

APPEAL	Non NABC+ Three
Subject	Unauthorized Information (UI) - Tempo
DIC	Candace Kuschner
Event	Flight A/X Swiss Teams
Session	First of Two
Date	March 14, 2010

BD#	17
VUL	None
DLR	North

Kevin Bathurst	
♠	
♥	Q T 2
♦	A K 8 6 4
♣	A 9 7 5 2

Bob Todd		Spring 2010 Reno, NV	Doug Fisher	
♠	J 8 5 3		♠	A K Q 7 6
♥	9		♥	K 8 7 5 4
♦	7 3		♦	J 5
♣	K Q J 6 4 3		♣	8
		Dan Zagorin		
		♠	T 9 4 2	
		♥	A J 6 3	
		♦	Q T 9 2	
		♣	T	

West	North	East	South
	1♦	1♠	Dbl
3♣ ¹	Dbl	4♠	5♦
Pass	Pass	Dbl ²	Pass
Pass	ReDbl	Pass	Pass
5♠	Pass	Pass	Dbl
Pass	Pass	Pass	

Final Contract	5♠ doubled by East
Opening Lead	♦ 9
Table Result	Down 3, E/W - 500
Director Ruling	5♦ Redoubled N made 5, N/S + 800
Panel Ruling	5♦ Redoubled N made 5, N/S + 800

(1)	Fit showing jump, spade support and good clubs.
(2)	Alleged break in tempo (BIT) – disputed.

The Facts: The director was called immediately after West bid 5♠ and again after the play of the hand was completed. There were several disputed allegations of tempo breaks. N/S contended that East's 4♠ bid was immediate and that his next two calls (double and pass) were slow. West felt East thought about two seconds before doubling 5♦, while North thought the BIT was at least 10 seconds.

The Ruling: The director judged that East's double of 5♦ was most unlikely to have been made in tempo and disallowed the 5♠ bid. Also West had an earlier opportunity to pull the double. In accordance with Law 16 and Law 12 the contract was changed to 5♦ redoubled by North and the result of making five assigned to both sides (N/S plus 800 and E/W – 800).

The Appeal: E/W appealed the director's decision and North, East and West attended the review. E/W disputed the allegations of slow tempo. East agreed that his 4♠ bid was made immediately but said there was no BIT before he doubled. West estimated that East took two seconds to double. West also said he was reluctant to pass East's double, but did so, but believed the redouble by North and did not feel he could sit for it with such good clubs and little defense. North estimated the BIT before the double was 10 seconds.

The Decision: Three players with 5,000 to 5,200 masterpoints were polled. All three passed the redouble. One noted that, if he were going to pull, he would have done so immediately, not after the redouble, showing more confidence in the opponents than partner.

Since the table director concluded that there was a BIT before East's double, and no facts disputed this, just E/W's disagreement, the committee felt a BIT occurred and that pass was a logical alternative. Therefore, the panel agreed with the director's adjustment and left it intact.

The appeal was judged to have merit.

The Panel: Peter Marcus (Reviewer), Nancy Boyd, Susan Doe and Terry Lavender.

Commentary:

Rigal Only the issue of the redouble, and whom to trust, gives this a semblance of merit. As far as I can see, E/W brought nothing new to the table with their appeal... guillotine!

Polisner I am troubled by the TD's conclusion that the double of 5D was "unlikely to have been made in tempo". I am also troubled by the Panel's conclusion that they found no facts to "dispute that there was not a BIT". This is a classic case of he said-she said about the alleged BIT. Why didn't S express an opinion about the issue? The law requires an "unmistakable" BIT and not a divine assumption. I am also troubled about the "if W was going to pull, he would have so on the previous round". In a highly contested auction, N's redouble speaks volumes as to his confidence about the contract. Based on the lack of convincing evidence of a BIT, I would have maintained the table result.

Wildavsky Looks right to me.

Wolff AT least to me, North's greedy redouble (under the circumstances and with the BIT) took the ethical shackles off of EW and I would allow EW to seek to get out of the redoubled contract, especially when the redouble created new evidence to be considered. UNDER THE CIRCUMSTANCES A TRULY AWFUL DECISION AND ONE WHICH SHOWS INEXPERIENCE ON THE PART OF THE PANEL!