

APPEAL	NABC+ FIVE
Subject	Unauthorized Information (UI)
DIC	Ken Van Cleve
Event	North American Swiss
Session	Second Final
Date	November 26, 2006

BD#	<b>8</b>
VUL	<b>None</b>
DLR	<b>West</b>

<b>Steve Bloom</b>	
♠	Q 8 2
♥	4
♦	7 5
♣	A K 9 7 5 4 2

<b>Andreas Babsch</b>		<b>Fall 2006 Honolulu, Hawaii</b>	<b>Renate Hansen</b>	
♠	A 7		♠	K 9 4
♥	Q J T 6 3		♥	A K 9 7 2
♦	Q J 9 6 4 2		♦	K 3
♣			♣	Q T 6

<b>Betty Bloom</b>	
♠	J T 6 5 3
♥	8 5
♦	A T 8
♣	J 8 3

West	North	East	South
1♥	3♣	4♣ <sup>1</sup>	Pass
4♥ <sup>2</sup>	Pass	4NT <sup>3</sup>	Pass
5♣ <sup>4</sup>	Pass	5♥ <sup>5</sup>	Pass
6♥	Pass	Pass	Pass

Final Contract	<b>6♥ by West</b>
Opening Lead	<b>♣A</b>
Table Result	<b>6♥ making 6, E/W +980</b>
Director Ruling	<b>5♥ - W, making 6, E/W +480</b>
Committee Ruling	<b>5♥ - W, making 6, E/W +480</b>

(1)	Asking for aces..
(2)	East said showed two aces. West said showed one ace.
(3)	Asking for kings.
(4)	No kings.
(5)	Break in Tempo (BIT) – rated as slight by West, denied by East.

**The Facts:** The director was called at the conclusion of the auction. N/S contended that East broke tempo prior to bidding 5♥, which was a sign-off; but, West felt he could bid 6♥ because partner had to have all the controls or a doubleton club.

**The Ruling:** There was UI as a result of the BIT. 6♥ was demonstrably suggested by the UI. According to several players who were polled as to what West should call after 5♥ by East, pass was determined to be a less successful logical alternative (LA). Therefore the table result was adjusted to a contract of 5♥ by West making six, +480 for both E/W and N/S.

**The Appeal:** West said that he expected all the aces to be held when East bid 4NT and that she would be looking for a Grand Slam. The partnership could not show aces and did not cuebid.

North said that he thought East was using Hesitation Blackwood to get partner to bid on with a club control.

**The Decision:** The committee determined that in the absence of any form of notes, and anything but a very cursorily completed convention card, that E/W had no agreement in place as to what the 4NT did or did not promise.

It would be easy to follow the "Intelligence Transfer" and assume that because all committee members would not bid 4NT unless they held all the aces that E/W would play the same way. But, quite clearly that was not the way East played the bid.

That said, the question was whether the BIT suggested bidding on -- which it clearly would do to West notwithstanding that this was manifestly not East's intention -- and whether there was any LA to the 6♥ call.

Since the club void figured to be wholly or partly wasted facing the expected club control in partner's hand, West might reasonably expect partner to have: KQx/Axxx/Kx/AQxx or the like. Slam would be on a finesse through the preemptor and no diamond ruff.

As the directing staff's poll, a poll of experts, and the committee themselves all voted by a majority that pass was a LA, the ruling was upheld leaving the director's adjustment in place, contract of 5♥ by West making six, +480 for both E/W and N/S.

No appeal without merit warning (AWMW) was awarded as the points at issue were considered sufficiently complex.

**The Committee:** Barry Rigal (Chairperson), Chris Moll, Bill Pollack, Hendrik Sharples and Ellen Wallace.

**Commentary:**

- Gerard** OK, but we can do without comments like North's. East could have used 5♥ over 4♥ to get West to bid slam with a club control, so maybe something other than the Hesitation Blackwood snark would have been nice. How do you know what their intentions are?
- Goldsmith** Hold on. In the absence of notes and not much of a convention card, are we really sure that 4♣ was ace-asking? When a non-4NT bid is ace-asking and the partners disagree on the number of aces shown, I think the bidding side needs to establish very clearly that they were in an ace-asking sequence.  
Since this was behind screens, presumably both East and West told N/S that 4♣ was ace-asking. It'd be nice to know that as a fact. Second question: was 4♣ ordinary Blackwood or Roman Key Card? Not saying does not imply 4-Ace Blackwood. Let's assume everyone was on the same page, though I strongly doubt it, and that they were using ordinary 4-Ace Blackwood. Once responder asks for kings, can the pair reasonably stop in game? That seems very unlikely. On the other hand, then is 5♥ possible? Probably not, so if it's a possible bid, I guess they can stop short of slam. If passing 5♥ is possible, then it is forced.
- Polisner** Another very easy case, but again, I would have awarded an AWMW.
- Rigal** It would have been tempting for the appeals committee to say that because they played the king ask as a grand slam try that E/W must do so too. But, they clearly did not, so we should not impose our style on them. In a way E/W got unlucky; West misread East's tempo. But that is not really the point.

**Smith** This case points to some serious problems with our current screen conditions. I am troubled that there is no mention by either the director or the committee of how long N/S claim the tray was on East's side of the table before it came back after the 5♥ bid. Maybe there is a reason for that omission. Our screen regulations in part state: "During the auction period, after an opponent has acted quickly, it is proper to adjust the tempo back to normal by either delaying one's own call . . . or by waiting before passing the tray. It is considered that there can be no implications if a tray returns after 25 seconds or less." It doesn't sound to me that anyone claimed the tray was on the East side for more than 25 seconds, but in the real world we all know that nowhere near 25 seconds is needed to identify an unmistakable hesitation in most auctions, and to identify who was hesitating. Without screens, this case would be relatively routine. The wording of the screen regulations as they stand now makes what probably should be a simple ruling with screens more difficult. Since I believe that artificial statements of "UI free time" do not make proper allowances for what really happens behind screens, I think the problem stems from the screen regulations.

I think they need to be changed to more accurately reflect what goes on at the table. Some wording that made note that a hesitation could be identified in relation to the previous pace of the tray moving (without an arbitrary period of time being mentioned) would be a good start. I think the director and committee made the right ruling here in the spirit and the letter of the law. The regulations as written get in the way of that. There is something wrong when we have clearly worded regulations that subvert the intention of the Laws. It forces directors and committees to make choices that should never have to be made.

**Wildavsky** The rulings look right to me.

**Wolff** Good ruling.