

APPEAL	Non NABC+ One
Subject	Unauthorized Information (UI) - Tempo
DIC	Nancy Boyd
Event	Education Foundation Pairs
Session	Only Evening
Date	March 11, 2010

BD#	<b>9</b>
VUL	<b>E/W</b>
DLR	<b>North</b>

<b>1,090 Masterpoints</b>	
♠	K 6 4
♥	7 6
♦	A K 4
♣	K T 8 7 2

<b>472 Masterpoints</b>		<b>Spring 2010 Reno, NV</b>	<b>3,339 Masterpoints</b>	
♠	Q J 8 5 3		♠	A T
♥	Q 8 4		♥	A K J T 9 5 2
♦	8 6 5 3		♦	9 7 2
♣	Q		♣	4

<b>2,440 Masterpoints</b>	
♠	T 9 2
♥	3
♦	Q J T
♣	A J 9 6 5 3

West	North	East	South
	1♣	4♥ <sup>1</sup>	5♣ <sup>2</sup>
Pass <sup>3</sup>	Pass	Dbl	Pass
Pass	Pass		

Final Contract	<b>5♣ doubled by South</b>
Opening Lead	<b>♥K</b>
Table Result	<b>Down 2, N/S - 300</b>
Director Ruling	<b>5♣ S down 2, N/S - 100</b>
Panel Ruling	<b>5♣ doubled down 2, N/S -300</b>

(1)	Stop card used.
(2)	No pause before 5♣ bid.
(3)	Break in tempo (BIT) agreed – 15 seconds maximum.

**The Facts:** The director was called at the end of the auction and again after the play of the hand was completed. The facts are as above.

**The Ruling:** It was determined that:

1. There was a BIT by West before the pass over 5♣.
2. The BIT demonstrably suggested the double by East.
3. Pass by East is a logical alternative.

Therefore, the contract was changed to 5♣ by South (no double) and the result to down two, N/S minus 100 and E/W + 100.

**The Appeal:** E/W appealed and East and West were the only players to attend the review.

E/W said that South did not hesitate (as required) before bidding 5♣. West considered his call before passing to 5♣ but neither East nor West thought that West's BIT was long; 5-10 or 10-12 seconds.

**The Decision:** Since South did not pause any of the required 10 seconds, West was entitled to some amount of time. Therefore, the panel judged that there was no BIT and no infraction. The table contract of 5♣ doubled by South was restored with the result of down two – N/S minus 300 and E/W plus 300.

**The Panel:** Susan Doe (Reviewer), John Gram, Matt Koltnow and Gary Zeiger.

**Commentary:**

**Rigal** When I saw that the table result had been restored I wondered if the panel were going to argue that there was no LA to the double...not an absurd argument in an NABC event, but this would not hold water in the current circumstances. I'm pleased with the grounds for restoring the call, though this is the first time I've ever seen this argument used. In fact I did not know it was a valid argument – but I like it

**Polisner** With a 15-second BIT, and then passing, it is reasonably clear that he had high cards, but was not willing to bid or double. I disagree with the Panel as after a 10-second pause required - an additional 5 seconds pause is a BIT and did suggest that double by E would be more profitable than selling out in JC. I agree with the ruling maintaining the table result. Pass is a LA for E.

**Wildavsky** South was largely responsible for this problem, but I don't like the ruling. The TD at the table found there as a BIT. Why did the panel overrule him? The TD had two advantages over the panel. He was on hand immediately, not after a delay, and he was able to hear both side's versions of the facts. If there were any doubt three things persuade me that there was a BIT. One is the EW testimony itself, where they said West might have hesitated for as long as 12 seconds. That would constitute a BIT even were West required to wait for 10 seconds. The second is the West hand. West certainly should have considered acting -- most players would bid 5H with his hand, and few would be able to pass without betraying some misgivings. The third is the East hand. It's one on which few players would take another call.

I would find a PP against NS in order, since South violated proper procedure.

**Wolff**

I agree with the West of the Pecos committee ruling, since South did not respect East's stop card, West can take longer with his possible BIT. -300 NS in 5 clubs doubled!