

APPEAL	Non-NABC+ Two
Subject	Unauthorized Information (UI)
DIC	Ron Johnston
Event	B/C/D/ Swiss Teams
Session	First
Date	November 25, 2007

BD#	29
VUL	All
DLR	North

1,437 Masterpoints	
♠	J 3 2
♥	K 9
♦	9 3
♣	A Q 9 8 6 3

655 Masterpoints		Fall 2007 San Francisco, CA	1,124 Masterpoints	
♠	T 8 6		♠	Void
♥	A T 6 4 2		♥	Q J 5 3
♦	K 5		♦	A Q J 8 4 2
♣	T 7 4		♣	J 5 2

662 Masterpoints	
♠	A K Q 9 7 5 4
♥	8 7
♦	T 7 6
♣	K

West	North	East	South
	Pass	1♦	2♠ ¹
Pass	3♠ ²	Pass	4♠
Pass	Pass	Pass	

Final Contract	4♠ by South
Opening Lead	♦K
Table Result	4♠ South, making 4, N/S +620
Director Ruling	3♠ South, making 4, N/S +170
Panel Ruling	4♠ South, making 4, N/S +620

(1)	The N/S agreement is intermediate, described as opening bid, good suit. Not Alerted.
(2)	Invitational

The Facts: South has UI from North's failure to Alert the 2♠ bid as intermediate.

The Ruling: Since North may have forgotten the agreement, this demonstrably suggests a 4♠ bid (Law 16A). Several players were polled; a majority bid 4♠, a minority passed, and some of the 4♠ bidders considered it close. Based on this, pass was ruled a logical alternative (LA). In accordance with laws 16 A and 12 C 2, the result was changed to 3♠ by South, making four, N/S plus 170.

The Appeal: North did not Alert 2♠, intermediate, but the failure to Alert did not demonstrably suggest South's 4♠ bid. In fact, N/S asserted the failure to Alert made pass a more attractive alternative since North's raise could be preemptive. The E/W pair did not attend the hearing.

The Decision: A poll was conducted to determine whether peers of South would bid 4♠ or pass given there was an Alert. Of the five players polled, four accepted and one passed. The one who passed did not know much about Intermediate Jump Shifts.

- 1) The 3♠ call was invitational,
- 2) South had more than a minimum call since he had an extra spade.
- 3) South's hand, the form of scoring, and the vulnerability suggest the 4♠ bid.

Hence, the table result of 4♠, making four, plus 620, was restored.

The Panel: Mike Flader (Reviewer), Candy Kuschner, Jean Molnar.

Players Consulted: Five of North's peers.

Commentary:

Polisner Good work by the panel as the failure to Alert was not necessarily UI as North may not have known that an intermediate jump overcall is Alertable. If South had UI indicating that North thought that his 2♠ bid was preemptive, the raise to 3♠ must then be furthering the preempt which does not suggest bidding 4♠.

Rigal This is a tough one since North has a clear 4♠ call facing an intermediate jump. So was the 3♠ call preemptive or invitational? If I believed South that it was invitational I'd let the 4♠ call stand, given the group polled. (This survey incidentally indicates the weakness of the polling system -- the panel discounted one verdict because they did not like it, but if they had wanted to go the other way they could have done so without making the appended comment. You either accept the poll results, or ask your sample more carefully whether they know the methods, before you start).

Smith I think the panel got this one right, but its reasoning bothers me. I think pass is a logical alternative as established by both the director and panel poll, but that is irrelevant to the decision. The panel tried too hard to justify 4♠ as a bid without logical alternatives and to use that as the reason for reversing the directors. The real point is that North's raise would be preemptive opposite a weak jump overcall and that means it does not demonstrably suggest bidding 4♠. I agree with N/S that it suggests just the opposite. Maybe that is the point that should have been polled. If South had passed, and had it been right, an adjustment would have been in order for choosing from among logical alternatives an action demonstrably suggested over another by the extraneous information (law 16). South chose the action not suggested by the extraneous information from the lack of an Alert, so he is free to keep his good score.

Wildavsky The tournament director (TD) poll produced different results than the panel's poll. The panel ought to have polled more players until they either agreed with the TD's poll or found a clearer alternate. As is, 20% of the players in the panel's poll would have passed 3♠. That makes pass logical enough for me.
I prefer the TD's decision to the Panel's.

Wolff Good ruling. Whether we want to admit it or not, some failures to Alert are not as bad as others. This is one of those relatively benign failures.