

APPEAL	NABC+ SEVENTEEN
Subject	Unauthorized Information (UI) - Tempo
DIC	Steve Bates
Event	Mixed Board a March Teams
Session	Second Qualifying
Date	July 30, 2009

BD#	17
VUL	None
DLR	North

Belinda Go	
♠	A J 4
♥	J T 5 3
♦	A K 5
♣	A 7 3

Sandy Stern		Summer 2009 Washington D.C.	Roger Stern	
♠	T 5		♠	8 7 3
♥	8 7 4		♥	A K 9 6 2
♦	Q 8 7 4 3		♦	T 9 6
♣	J 9 6		♣	T 5

Jonathan Pines	
♠	K Q 9 6 2
♥	Q
♦	J 2
♣	K Q 8 4 2

West	North	East	South
	1NT	Pass	2♥ ¹
Pass	2♠	Pass	3♣
Pass	3♠	Pass	4♠ ²
Pass	4NT ³	Pass	5♣ ⁴
Pass	5♦ ⁴	Pass	6♣ ⁴
Pass	6♠	Pass	Pass
Pass			

Final Contract	6♠ by North
Opening Lead	♥K
Table Result	Made 6, N/S + 980
Director Ruling	6♠ N made 6, N/S + 980
Committee Ruling	4♠ N made 6, N/S +480

(1)	Transfer to spades.
(2)	E/W allege a break in tempo (BIT) – N/S disagree.
(3)	Agreed BIT.
(4)	5♣ = 1 or 4 keycards; 5♦ = ♠ ask; 6♣ = ♠Q + ♣K.

The Facts: The director was called after the 4NT bid and again after the play of the hand. E/W said there was a hesitation before the 4♠ bid. N/S did not agree -- South said five seconds and North said less than ten seconds.

The Ruling: The director determined that since there was no agreement on the fact of an unmistakable hesitation there would be no adjustment. Therefore, the table result of 6♠ by North making six, N/S plus 980 was allowed to stand for both sides.

The Appeal: E/W appealed the director's ruling. E/W were the only players to attend the hearing.

East estimated the time that it took South to bid 4♠ at 12 to 18 seconds. West did not have a time estimate but described South's hesitation as "marked." Both thought that the time that South took to bid 4♠ transmitted UI to North.

N/S had told the table director that their estimates of the time taken were five seconds according to South and less than ten seconds according to North.

The Decision: A person's perception of time will normally be different depending upon whether that person is doing something (is busy) or waiting for someone else to act. At South's turn to bid over 3♠, he has a decision to make whether to bid 4♠, try for slam with 4♣ or do something more aggressive. He may be counting losers, constructing possible hands that partner may hold, deciding whether the five-level was in jeopardy, etc.

At the same time, North might be considering what to do over South's most likely bid (maybe 3NT). Should he pass with his flat hand, cue bid his ♣A, or show his red suit control?

E/W don't have much to think about, so their estimate of the time South took will normally be higher than North's whose estimate is higher than South's. The committee judged that South took roughly 8-12 seconds to bid 4♠ based on North's 8-9 seconds and the low end of East's estimate.

Did that amount of time constitute a marked BIT in the context of their auction? The committee ruled "yes." The auction through 3♠ is a common one that South could easily anticipate as soon as partner opened 1NT. Thus, if South took noticeably more than 3-5 seconds to bid over 3♠, he transmitted UI to North. The UI demonstrably suggested that North not pass, and pass is clearly a logical alternative to bidding. South might hold KQ9xx/xx/Jx/KQ8x for his auction opposite which 6♠ has virtually no play, and 5♠ is in significant jeopardy.

Therefore, per Laws 16 and 12 the committee adjusted the result to 4♠ by North making six, N/S plus 480 for both sides.

The Committee: Doug Doub (Chair), Mark Bartusek, Ellen Kent, Josh Parker and Joel Wooldridge.

Commentary:

Goldsmith Of course there was a BIT. North never has a bid over 4♠ without one. Where's the procedural penalty for North's abuse of UI?

Polisner Correct decision for all the reasons stated by the committee.

Rigal I prefer the committee ruling to the director given the timing of the call. You'd have to assume E/W pretty died-in-the-wool villains to assume they had both made up the BIT. And the committee's rationale for establishing the break is right-on. Well done.

Smith Even in a high level auction, I'm a bit surprised that the directors didn't decide that an admitted "less than ten second" break as reported by North, and a longer one as reported by E/W did not lead to the conclusion that an unmistakable hesitation had occurred. It would have been nice for the committee to hear the N/S version of facts and its arguments, but in their absence the committee's decision seems all but inevitable. I would be interested to see the win percentage of appellants whose opponents do not appear before the committee. I think we would find it to be remarkably high.

Wildavsky I prefer the committee decision to the director's.

Wolff Is 3♣ game forcing? If so, I agree with the committee. If not, I do not.