

APPEAL	NABC+ FOURTEEN
Subject	Unauthorized Information (UI) - Tempo
DIC	Steve Bates
Event	Reisinger BAM Teams
Session	Second Qualifying
Date	December 4, 2009

BD#	6
VUL	E/W
DLR	East

Nick Demirev	
♠	K 2
♥	K 8 6 4
♦	4
♣	A Q J T 7 3

Josh Parker		Fall 2009 San Diego, CA	Bruce Rogoff	
♠	A Q 8 5		♠	T 4 3
♥	7 2		♥	A Q J 5
♦	K Q 7		♦	J 8 6 3
♣	K 8 4 2		♣	9 6

Jason Feldman	
♠	J 9 7 6
♥	T 9 3
♦	A T 9 5 2
♣	5

West	North	East	South
		Pass	Pass
1♦ ¹	3♣	Db1 ²	Pass
Pass	Pass		

Final Contract	3♣ doubled by North
Opening Lead	♠3
Table Result	Down 2, N/S -300
Director Ruling	3♣ dbld N down 2, N/S -300
Committee Ruling	3♣ W down 3, E/W -300

(1)	Precision.
(2)	Break in tempo (BIT) of 15-20 seconds.

The Facts: The director was called after the play of the hand was completed. There was a break in tempo of more than 10 seconds. N/S felt that the BIT indicated that something was wrong with the double and that it suggested passing rather than bidding 3♠ with the West hand.

The Ruling: The director judged that the BIT did not demonstrably suggest passing, therefore there was no violation of Law 16B1(a) and the table result of 3♣ doubled by North, N/S minus 300 was allowed to stand.

The Appeal: N/S appealed the director's decision. South was the only player not to attend the hearing.

N/S argued that not only is 3♠ a logical alternative, it's the normal action. They said they had asked a top expert who bid 3♠ without the hesitation and considered that action to be completely normal. Also, because this is BAM and N/S was not vulnerable, even if they beat 3♣ doubled one trick it might not outscore a plus 140 available in 3♠.

E/W said that their double promises 8 to a bad 11 HCP and at least 4-3 in the majors. If partner does not have four spades then 3♠ is probably a silly contract. If he has a classic 4441 shape then the law of total tricks says that if 3♠ is making then 3♣ is going two down, so passing should work well. "Overall, we think that bidding is not even remotely close. Also, a hesitation of 12-15 seconds when we are supposed to wait 10 does not seem like a break in tempo."

The Decision: There was, as usual, some disagreement about the length of the hesitation. E/W thought it was 12-15 seconds; N/S thought it was 15-20. We judged that everyone at the table knew East had a problem, so even if the hesitation had been only 12 seconds that was an "unmistakable hesitation" and per Law 16 B1(a) UI was available.

What did this UI suggest? This turns out to be much clearer than it is most of the time.

E/W play a version of Precision and open most 11-counts.

Since a hesitation in this situation tends to be either extra values or incorrect shape, and it cannot be extra values, it clearly indicates that East was off-shape.

What are the logical alternatives for West? Some would pass and some would bid 3♠, so each are logical alternatives. The committee thought the choice was a close one.

Does the UI suggest one logical alternative over another, less successful one? Yes. If East is known to be offshape, pass is clearly suggested over 3♠. Therefore, passing was a violation of Law 16 and the contract must be adjusted to 3♠. The only at all probable result in 3♠ is down three. North will lead a minor and however N/S arrange their ruffs, they'll take the first seven tricks and West will claim the balance. The committee adjusted the score for both sides to 3♠ by West, E/W minus 300.

Ought we assign E/W a procedural penalty for blatant misuse of UI? No. Firstly, West took a normal action, perhaps even the majority action. Secondly, he judged that bidding 3♠ wasn't a logical alternative, that passing was clear-cut. We think that is a misjudgment, but misjudgments do not beget procedural penalties. In other words, if West had carefully thought through the choices and tried carefully to avoid taking advantage, it was reasonable for him to conclude that his choice was correct. That being the case, no procedural penalty was warranted.

The Committee: Jeff Goldsmith (Chair), Migry Zur-Campanile, Hendrik Sharples, David Stevenson and Chris Willenken.

Commentary:

Goldsmith I still buy our reasoning.

- Polisner** If E/W's statement that the double shows at least 4-3 in the majors and 8 to a bad 11 HCPs, why did it take East more than 10 seconds to make the bid which accurately described his hand? If anything, East must have been thinking of passing and not a weird distribution. That being the case, it would make West's pass even clearer as now the chances of game would be out of the question. I agree with the committee's decision but for a different reason. Certainly this is not a case for a procedural penalty.
- Rigal** Alas, this was a ruling against my team-mates. Fortunately in the first instance we had already failed to qualify for the second day of the Reisinger via a split tie, and secondly the ruling seems clear-cut correct to me. As witness what happened in the other room in a similar position.
- Smith** Was there UI? I think the committee correctly decided there was. Did it suggest passing instead of bidding 3♠? The committee's analysis has convinced me. Was bidding 3♠ a logical alternative? Yes, so good job by the committee on this one.
- Wildavsky** Both the director and committee rulings seem reasonable. Since the case is a close one, I'd have rather seen the director rule in favor of the non-offenders.
- Wolff** The committee simply said that, when West hears a slow negative double which implies a flaw, it will automatically force the responder to make the normal bid, judged to be 3♠, rather than the professional pass chosen. Good enough, but very harsh and for it to be acceptable MUST then be applied by other committees around the ACBL, otherwise no good will develop from it. It is up to us to make sure that this happens with someone designated to oversee that it does. A lot to expect, and dream worthy, but unlikely to happen.