

APPEAL	Non NABC+ FOUR
Subject	Unauthorized Information
DIC	Boyd
Event	0-5000 LM Pairs
Session	Second Qualifying Session
Date	July 23, 2010

BD#	22
VUL	EW
DLR	E

1855 Masterpoints	
♠	Q96
♥	J4
♦	752
♣	J9862

1946 Masterpoints		Summer 2010 New Orleans, LA	4063 Masterpoints	
♠	A5		♠	73
♥	KQT9875		♥	A632
♦	A4		♦	KJ93
♣	74		♣	KT3

2400 Masterpoints	
♠	KJT842
♥	
♦	QT86
♣	AQ5

West	North	East	South
		P	1S
2H	P	4H	P ¹
P	4S	Dbl	P
P	P		

Final Contract	4♠ doubled by South
Opening Lead	♦A
Table Result	Down 1, NS -100
Director Ruling	4♥ W made 4, EW +620
Panel Ruling	4♥ W made 4, EW +620

(1)	Break in tempo by South over 4H of about 15 seconds according to North-South, 20 seconds according to East-West.
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The Facts: Both sides agreed that a break in tempo over 4♥ occurred of at least 15 seconds. North argued that at favorable vulnerability, 4♠ would be a good sacrifice. When asked why he hadn't bid 2♠ earlier in the auction, North replied that he wanted to see what would happen.

The Ruling: The Director ruled that there was a break in tempo that conveyed unauthorized information to North that demonstrably suggested bidding. The Director also determined that pass was a logical alternative to 4♠ for North in this auction and Law 16B required the result be set back to 4♥ by West making four for +620 East-West.

The Appeal: North-South appealed the Director's ruling and North-South attended the Panel hearing. East-West did not attend the Panel hearing. North-South argued that at favorable vulnerability, 4♠ would be a good sacrifice.

The Decision: The Panel determined that South's break in tempo demonstrably indicated that he wanted to take some action over 4♥. North's heart holding makes it unlikely that South was thinking about doubling. The Panel polled six players and only two even considered bidding 4♠. The other four players considered nothing other than pass. Thus, by Law 16B the contract was set back to 4♥ by West making 4 for +620.

The Panel: Bernie Gorkin (Chairman), John Gram, Dan Plato, and Anita Goldman.

Commentary:

Bramley: More hopeless whining, and even less merit. The Panel needs a bidding lesson. South cannot make a penalty double, so if he's thinking it can only be about bidding or making a takeout double. North's heart holding is irrelevant.

Goldsmith: No Merit.

Rigal: As Foghorn Leghorn: "Ridiculous, Ah say ridiculous, failure to award an AWM". The right decision of course, but if this case doesn't merit one, what case will? N/S have to learn; when you commit an infraction based on UI and wash your dirty linen in public you don't get away unscathed.

Wildavsky: No merit. None. None. None! If this doesn't deserve an AWMW, what appeal will?

Wolff: A slam dunk ruling to suggest further discipline imposed on North since he was so blatant with this unethically.