

Subject of Appeal:	Unauthorized Information	Case:	N1
---------------------------	--------------------------	--------------	----

Event	Nail Life Master Pairs	Event DIC	Ken Horwedel
Date	11/24/2017	Session	Second Qualifying

Auction

West	North	East	South
			Pass
1♥	2♠	2NT ¹	Pass
3NT	Pass	4♥	Pass
Pass	Pass		

Explanation of Special Calls and Points of Contention

1: Heart Raise, No Alert

Hand Record

Board	23	N	Marshall Kuschner		
Dealer	S	♠	QJ10953		
		♥	5		
Vul	Both	♦	J754		
		♣	95		
W	Haig Tchamitch			E	Ida Groenkvist
♠	K87			♠	A64
♥	QJ1092			♥	A864
♦	AQ9			♦	108
♣	J7			♣	A1084
		S	Doug Kuschner		
		♠	2		
		♥	K73		
		♦	K632		
		♣	KQ632		

Final Contract	Result of Play	Score	Opening Lead
4♥ by W	Made 4	E/W +620	♠Q

Facts Determined at the Table

The director was called at the end of the play. East thought 2NT was a raise of hearts; West said they had never discussed this auction and had no such agreement.

Additional Factors Determined Away from the Table

The director gave the East hand to three players from the Senior Knockouts and asked them what they would bid at each of East's turns. All wanted to raise hearts and were comfortable with 2NT as a raise. At their next turn, all three bid 4♥. The players did agree that the failure to Alert did suggest that bidding would be more successful than passing 3NT, but none considered passing to be logical.

Director Ruling

The director ruled that, while East may have had Unauthorized Information from West's failure to alert 2NT, the player poll indicated that passing was not a logical alternative. Therefore, per Law 16C2, the table result was ruled to stand.

Director's Ruling	4♥ by W, Made 4, E/W +620
--------------------------	---------------------------

The Review

N/S requested a review of the ruling. They felt the ruling was not correct because the pollees played IMPs rather than matchpoints and because the pollees were not using (what they believed to be) E/W's methods. N/S thought that West's 3NT rebid showed 18-19 HCP. Lastly, they suspected the pollees were not of the caliber of the players involved.

The reviewer spoke first to South who explained his belief about why the ruling was incorrect. South felt that passing 3NT was a LA for East if East thought it was an offer to play, or that a slam try would be a LA for East if she thought West had shown 18-19 HCP. In each case, the UI from the failure to alert would demonstrably suggest that 4♥ would work out better.

A total of ten players were given the East hand. Three considered that 3NT might be a non-serious slam try. One felt it was a close decision between 4♣ and 4♥; the other two signed off in 4♥. The other seven did not consider 3NT a slam try. Among those, six bid 4♥ and one passed 3NT.

The reviewer spoke separately to East who explained that while their 2NT raise is game forcing in a non-competitive auction, it is limit-or-better in competition. She said that she would never treat opener's 3NT rebid as 18-19. While the reviewer considered these statements self-serving, all of the experts consulted treated 2NT the way East described it, and none considered that West's 3NT would show 18-19.

Panel Findings

Only one of the ten players polled passed 3NT. The reviewer treated it as an outlier; no one else considered 3NT might be the final contract. In legal terms, it was not deemed to be a "significant proportion" of the player's peers necessary to be considered a logical alternative. Of the players who thought 3NT might be a mild slam try, only one considered 4♣, and it was not clear he would actually select it. That would have been required in order to consider the action a logical alternative.

East was obliged by Law to call the director at the end of the auction to inform the opponents of the failure to Alert and to correct the misinformation. She did not do so. The reviewer did not consider the quality of the evidence the table director might have been able to collect had East called the director at the proper time.

As neither 4♣ nor Pass was deemed to be a logical alternative, East's 4♥ bid was not prohibited by Law 16. The original ruling was ruled to stand.

In considering merit, the panel discussed N/S's request for a review. The appellants' first argument was that the poll was flawed because of the players who were polled. The appellants alleged that they were neither strong enough players nor that they could reasonably understand matchpoint scoring. The table director polled players from the Baze Senior KO Teams. Although they were playing IMPs that day, there was no evidence that they did not comprise a peer group for East. There was also no reason to think that they could not respond ably to a question about a scenario using matchpoint scoring.

The other argument the appellants advanced was that the table director did not impose the correct methods on the players he polled. That is, East should have treated West's 3NT rebid as 18-19 HCP, which would have led to the auction getting too high. None of the players that the reviewer polled considered that a possible meaning to this sequence, so there was no reason to believe East-West had this agreement.

The ruling was found to be legal, and the reviewer found no evidence supporting any of the appellants' arguments. The appeal was deemed not to have merit, and N/S were given an Appeal Without Merit Warning.

Experts Consulted: Eric Greco, Bob Hamman, Joe Grue, Adam Grossack, Zack Grossack, Tom Paske, Alex Hydes, three others

Panel Decision	4♥ by W, Made 4, E/W +620
-----------------------	----------------------------------

Panel Members

Reviewer	Matt Koltnow
Member	David Metcalf
Member	Jenni Carmichael