

APPEAL	NABC+ THREE
Subject	Unauthorized Information (UI) - Tempo
DIC	Henry Cukoff
Event	Blue Ribbon Pairs
Session	Second Semifinal
Date	November 26, 2008

BD#	3
VUL	E/W
DLR	South

Paul Bethe	
♠	J T 6 3
♥	J
♦	Q J T 8
♣	K J 7 2

Richard Zeckhauser		Fall 2008 Boston, MA	Michael Rosenberg	
♠	A K 5		♠	8 4 2
♥	K 7 5 2		♥	T 9 8 6 3
♦	A 7 2		♦	K 6 5 3
♣	Q 6 3		♣	T

Kitty Cooper	
♠	Q 9 7
♥	A Q 4
♦	9 4
♣	A 9 8 5 4

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

Final Contract	2♠ by North
Opening Lead	♣T
Table Result	Down 1, N/S -50
Director Ruling	2♠ N, down 1, N/S -50
Committee Ruling	2♠ N, down 1, N/S -50

(1)	Transfer to hearts.
(2)	All agreed that there was a length break in tempo (BIT) prior to doubling.

The Facts: The director was called after the 2♠ bid and again after play of the hand was completed.. South said “we were in a forcing auction.”

The Ruling: The director judged that pass by North was not a logical alternative. In accordance with Law 16B1, there was no reason to adjust the score. Therefore, the table result of 2♠ by North down one, N/S minus 50 was allowed to stand.

The Appeal: E/W appealed the director's ruling. North and East attended the hearing. North presented his partnership's written agreement covering auctions that begin "1NT – Double." The agreement is:

"If the enemy transfers after we double their No Trump advancer bids:

Double: Penalty of their real suit.

Bids the transferred-to suit: Takeout double.

Pass then Double: Cooperative–honor third plus some other values."

Michael Rosenberg recommended that South should anticipate the ensuing difficulty by taking time over the transfer of 2♦ and not so long over the 2♥ bid.

The Decision: The committee felt that North's decision to bid 2♠ after partner's acknowledged hesitation before doubling 2♥ was justified on a variety of counts:

1. The committee recognized that the agreement over a double of an opening one NT, while not identical, was analogous.
2. The opponents had at least eight trump.
3. His defensive values were very soft and misplaced.

The committee acknowledged Michael Rosenberg's recommendation.

The committee decided for the above reasons that pass was not a logical alternative and ruled as the director had, allowing the table result of 2S by North down one, N/S minus 50 to stand for both sides.

The appeal was determined to have merit.

The Committee: Gail Greenberg (Chair), Ellen Kent, David Lindop, Chris Moll and Bob White.

Commentary:

Goldsmith Good job, except that the case did not have merit. No one would pass or even seriously consider passing 2♥ doubled. This case is a simple judgment call about whether passing was a LA and it obviously isn't, so where is the merit?

Polisner If South's statement that N/S was in a forcing auction is accurate, why did she break tempo before doubling? If indeed it was forcing, the BIT suggested a bad hand suggesting that North pull. Where was the poll which would have assisted the director and the committee as to what is a LA?

Rigal I do not think the appeal has merit if the system notes were produced at the discussion. Yes, maybe South should have bid quicker (do we know who we were talking about here?!), but in the real world North's actions are predicated on partnership agreement not tempo.

- Smith** I think the N/S notes are compelling evidence that pass is not a logical alternative for North. So I agree with the directors and the committee.
- Wildavsky** The director ruling was a stretch, since he didn't have access to the information the committee did. Given what he knew I think he ought to have ruled for the non-offenders. I believe he made the right ruling for the wrong reason.
Had the N/S bidding notes been available during screening, E/W would likely have dropped their appeal.
- Wolff** Good decision, based on sophistication and logic. However, since more often than not sophisticated methods, being somewhat rare, are more subject to being affected by tempo variations and, in addition, are usually being played by sharper, more experienced players, their use has to be accompanied by superior ethics,