

APPEAL	NABC+ THREE
Subject	Break in Tempo
DIC	Tom Marsh
Event	Senior Swiss Teams
Session	1 st Qualifying
Date	July 26, 2010

BD#	31
VUL	N/S
DLR	South

Barry Schaffer	
♠	K J 10 9 8
♥	Q 2
♦	A 10 9
♣	Q 4 3

Ken Cohen		Summer 2010 New Orleans, LA	Neal Satten	
♠	4		♠	A Q 6 5 3
♥	K J 9		♥	A 7 6 4
♦	K Q J 7		♦	8 3 2
♣	A 10 9 8 7		♣	5

Colby Vernay	
♠	7 2
♥	10 8 5 3
♦	6 5 4
♣	K J 6 2

West	North	East	South
			Pass
1♦	1♠	Dbl	Pass
2♣	Pass	2♦ ¹	Pass
2♥	Pass	3♥	Pass
4♥	Pass	Pass	Pass

Final Contract	4♥ by West
Opening Lead	♠10
Table Result	4♥ made 5, E/W +450
Director Ruling	2♦ made 3, E/W +110
Committee Ruling	2♦ made 4, E/W +130

(1) Break in tempo

The Facts: Both sides agreed that East's 2♦ call was out of tempo. East stated that he took some time to consider his 2♦ call. North-South felt that BIT was 15-20 seconds, East-West felt it was 5-6 seconds.

The Ruling: Per Law 16B1A, the director ruled that bidding on was demonstrably suggested by the BIT and was likely to be a successful contract. 70% of players polled passed 2♦ in this sequence indicating that pass was a logical alternative to 2♥.

The score was adjusted to 2♦ making three, East/West +110.

The Appeal: East-West appealed and North, East and West attended the hearing. East stated that he took some time for thought, but denied an extended huddle, maybe 5-10 seconds.

The Decision: The committee found there was no reason to dispute the director's judgment that a break in tempo occurred. They found the hesitation demonstrably suggested bidding over passing since if partner was hesitant to take a preference with 4=5=2=2 distribution for example or had extra values both indicate bidding over 2♦.

On the question of whether pass was a logical alternative, one committee member felt that it was not, and another member felt it was too close to call. The other three members felt clearly that some players would pass and thus pass was deemed a logical alternative.

The score was changed to 2♦ making 4, East/West +130, per laws 16 and 12.

Since the committee was split the appeal was found to have merit.

The Committee: Aaron Silverstein (Chairman), Ellen Kent, Jim Thurtell, Michael Huston, and Darwin Afdahl.

Commentary:

Bramley: Good decision. Bidding is possible for West but hardly automatic. The Committee granted E/W one more trick in 2D than the Director. I wish they had clarified why, even a statement as simple as "all plausible lines of play result in ten tricks".

Goldsmith: If E/W had appealed to get 130 instead of 110, the appeal would have had merit. They did not, so it does not.

Kooijman: Once again some surprise, this time procedural. Nobody should be interested in the opinion of the committee members about pass being a logical alternative. If 70%, I repeat: 70%, of the polled players say so, how could any committee say it isn't it? In my opinion the TD should go back to the players with this poll result and tell them that appealing would cost them severely. 'My' committee would have given a procedural penalty.

Rigal: The tempo break does point to not passing over passing. Let's be fair though; the negative double followed by the correction does suggest some extras but West really has only a little to spare, so should pass.

Wildavsky: I don't know why the AC decided on 130 instead of 110, but at IMPs that is not a significant issue.

I see no merit to the appeal. A committee should be prepared to consider an action logical if even one member asserts that given the testimony regarding the bridge logic of the situation he would have taken that action, or if he strongly believes that a significant

number of the player's peers would take it. Following this principle would have avoided a number of poor decisions over the years. I can't think of any case where it would have resulted in changing a correct ruling.

Wolff: Good and to the point ruling.