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| APPEAL | NABC+ FOUR |
| Subject | Unauthorized Information (UI) - Tempo |
| DIC | Terry Lavender |
| Event | Lebhar IMP Pairs |
| Session | Second Final |
| Date | March 13, 2010 |

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| BD# | 12 |
| VUL | N/S |
| DLR | West |

| | |
|----------------|---------------|
| Hal Montgomery | |
| ♠ | 2 |
| ♥ | Q 6 4 2 |
| ♦ | J 8 7 5 4 3 2 |
| ♣ | 4 |

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|---------------|-------------|---------------------------------------|--------------------|-----------|
| Neil Kimelman | | Spring 2010 Reno, NV | Marielle Brentnall | |
| ♠ | J 8 7 6 4 3 | | ♠ | Q 9 5 |
| ♥ | K J 7 | | ♥ | T 5 3 |
| ♦ | K | | ♦ | T 6 |
| ♣ | K 9 7 | | ♣ | Q T 6 3 2 |

| | |
|---------------|---------|
| John Bartlett | |
| ♠ | A K T |
| ♥ | A 9 8 |
| ♦ | A Q 9 |
| ♣ | A J 8 5 |

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|------|-------|------------------|-------------------|
| West | North | East | South |
| 1♠ | Pass | 1NT ¹ | Dbl |
| Pass | 2♦ | 2♠ | Pass ² |
| Pass | 3♥ | Pass | 3NT |
| Pass | Pass | Pass | |
| | | | |
| | | | |

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|------------------|--------------------------------|
| Final Contract | 3NT by South |
| Opening Lead | ♠ 4 |
| Table Result | Made 6, N/S + 690 |
| Director Ruling | 3NT S made 6, N/S + 690 |
| Committee Ruling | 3NT S made 6, N/S + 690 |

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|-----|------------------------------|
| (1) | Forcing. |
| (2) | Agreed break in tempo (BIT). |

The Facts: The director was called after the play of the hand was completed. There was agreement that South broke tempo before passing 2♠.

The Ruling: The director judged that, although the BIT suggests action over inaction, it did not indicate any specific action. Several "A" players were consulted about North's call over 2♠. All felt that pass was not a logical alternative. Therefore, the director allowed the table result of 3NT by South making six, N/S plus 690 to stand.

The Appeal: E/W appealed the director's decision and all four players attended the hearing.

Neither side put forward any facts contrary to those above.

The Decision: While the pass by South of 2♠ was extraordinary, it was unanimous that North had a clear-cut bid. There was no claim by the appellants or reason to think that the huddle made 3♥ more attractive than a scrambling 2NT or 3♦, and in any case South would surely have bid 3NT over either. The committee briefly wondered whether the manner in which South bid 3NT might have swayed North to pass, but no such allegation was made by E/W.

The appellants were informed of the poll results during the screening process but persisted with the appeal. The committee assessed an Appeal Without Merit Warning (AWMW).

The Committee: Mark Feldman (Chairman), Eugene Kales, Ed Lazarus, Bruce Reeve and Bob White.

Commentary:

Goldsmith It seems to me that 3H is an infraction. Partner's hesitation suggests extras, making 3H more attractive than the obvious 3D (or possibly 2NT). But the NOS was not damaged by that infraction. Over 3D, South will bid 3NT and there we are.

Polisner Good ruling and decision including the proper issuance of an AWMW.

Rigal This seems a relatively unusual case to me. I do have some sympathy with E/W, who saw North bid twice. But, if the polled group suggests that there is no logical alternative to action, I think we have to live with this decision.

Wildavsky I agree that this appeal had no merit.

Wolff A good and proper decision, although possibly calling for a small procedural penalty (3 IMPs) against South's undue hesitation and pass and North's 3♥ continuation. It is all very logical for North to bid again, even based on honest tempo (which in this case NOT), but the BIT did give North insurance against his action not working.