

APPEAL	Non-NABC+ Twenty-two
Subject	Unauthorized Information (UI)
DIC	Charlie MacCracken
Event	Fast Open Pairs
Session	First
Date	July 27, 2008

BD#	1
VUL	None
DLR	North

2,960 Masterpoints	
♠	Q 3 2
♥	Q T 4 3
♦	A 9 7 5
♣	3 2

990 Masterpoints		Summer 2008 Las Vegas, NV	3,534 Masterpoints	
♠	A 8 7 6 4		♠	K J T 9 5
♥	A K J 5		♥	9 7
♦	Q J 4		♦	K 8 3 2
♣	7		♣	J 4

10,070 Masterpoints	
♠	
♥	8 6 2
♦	T 6
♣	A K Q T 9 8 6 5

West	North	East	South
	Pass	Pass	4♣ ¹
Pass	4♥	Pass	5♣
Pass	Pass	Pass	

Final Contract	5♣ by South
Opening Lead	♠7
Table Result	Down 2, N/S -100
Director Ruling	5♣ dbld S, down 2, N/S -300
Panel Ruling	5♣ S down 2, E/W +100 4♣ W making 5, N/S -450

(1) Alerted and explained as Namyats (good 4♥ opening).

The Facts: The director was called after the 5♣ bid. Namyats is the correct N/S agreement.

The Ruling: South was determined to have UI and pass to 4♥ was determined to be a logical alternative (LA) to 5♣, which was demonstrably suggested by the UI. However, it was judged that West would act over 4♥ (most likely double) which would permit South to pull to 5♣. Therefore, the result was changed to 5♣ doubled by South down two, N/S minus 300 for both sides.

The Appeal: All four players attended the review.

E/W, the appealing side, was extremely concerned about the apparent disparity of this ruling compared to others. East believed that they were not given an opportunity (because of the misbid) to achieve a par result.

National Event committees have been, throughout the tournament, requiring individuals who “misbid” to play inferior contracts and not “correct.”

The Decision: Separate polls were taken of players with masterpoint holdings equivalent to the N/S and E/W players. Individuals given South’s hand would have passed 4♥ (four of four). Those given West’s hand would have passed 4♣ (four of four) and all but one would have doubled at subsequent turns. The panel felt that not passing 4♥ was a violation of Law 16. Failure of E/W to reach game was deemed not to be related to the initial misbid. Therefore, the panel let the table result of 5♣ by South down two, E/W plus 100 stand for E/W as the most favorable result that was likely and adjusted the N/S result to 4♠ by E/W making five, N/S minus 450 as the most unfavorable result that was at all probable (Laws 16A and 73C).

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

Commentary:

Rigal If South violated procedure with his 5♣ bid how can you give E/W anything less than 300 from 5♣ doubled? Why penalize them by making them defend 5♣ undoubled? I prefer the director ruling for E/W; N/S get landed with opponents bidding to 4♠ in my opinion, or playing 4♥ doubled, if feeling in Draconian mood. Very unfavorable ruling for the non-offenders. Again we have established case-law that when the partner of the South African Texas/Namyats bidder gives UI, the other hand is screwed.

Smith I'm not sure I understand the write-up completely. The panel poll clearly determines that the auction should have gone 4♥ – P – P to West. Was a poll taken on what West might do in that scenario, or was West's action only polled over 4♥ – P – 5♣? If West would have doubled a dying 4♥, where would that lead? Is it clear that East would pass or might he have bid 4♠? If 4♠, mightn't a South who passed 4♥ now bid 5♣ or 5♥? This could all go anywhere. The new Laws have a section that will help in cases like this. Law 12C1(d) states: “If the possibilities are numerous or not obvious, the Director may award an artificial adjusted score.” Under old law, adjudicating this kind of case fairly was very difficult. I think I prefer the director's ruling to the panel's, but it is hard for me to say what is right with confidence.

Wildavsky North is a passed hand, so what should 4♥ mean? One possibility is a lead director with club support, say xxx/AKxxx/xx/xxx. That seems unlikely, since opposite opponents who have both passed, 5♣ will almost always buy the contract. Another possibility is a choice of games with a hand unsuitable for a weak two, say QTxx/AKxxxx/x/xx. West has no reason to pull if a double comes around to him – pass would still be a logical alternative. I'd adjust the score for both sides to N/S down 800 or so in 4♥ doubled, and in addition assess a procedural penalty against N/S for blatant use of UI. South seems to believe the Alert system is intended to protect him from suffering the deserved results of forgetting his methods. I disagree with the director's ruling and I find the panel's unfathomable. Had an appeals committee (AC) made a decision like that we'd be hearing more calls to dismantle the AC system.

Wolff Here, E/W are entitled to plus 450 and N/S minus 450 which, at least to me, is entirely fair. Convention disruption continues to strike. The Namyats connection changes West's evaluation to such an extent that he had very little chance of recovery. Edgar Kaplan would have said that my ruling would prevent psychers from having their day, but my retort would have been, (and still is), I do not believe it was South's intent to psych a 4♣ Namyats bid, but rather a system forget. This fact is very necessary to deal with, otherwise we will forever be hamstrung by Edgar's opinion.