

APPEAL	Non-NABC+ Ten
Subject	Unauthorized Information (UI) - Tempo
DIC	Mike Flader
Event	Mini Blue Ribbon 0-5000
Session	First Final
Date	November 28, 2007

BD#	26
VUL	Both
DLR	East

2,105 Masterpoints	
♠	A J 6 3
♥	A
♦	J 8 5
♣	K J T 9 6

2,832 Masterpoints		Fall 2007 San Francisco, California	3,200 Masterpoints	
♠	K 9 5 4		♠	Q 8
♥	K Q J 5 3		♥	6
♦	9 7 2		♦	K Q T 6 4 3
♣	2		♣	A Q 8 7

2,561 Masterpoints	
♠	T 7 2
♥	T 9 8 7 4 2
♦	A
♣	5 4 3

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

Final Contract	3♦ by East
Opening Lead	Unknown
Table Result	3♦, making 4, E/W +130
Director Ruling	2♥ by West, down 2, E/W -200
Committee Ruling	2♥ by West, down 2, E/W -200

The Facts: N/S claim a break in tempo (BIT) by West when 2♥ bid was made. East says no, maybe 3-4 seconds. West said she had to study her hand.

The Ruling: The director determined that there was a BIT. The 3♣ bid is demonstrably suggested by the BIT. Pass is a logical alternative. Therefore, the result was adjusted to 2♥ by West, down two, N/S plus 200 in accordance with laws 16 A 2 and 12 C 2..

The Appeal: East stated there was a BIT of perhaps five seconds. West said that she didn't think there was a lengthy pause but she did stop to consider her hand. East stated that partner did not promise a six-card suit in this hand. 2♥ was non-forcing but in the absence of the double he would have considered his hand as close to a jump shift (five losers).

The reviewer asked several questions about methods. E/W stated that they played weak jump shifts, so with a weak 6-card heart suit and six points, West would have made that bid. He therefore knew partner didn't have such a hand. She therefore had either five hearts or six hearts with more than 6-7 points. She was asked what she would do with eight points and six hearts and I was told that she would bid 2♥.

The reviewer recreated the auction with the parties present by having each bid from the bid box at the tempo used in the auction. The BIT was measured at 8-10 seconds.

Three players in the peer group (2500-3000) were consulted. Two of the three passed with the East hand over 2♥. The third bid 3♦. When asked what a BIT before a 2♥ bid might mean, two said that it might indicate only a 5-card suit while the other said that it might show a two and a half heart call with in-between type values.

The Decision: Based on the information obtained, pass was determined to be a logical alternative to bidding and action was demonstrably suggested by the BIT. In accordance with laws 16 A 2 and 12 C 2, the Director's ruling of 2♥ by West, down two, N/S plus 200 was upheld. The appeal was found to have merit.

The Panel: Harry Falk (Reviewer), Terry Lavender and Jean Molnar

Players Consulted: Three players in the peer group.

Commentary:

Polisner I have a problem with the manner in which the decision was reached. The process is a three-step analysis wherein after the determination that there was an unmistakable BIT, the second step is to determine whether the BIT suggested that one form of action would be suggested over another. You only go to logical alternative analysis after you have answered affirmatively to the first two steps. I don't see how the poll suggests that 3♣ would be more successful than passing which would permit East to do whatever he wanted. What if the BIT was in considering bidding 3♥ or 2NT?

Rigal Although I can understand where the panel was coming from I'm not so sure that the panel had really established that there was a tempo break demonstrably establishing that bidding was more attractive than passing. That said, they had no choice but to live with the player poll.

Smith Good job by the directors and the panel. The panel amply demonstrated that all of the elements necessary for a score adjustment were present. There was an unmistakable hesitation, it demonstrably suggested not passing, and pass was a logical alternative.

Wildavsky Asking the players to do their best to recreate the actual tempo and measuring it is excellent fact finding by the panel. This can also be a useful technique for the tournament director at the table.

Wolff A tough hesitation disruption ruling with which I agree with. But, we need to strive for consistency and this panel ruling is worth a precedent being established. What we cannot do is rule the other way in the future on very similar facts. To prevent that, we need to take affirmative action on this ruling.