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| APPEAL | Non NABC+ Six |
| Subject | Unauthorized Information (UI) |
| DIC | Millard Nachtwey |
| Event | Bruce Life Master Pairs |
| Session | First Semifinal |
| Date | July 19, 2008 |

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|-----|-------------|
| BD# | 12 |
| VUL | N/S |
| DLR | West |

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|---------------------------|-------------|
| 3,429 Masterpoints | |
| ♠ | Q |
| ♥ | J 7 |
| ♦ | Q T 9 5 |
| ♣ | A K Q J 9 7 |

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|---------------------------|---------|--------------------------------------|---------------------------|-----------|
| 4,873 Masterpoints | | Summer 2008 Las Vegas, NV | 1,355 Masterpoints | |
| ♠ | J 7 6 5 | | ♠ | 8 3 2 |
| ♥ | K 8 5 3 | | ♥ | A T 6 4 2 |
| ♦ | A K | | ♦ | J 8 4 3 |
| ♣ | 6 4 3 | | ♣ | 2 |

| | |
|---------------------------|-----------|
| 1,948 Masterpoints | |
| ♠ | A K T 9 4 |
| ♥ | Q 9 |
| ♦ | 7 6 2 |
| ♣ | T 8 5 |

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|------------------|------------------|-----------------|-------------------|
| West | North | East | South |
| 1NT ¹ | Dbl ² | 2♦ ³ | Pass ⁴ |
| 3♥ | 4♣ | Pass | Pass |
| Pass | | | |

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|-----------------|-------------------------------|
| Final Contract | 4♣ by North |
| Opening Lead | ♥A |
| Table Result | Down 1, N/S -100 |
| Director Ruling | 3♥ W, made 3, E/W +140 |
| Panel Ruling | 3♥ W, made 3, E/W +140 |

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| (1) | 10-12 HCP. |
| (2) | Alerted and explained as long minor or two-suited (a minor and a major). |
| (3) | Transfer to hearts. |
| (4) | Break in tempo (BIT). |

The Facts: The director was called after the 4♣ bid. The actual agreement was that the double showed a good hand. The BIT was agreed.

The Ruling: While the BIT demonstrably suggested action over a logical alternative action (LA) of pass, the director originally allowed the table result to stand because it was judged that 3♥ would be defeated producing a worse result for the non-offender. After further reflection, it was determined that 3♥ would make almost 100% of the time. Therefore, in accordance with Laws 16A2 and 12C2, the result was adjusted to 3♥ by West, making three, E/W plus 140.

The Appeal: All the players attended the review. It was determined that the BIT was one minute.

North was rude to his partner when explaining his 4♣ bid. He said she was “in outer space,” and it was obvious she had no idea what was going on – a common occurrence. He never paid any attention to her explanations or her tempo. He felt his 4♣ bid was a 100% bid.

E/W felt the hand spoke for itself – that a vulnerable versus non vulnerable 4♣ bid was not an automatic action.

The Decision: Three expert flight A players were consulted. All had more experience than North. They each passed. In accordance with Laws 16A2 and 12C2, the director’s decision of an adjustment to to 3♥ by West, making three, E/W plus 140 was affirmed. The panel felt the appeal had no merit and imposed an appeal without merit warning (AWMW) to North and South.

The Panel: Candy Kushner (Reviewer), Nancy Boyd and Gary Zeiger.

Players Consulted: Alan Mazur, Robert Morris and Mark Shaw.

Commentary:

Rigal Here, if double showed a strong hand, North really cannot act again – although playing with a South player who would pass 4♣ maybe North DOES have to bid both sets of cards. Given that N/S were appealing against using UI, and given the finding that pass was an LA I agree with the AWMW.

Smith Clearly the ruling and the panel decision (including the AWMW) were correct. I'm sure North didn't help his case by his behavior, but it didn't matter. Why did the panel not poll peers of North?

Wildavsky The AWMW was appropriate.

Wolff North should not bid after South's BIT so 3♥ making three E/W plus 140 should be ruled since, except for near impossible double dummy defense, 3♥ will always take nine tricks. If North did pass, then South would probably bid 3♠ which North would correct to 4♣, but that is all speculation and N/S should not be favored because of their ethical violation.