, E/W + 650.

The Appeal: The appellants presented two arguments against the director's ruling:

1) It is unlikely that West would double 1hx, even with "less rigorous" standards for take-out doubles, and this is an apparent predication upon which the director found arriving at 4hx was likely.

2) Both East and West knew that their extensive system notes made reference to less rigorous take-out double standards for Canapé opening bids. Therefore, there was no damage accruing to them from their inability to remind each other of the content of those notes.

At the table, West said that he was aware of the content of the system notes with regard to less rigorous standards for take-out doubles.

The Decision: The committee found that the E/W pair was not damaged by the failure of N/S to pre-Alert their Canapé approach. Both East and West were aware of their defensive system (in their system notes) for Canapé bids. With that knowledge, their approach to this hand would not have changed if they had been pre-Alerted. Certainly West has a bidding problem over a Canapé 1hx opening bid, but if he had been reminded (of what he already knew) by a pre-Alert, he would have had the same problem. The source of E/W's problem was the fact of the Canapé 1hx opening bid, not the failure of N/S to pre-Alert it. Therefore, the committee restored the table result of 3NT by East, down two, E/W minus 200, N/S plus 200.

In order to remind N/S of their obligation to pre-Alert their Canapé approach, the committee issued a procedural penalty (PP) to N/S of 1/6 of a board for their violation of correct procedure. This penalty does not accrue to the benefit of E/W.

The Committee: Barry Rigal (Chair), Michael Huston and Bruce Rogoff.

Commentary:

Goldsmith Once West said he knew the change in methods, E/W were not getting an adjustment. Did the director not know this?
The PP is reasonable. The failure to follow procedure caused an adjusted score, despite the fact that it ought not have. I'm curious whether N/S knew they were expected to pre-Alert. If so, and they chose not to anyway, 1/6 board is insufficient. If not, the rule is obscure enough that the PP might be waived entirely.

Polisner The ruling does not seem to have any basis to support it. The appeals committee did an excellent job. Had the ruling been in N/S's favor and E/W had appealed, it would (should) have been determined as without merit.

- Rigal** Again as I was involved in the case I think the decision taken at the time was right. Alas, E/W did NOT agree with the facts as stated (and yes it was their fault for not attending the appeal.) The handwritten comments appended to the form -- by the appellant -- were not correct as to point two in the appeal; E/W did NOT have system notes on the double. However, Michael Rosenberg indicated to me after tournament-end that he always reminded his partner orally of the advisability to make more flexible doubles on these canapé auctions. Whether this hand would qualify is subjective, I agree. Maybe the final ruling is reasonable, or maybe the non-offenders would get the benefit of the doubt.
- Smith** E/W apparently had notes regarding this situation, so it is hard to have too much sympathy for them. If N/S knew that they were supposed to pre-Alert Canapé and did not, they should have been given a larger penalty.
- Wildavsky** The tournament director ruling should be more specific. The laws do not instruct us to adjust to what could have been, but more specifically the most favorable result likely and most unfavorable result at all probable. The write-up of the appeals committee decision didn't sound plausible to me so I asked E/W, who chose not to be present, about it. They each assured me that their notes make no mention of defense against canapé openings and that they had had no prior discussion of it. This is a good opportunity to remind readers that as a rule we comment on the write-ups of the cases, rather than the cases themselves. This is unavoidable, and I still find the casebooks enormously useful, but one should bear in mind that what one reads has been filtered.
- Wolff** Good ruling.