

APPEAL	NABC+ TWELVE
Subject	Unauthorized Information (UI) - Tempo
DIC	Henry Cukoff
Event	Silodor Open Pairs
Session	Second Final
Date	March 19, 2010

BD#	<b>14</b>
VUL	<b>None</b>
DLR	<b>East</b>

<b>Stephen Goldstein</b>	
♠	A J 3
♥	Q
♦	Q T 9 6 2
♣	K Q T 9

<b>J. Shah</b>		<b>Spring 2010 Reno, NV</b>	<b>G. Venkatesh</b>	
♠	T 8 5		♠	Q 9 7 6 4 2
♥	8 6		♥	A T 5
♦	8 7 5 4 3		♦	K
♣	6 3 2		♣	8 7 5

<b>Gary Brown</b>	
♠	K
♥	K J 9 7 4 3 2
♦	A J
♣	A J 4

West	North	East	South
		Pass	1♣ <sup>1</sup>
Pass	2♣ <sup>2</sup>	2♠	3♥
Pass	4♣	Pass	4♦
Pass	4♠ <sup>3</sup>	Pass	4NT <sup>4</sup>
Pass	5♣ <sup>5</sup>	Pass	6♣
Pass	Pass	Pass	

Final Contract	<b>6♣ by South</b>
Opening Lead	♠ 5
Table Result	<b>Made 6, N/S +920</b>
Director Ruling	<b>5♣ S made 6, N/S +420</b>
Committee Ruling	<b>5♣ S made 6, N/S +420 1/4 Board penalty to N/S</b>

(1)	Strong artificial and forcing.
(2)	Alerted showing diamonds and a game force.
(3)	RKC for hearts and a 20 second break in tempo (BIT)
(4)	0 or 3 controls and a 15 second BIT.
(5)	4 minute BIT alleged by East who was watching clock.

**The Facts:** As above there were numerous breaks in tempo during the auction. While the length of each may have been disputed, there was no dispute as to their presence.

**The Ruling:** The director judged that the BITs leading up to 5♣ demonstrably suggested bidding on and that passing 5♣ was a logical alternative. The contract was changed to 5♣ by South and the result of making six assigned to both sides (plus 420 N/S and minus 420 E/W).

**The Appeal:** N/S appealed the director's decision and all players except East attended the hearing.

North and South both agreed that substantial time was taken on three bids. Though they both felt it was not quite as long as written on the form, it was admitted that the 4♠ bid was approximately 20 seconds, the 4NT approximately 10-15 seconds, and the 5♣ bid 1-2 minutes. South did a majority of the talking, and had notes to provide to the committee. South stated that according to the notes, 4♠ was kickback for hearts, and 4NT showed zero or three heart key cards. He did say he wasn't sure if it was Blackwood or for hearts. North said he meant it as a cue bid. During the long huddle over 4♦, East asked North to please hurry, at which point South stated he said, "Hurry up. You're giving me only three minutes to play this hand." North said he meant the 5♣ bid to be 'pick your slam,' but said he probably could have come up with a better bid to avoid confusion. South stated he bid 6♣ because he felt his partner was 5/5 in the minors, and he had a good hand in support of the minor, even though he answered his interpretation of the kickback bid for hearts. The committee asked both North and South what the minimum point count could be for the 2♣ positive bid, and both parties said 8 plus high card points.

**The Decision:** The committee found the three breaks in tempo were undisputed, and regardless of their length they were all considered well within the scope of breaking tempo as mentioned in Law 16 B1(a): "After a player makes available to his partner extraneous information that may suggest a call or play, as for example by a remark, a question, an unexpected alert or failure to alert, or by an unmistakable hesitation, unwonted speed, special emphasis, tone, gesture, movement or mannerism, the partner may not choose from among logical alternatives one that could demonstrably have been suggested over another by the extraneous information." As the breaks in tempo were clearly established, unauthorized information was available to South. The committee decided that South's bidding over 5♣ was an abuse of the unauthorized information, and assessed N/S an appeal without merit warning (AWMW) and a ¼ board procedural penalty (PP).

**The Committee:** Ellen Kent (Chairman), Tom Peters, Bruce Reeve, Jeff Roman and Jim Thurtell.

### **Commentary:**

**Goldsmith** f 4S was key card for hearts, 5C asked for the HQ. I agree that 6C was an abuse of UI; South knew from North's tempo that they weren't solidly on the same page. But passing 5C is impossible. South has a 100% normal 5H bid. That gives North a serious problem. He might pass, bid 6D, or bid 5NT or 6NT. It's a tough decision what North will do; I'd've liked to ask him out of the blue what he would have done and why.

Which of those actions is likely? Surely 6NT and 6D are likely; partner has preferred diamonds. I think passing and bidding 5NT are at all probable, with pass's being on the borderline. So I'd rule that E/W are -920 in 6D, and N/S is +480 in 5H, though I could get talked into +490.

The appeal surely has merit; N/S are due a better score than 420. The PP is also well-deserved. You can't refuse to answer Blackwood because partner took forever to bid it.

- Polisner** I'm confused. Yes there was UI available to S. However, in this auction, 5 C must be forcing after he has key carded for Hs. When you use RKC and possibly get a 5 H or 5 S response, 5 C cannot be an offer to play and therefore must be forcing - whatever else it might be, it must be forcing. I would have thought that the BIT would suggest passing as it was more likely to have been a consideration of passing 4 NT at matchpoints. I would have kept the table result and the PP is off the chart for this hand.
- Rigal** A very difficult auction. It appears that the tempo pointed South to do something unusual. I'm not convinced that 5♣ is to play as opposed to asking for the trump queen, but it seems like there was UI and South did something odd. Don't like the PP as opposed to leaving N/S with no slam,
- Wildavsky** If 4S were in fact RKCB for H then 5C would have asked for the trump queen and passing would not have been logical. North intended 4S as a cue bid, though, in which case 5C would have been a choice of contracts. South testified that he was unsure as to the meaning of 4S. The TD and AC both judged that the UI demonstrably suggested bidding over passing. A lot depends on the testimony -- I won't try to second guess here
- Wolff** We need to educate when UI comes into play. Here these long breaks after partner makes bids which are hard to remember only makes bridge a more difficult game to play (for all) but almost an impossible one to enjoy. If a partnership plays a fancy system or convention and goes off course, a severe penalty should serve as reason to them to know their system or try something simple instead.