

APPEAL	NABC+ FIVE
Subject	Unauthorized information (UI)
DIC	Henry Cukoff
Event	Von Zedtwitz LM Pairs
Session	First Final
Date	July 21, 2007

BD#	19
VUL	E/W
DLR	South

Bryan Maksymetz	
♠	A J 2
♥	A K Q J 5
♦	A T 7 3
♣	9

Sid Brownstein		<b>Summer 2007 Nashville, Tennessee</b>	Janice Seamon-Molson	
♠	7		♠	K 9 8
♥	9 7 3 2		♥	T
♦	K 9 8 6 4		♦	Q 5 2
♣	T 8 7		♣	A K J 6 3 2

Robert Lebi	
♠	Q T 8 5 4 3
♥	8 6 4
♦	J
♣	Q 5 4

West	North	East	South
			2♠
Pass	4♣ <sup>1</sup>	Dbl	Pass <sup>2</sup>
Pass	4NT <sup>3</sup>	Pass	5♦ <sup>4</sup>
Pass	5♠	Pass	Pass
Pass			

Final Contract	<b>5♠ by South</b>
Opening Lead	<b>♣7</b>
Table Result	<b>Made 5, N/S +450</b>
Director Ruling	<b>6♠ S down 1, N/S -50</b>
Committee Ruling	<b>6♠ S down 1, N/S -50</b>

(1)	West asked at second turn – explained as “Don’t know.” Intended as modified Gerber.
(2)	Meaning asked at end of auction. No clear agreement – could be 0 or 1 or undiscussed.
(3)	Intended as keycard in spades.
(4)	0 or 3.

**The Facts:** The N/S convention card for interference over ace-asking bids is marked DIP2 and R1P2, which they say means that (re)double is the first step (i.e. equals 1 or 4) and pass is the second step (equals 0 or 3). East stated that North said that pass showed one keycard.

**The Ruling:** South’s answer that he did not know what 4♣ was demonstrably suggested “re-asking” for keycards. In accordance with laws 16A and 12C2, the result was adjusted to 6♠ by South down one, N/S minus 50.

**The Appeal:** North wasn't 100% sure what South's pass meant. This was a new partnership. He wasn't even sure that 4♣ was keycard, though when he bid it, he hoped it was and that answers were "standard" preempt keycard answers: 0, 1 without, 1 with, 2 without and 2 with. He felt that 4NT would have been a 100% call behind screens. E/W did not appear at the hearing.

**The Decision:** South's statements clearly made UI available to North. 6♠ was determined to be a logical alternative (LA) to 4NT. Indeed, some of the appeals committee members felt that there was no LA to 6♠. Since 4NT was demonstrably suggested over 6♠ by the UI and 6♠ was a less successful LA, the score was adjusted to 6♠ down one, N/S minus 50 and E/W plus 50. There were no other results deemed at all probable or likely other than 6♠ down one and 5♠ making five.

An appeal without merit warning (AWMW) was issued to N/S. 4NT is not a normal bid, one which many players might have chosen w/o UI. A procedural penalty (PP) for blatant use of UI was considered and rejected because the situation was complicated and because if North had claimed 4♣ was intended as a splinter, he would have been able to keep his result. Punishing honesty seems unproductive.

**The Committee:** Jeffrey Goldsmith (Chair), E.J.D. Kales, Ed Lazarus, Chris Moll and Jim Thurtell.

**Commentary:**

**Goldsmith** The only interesting part of this one was whether or not to award a PP.

**Polisner** It seems as if both North and South stated that there was no agreement or understanding of what 4♣ was. This being true, North did not have any UI as South was essentially stating what North said that he wasn't sure how his bid would be interpreted. Following this logic, North's 4NT must then be Roman Keycard and 5♠ is the obvious result. I would keep the table result.

**Rigal** I'm not sure I've bought into the reasoning here, but I agree that North's bidding appears to have been affected by the answers he heard. What I do not see spelled out is how the committee got to the point of assuming that facing zero keycards North should drive to slam. If I read it right South's pass should have shown 0/3 according to him but actually showed one key-card. If so North would follow up with a queen ask and South would show it (having shown his lack of keycards already) resulting in a slam. If this is what the committee thought, they should have said so!

**Smith** Entirely appropriate AWMW. North deserved a procedural penalty on top of the AWMW. We shouldn't reward honesty before a director or committee. We should expect it.

**Wildavsky** Good work all around.

**Wolff** Let us close the candy store. When we award N/S minus 50 for their improper use of information, let us still award E/W minus 450 for the actual result obtained - to do otherwise would then allow E/W to get minus 480 when slam is cold. E/W has done nothing worth getting the best of whatever happens. Protect the field - CLOSE THAT STORE!

**Zeiger** Well written. Good decision.