

APPEAL	Non-NABC+ Thirteen
Subject	Unauthorized Information (UI)
DIC	Olin Hubert
Event	Strati-Flighted AX Pairs
Session	Second
Date	December 1, 2007

BD#	9
VUL	E/W
DLR	North

Richard Hewitt	
♠	Q 8 7 5 4 2
♥	9 3
♦	Q T 7 6 2
♣	

Marlene Watts		Fall 2007 San Francisco, California	David Beauchamp	
♠			♠	T 6 3
♥	A J T 5		♥	K Q 6
♦	A 8 5		♦	4 3
♣	A Q J 4 3 2		♣	K 9 8 7 5

Genevieve Hewitt	
♠	A K J 9
♥	8 7 4 2
♦	K J 9
♣	T 6

West	North	East	South
	2♠	Pass	2NT ¹
Dbl	3♣ ²	Dbl	3♠
5♣	Pass	Pass	5♠
Dbl	Pass	Pass	Pass

Final Contract	5♠ by South, Doubled
Opening Lead	♥K
Table Result	5♠, dbled down 1, E/W +100
Director Ruling	5♣ by W, making 7 E/W +640
Committee Ruling	5♣ by W, making 7 E/W +640

(1)	2NT asks for shortness.
(2)	3♣ shows club shortness.

The Facts: Disputed claim that North fumbled with bidding box prior to passing 5♣.

The Ruling: 5♠ call not allowed as it was deemed demonstrably suggested by the UI and pass was deemed to be a logical alternative (Law 16). Adjusted score per law 12 C 2 to 5♣ by West making seven, E/W plus 640.

The Appeal: North felt his hesitation was about six seconds. His partner agreed. He disputed the allegation that he had fumbled with the bidding box. South felt her bid was “100%” given the vulnerability.

East stated the hesitation to be about 30-40 seconds long. Both East and West said North reached for the top half of the box, suggesting bidding 5 spades and then pulled a pass card.

The Decision: The panel was in total agreement that E/W were not making up a problem that did not exist. Given the circumstances of this competitive auction and the favorable vulnerability North had some thinking to do which went beyond the ten seconds required for the skip bid. Four A players were consulted and three passed 5♣ with the South hand. Laws 73F1, 12C2 and 16 were used resulting in the adjusted result of 5♣ by West making seven, E/W plus 640.

Due to the extreme disagreement about the facts regarding the fumble, the panel decided not to give an appeal without merit warning (AWMW).

The Panel: Candy Kushner (Reviewer), Harry Falk, Mike Flader and Charlie MacCracken.

Players Consulted: Four “A” players.

Commentary:

Polisner There seems to be a prevailing practice that “where there is smoke, there is fire.” This means when there is a disputed claim about a BIT and/or a bid box fumble, the ruling almost always goes in favor of the alleged non-offending side. I acknowledge that a ruling has to be made and here where there are two separate alleged bases (fumble and BIT), I guess that the ruling and decision are correct.

Rigal E/W’s case appears to be a good one and, if the 30-40 second hesitation is correct, the N/S estimate at six seconds might be close to a record deviation! Agree with the decision and the decision not to award an AWMW is just about OK with me.

Smith Good job by the directors and the panel. If the panel believed the testimony of E/W either that North fumbled or that he took 30-40 seconds before passing, N/S should have received an AWMW. The ruling itself says that the panel found at least one of those things to be a fact, and, if so, it shouldn't matter how great the disagreement is about what really happened.

Wildavsky Good work all 'round.

Wolff I agree if the panel thought that North hesitated before passing. Hesitation disruption is now being penalized as it should have been all along.