

APPEAL	NABC+ EIGHT
Subject	Unauthorized Information (UI) - Tempo
DIC	Henry Cukoff
Event	Edgar Kaplan Blue Ribbon Pairs
Session	First Qualifying
Date	December 1, 2009

BD#	14
VUL	None
DLR	East

Mike Kovacick	
♠	7 6 4 3
♥	J T
♦	Q J 9
♣	Q J 9 8

Makiko Sato		Fall 2009 San Diego, CA	Kyoko Shimamura	
♠	Q 5		♠	A K 9 8 2
♥	A 5 3		♥	K 9 8 7 2
♦	A 8 6 2		♦	K 5 4
♣	7 6 5 3		♣	

Robert White	
♠	J T
♥	Q 6 4
♦	T 7 3
♣	A K T 4 2

West	North	East	South
		1♠	Pass
1NT ¹	Pass	2♥	Pass
2♠ ²	Pass	3♥	Pass
4♥	Pass	Pass	Pass

Final Contract	4♥ by East
Opening Lead	♣A
Table Result	Made 6, E/W +480
Director Ruling	4♥ E made 6, E/W +480
Screeener Ruling	2♠ E made 3, E/W +140
Committee Ruling	2♠ E made 3, E/W +140

(1)	Forcing.
(2)	Slow.

The Facts: The director was called after the 3♥ bid and again after the play of the hand was completed. The director asked each player what the length of the hesitation by West was before bidding 2♠.

N = 10 seconds, S = 10 seconds, a noticeable break.

W = 2 seconds, E = not noticeable, but a slight break.

The Ruling: The director judged that there had been a break in tempo by West but that the UI did not demonstrably suggest one action over another. Therefore, the table result of 4♥ by East making six, E/W plus 480 was allowed to stand.

The Appeal: N/S appealed the table director's ruling. The screening director changed the ruling to 2♠ by West making three, E/W plus 140. E/W appealed the decision of the screening director. All four players attended the hearing. East and West were accompanied by an interpreter.

West said the time taken was about two seconds. She had to decide between pass, 2♠, 2NT, and 3♥. East did not think there was any BIT.

East said she would have played a spade contract as follows:

Club lead ducked pitching a diamond – next club ruffed – three rounds of hearts – accept force – draw trumps.

The BIT was clear to North and South who each called the director immediately after the 3♥ bid because of the BIT.

The Decision: The fact that West explained that she had several choices to consider makes a BIT more likely than not even though the two sides disagreed as to whether there was a BIT.

UI was available that demonstrably suggested pass over 3♥. Four committee members believed that Pass was a logical alternative, so the committee considered the possible results in 2♠. The line of play stated by declarer was accepted even though it was not best.

Since the committee heard nothing to suggest overruling the table director on his finding of fact, it ruled as the screening director had and adjusted the result for both sides to 2♠ by East making three, E/W plus 140

The committee found that the appeal had substantial merit.

The Committee: Aaron Silverstein (Chair), Ellen Kent, JoAnn Sprung, David Stevenson (Scribe) and Jim Thurtell.

Commentary:

Goldsmith Very good job all around, particularly by the screening director. I don't believe in giving people appeal without merit warnings (AWMWs) if the screening director changed the ruling. Players in such circumstances don't have time to think clearly about the new issues, don't have time to consult their friends, and are more or less stuck upstairs at an appeals case anyway. Furthermore, that the appeals screener disagreed with the table director suggests that the case is not clear-cut, and it is completely natural for a bridge player to take that inference. If, however, the director had originally ruled as the screening director, then there would have been no merit to this appeal.

Polisner Good work except an AWMW should have been issued.

Rigal I like the committee's rationale for the decision and the tricks taken. The question as to tempo break seems decisively answered by West's comment about having something to think about.

- Smith** This committee made the right decision on the number of tricks in spades. But, it really had no choice given the testimony of East. Good for the screening director to make the ruling the same on this and the previous case before this one got to committee.
- Wildavsky** The committee had an easier time of it here than they did in case 7, since declarer's stated line would lead to plus 140. The fact that the committee made two different adjustments on essentially the same set of facts is not necessarily a sign of inconsistency, but I prefer its ruling here.
- Wolff** See NABC+ Appeal number 7. The next question worth pondering and then further discussion might be: What percentage of fairly experienced players, playing in an early round of the Edgar Kaplan Blue Ribbon Pairs, would break tempo on the subject hand, while sitting West and in response to a 2♥ rebid by East, before choosing to only prefer 2♠ thus providing UI to partner?
A provocative and perhaps gauche question, you say, well perhaps no more gauche than your doctor inquiring into your sex life as part of an annual physical. At least to me, something very topical is always in season to inquire, especially so since our group, by its very presence, helps run an ethics clinic as well as an appeals forum. I agree with this committee decision, but unless we go public with these situations and their byproducts, our group will be failing miserably.