

APPEAL	NABC+ TWO
Subject	Tempo - Unauthorized Information (UI)
DIC	Roger Putnam
Event	Wagar KO Teams
Session	First Round – Second Session
Date	July 17, 2006

BD#	<b>13</b>
VUL	<b>Both</b>
DLR	<b>North</b>

<b>Amalya Kearse</b>	
♠	T 4
♥	J 8 4 3
♦	A Q 9 4 2
♣	9 6

<b>Sanda Enciu</b>		<b>Summer 2006 Chicago, Illinois</b>	<b>Jenni Hartsman</b>	
♠	A 9 7 2		♠	K 6 5
♥	7 6		♥	K 2
♦	K J T 5 3		♦	8 6
♣	T 2		♣	K Q J 8 5 3
		<b>Rozanne Pollack</b>		
		♠	Q J 8 3	
		♥	A Q T 9 5	
		♦	7	
		♣	A 7 4	

West	North	East	South
	Pass	1♣	1♥
Dbl	2♥	3♣	3♥ <sup>1</sup>
Pass	4♥	Pass	Pass
Pass			

Final Contract	<b>4♥ by South</b>
Opening Lead	<b>♣T</b>
Table Result	<b>4♥ by South, N/S +620</b>
Director Ruling	<b>4♥ by South, N/S +620</b>
Committee Ruling	<b>4♥ by South, N/S +620</b>

(1) After a break in tempo
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**The Facts:** There was a break in tempo (BIT) before South bid 3♥ – all players agreed to it. Since a 2♣ bid would have shown a stronger hand with heart support, North’s 2♥ bid limited the top side of her values. N/S do not play maximal doubles. If, instead of bidding 3♥, South had bid 3♦, it would have shown diamonds and been a game try. According to the testimony of both North and South, the 3♥ bid was forward going.

**The Ruling:** The director determined that the BIT did not “demonstrably suggest” a line of action. Since it did not, there was no basis for an adjustment (in accordance with law 16), and the table result was allowed to stand.

**The Appeal:** E/W contended that both 3♦ and double were available to South as game tries. Therefore, the BIT was the only suggestion that South was making an invitational bid, i.e. the bid itself does not suggest that North reconsider her values for game purposes, but the BIT did.

N/S said that they do not play any conventional calls in this sequence; double would be penalty oriented, and 3♦ would have shown a forward-going hand with diamond values. North said that if South was willing to compete, or invite, she evaluated her hand as having extra values. She felt that bidding the game was called for at IMPs.

Upon questioning by the Committee, N/S revealed that a redouble of 1♥ by North would have shown a stronger high-card hand but probably only three hearts. North said she could not remember the last time she redoubled in such a sequence.

**The Decision:** In order for a BIT to lead to an adjustment, it must “demonstrably suggest” a line of action. In this case, with a pair playing relatively few conventions, the BIT could have been because South was considering passing, doubling, bidding 3♥, bidding 4♥, or bidding 3♦. In her methods, South took one of the aggressive calls available to her (considering that 3♦ was not appropriate). This is not a case in which South was considering a more aggressive action than she took. The committee found that the BIT did not demonstrably suggest to North that she bid 4♥ any more than South’s 3♥ call itself did. The decision might be different in cases where the N/S pair were playing that 3♦ would be a generic game try which would make South’s 3♥ call merely competitive.

(Dissenting Opinion by Mark Bartusek) N/S claimed that 3♥ was “forward-going” and that 3♦ would have been natural and game-invitational in their partnership of a couple of years. A double of 3♣ was undiscussed and presumably would have been penalties since they do not play maximal game-try doubles. South held precisely what I would expect for a BIT over 3♣, a game-try without diamond length (and North can figure this out after the negative double and the 3♣ rebid). The N/S pair’s statement about 3♥ being “forward-going” was not backed-up by any system notes and must be treated as self-serving by the committee. I find it hard to believe that a pair cannot bid three of a major in competition without inviting game (this would seem to result in a lot of part-score swings against them). The contract should be rolled back to 3♥.

**The Committee:** Mark Bartusek (chairperson), Jerry Gaer, Robb Gordon, Dr. E. Kales, and Mike Kovacich.