

APPEAL	NABC+ TWO
Subject	Unauthorized Information (UI) - Tempo
DIC	Henry Cukoff
Event	Silodor Open Pairs
Session	First Qualifying
Date	March 13, 2009

BD#	<b>8</b>
VUL	<b>None</b>
DLR	<b>West</b>

<b>Jill Wooldridge</b>	
♠	A 2
♥	A K J
♦	T 4
♣	K T 9 8 5 2

<b>David Bakhshi</b>		<b>Spring 2009 Houston, TX</b>	<b>Tommy Garvey</b>	
♠	8 7 6 5 4		♠	Q T
♥	9 7 5 2		♥	8 4 3
♦	6		♦	A Q 9 7 5 3 2
♣	Q 7 6		♣	3

<b>Irma Schulman</b>	
♠	K J 9 3
♥	Q T 6
♦	K J 8
♣	A J 4

West	North	East	South
Pass	1NT	3♦	3NT <sup>1</sup>
Pass	4♣	Pass	4♦
Pass	5♣	Pass	6NT
Pass	Pass	Pass	

Final Contract	<b>6NT by North</b>
Opening Lead	<b>♦A</b>
Table Result	<b>Made 6, N/S +990</b>
Director Ruling	<b>3NT by N, made 7, N/S +520</b>
Committee Ruling	<b>3NT by N, made 6, N/S +490</b>

(1)   E/W alleged a break in tempo (BIT) – disputed by N/S.
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**The Facts:** The director was called after the play. East alleged a 30 second BIT and West alleged a BIT of 20-30 seconds at South's first turn to call. N/S thought the BIT was between 7 and 10 seconds. North stated that the reason she pulled 3NT was due to the lack of a diamond stopper.

**The Ruling:** The director judged that:

- There was an unmistakable BIT and UI was available from that BIT.
- The UI demonstrably suggested that North bid rather than pass.
- Pass was a logical alternative – in fact, normally after one opens 1NT and partner responds 3NT without first mentioning another suit, there is no logical alternative call other than pass.

Therefore, in accordance with Laws 12 and 16, the director adjusted the table result to 3NT by North, making seven, N/S plus 520.

**The Appeal:** Both pairs appealed and all four players attended the hearing. The stop card was not used. N/S felt the time taken was ten seconds. North was worried South did not have a diamond stopper. A double by South would have been negative. South said she considered double and thought of 4NT right after she bid 3NT. Time was close to 30 seconds according to E/W. They considered that pass was a logical alternative. East said that he might lead the ace of diamonds against 3NT.

Because perceptions of time can differ the committee asked each player in turn to demonstrate the length of the hesitation by waiting as long as the hesitation at the table had taken and then saying "3NT." North took 9 seconds, South 12.5, East 17, and West 25 seconds.

**The Decision:** The committee found that:

There was an unmistakable hesitation, partially because South took well over 10 seconds in the demonstration.

The BIT demonstrably suggested doubt about 3NT as a contract.

Pass is a logical alternative.

The committee judged that leading the ♦A was unlikely, and some felt a self-serving statement by E/W. However the committee judged that on a normal heart lead declarer would likely play on diamonds for her twelfth trick. Therefore, in accordance with Laws 12 and 16, the committee adjusted the result to 3NT by North, making six, N/S plus 490 for both sides.

N/S's appeal was determined to have merit because of the doubt as to the facts. Had the committee found that no UI was available to North then she would have been free to make any call over 3NT.

**The Committee:** Aaron Silverstein (Chair), Ed Lazarus, John Lusky, Chris Moll and Jim Thurtell.