

APPEAL	NABC+ EIGHTEEN
Subject	Unauthorized Information (UI) - Tempo
DIC	Chris Patrias
Event	North American Swiss
Session	Second Qualifying
Date	December 1, 2007

BD#	13
VUL	Both
DLR	North

Bruce Ferguson	
♠	K J
♥	T 7 6
♦	Q 8 7 5
♣	A K J 7

Apolinary Kowalski		Fall 2007 San Francisco, CA	Piotr Tuszynski	
♠	T 9 7		♠	A Q 6 5 3
♥	A 8		♥	K Q 4 3
♦	A J 4 3		♦	K 6
♣	8 5 3 2		♣	Q 4

Brenda Keller	
♠	8 4 2
♥	J 9 5 2
♦	T 9 2
♣	T 9 6

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

Final Contract	4♠ by W
Opening Lead	High ♣
Table Result	Made 4, E/W +620
Director Ruling	4♠ W, +4, E/W +620
Committee Ruling	2♠ W, +4, E/W +170

(1)	14-17 HCP.
(2)	Majors.
(3)	4-5 seconds before 2♠ bid.

The Facts: The director was called when dummy was displayed. N/S stated that the pause was long enough to be noticeable, but did not take issue with the time asserted by E/W.

The Ruling: Whether there was a break in tempo (BIT) is debatable. Even if there were a BIT, it did not demonstrably suggest bidding 3♠. Therefore, the parameters of law 16 were not satisfied and the table result of 4♠ by West making four, E/W plus 620 was allowed to stand.

The Appeal: E/W did not attend the hearing.

North stated that he is aware that sometimes a four-five second hesitation is a BIT and sometimes not. In this case it was apparent that West was considering other options. North said that West had a very good hand for only bidding 2♠, as one might expect would be the case for a hesitation and then a minimum strength bid.

The Decision: The director said that the existence of a BIT was debatable (he did not make a clear determination) and the committee debated. A pause of four-five seconds is often ruled not to be a BIT; but in a fairly routine situation in which a player is tightly focused on his hand, a four-five second hesitation is capable of bearing an information load. After considerable discussion, the committee decided that West's hand, North's statement about it being clear that West was thinking about his options, and the agreement by the players that West hesitated four-five seconds all contribute to a finding that the BIT was unmistakable per law 16.

West could have been considering whether to:

1. Pass 2♣,
2. Bid 2♦,
3. Bid 2NT, or
4. Bid 3♠

as well as the bid he chose. Passing 2♣ is an infrequent choice. The meaning of 2♦ was not available to the committee, but it may well not have been available as a natural non-forcing bid. 2NT is a bid that might be used as a good three-card raise. 3♠ might be used for an invitational four-card raise. It is also possible but unlikely that West was choosing between majors, but that is a choice a good player usually makes very routinely. The most likely alternatives that West was considering were extra-value bids in spades. Since the extra-value bids were considerable more likely than the others, the committee found that they were demonstrably suggested per law 16.

The issue of logical alternative(s) (LA) was disposed of summarily since it was clear that a pass is a LA.

Accordingly per law 12 C 2, the committee adjusted the result to 2♠ by West making four, E/W plus 170.

The Committee: Doug Doub (Chair), Michael Huston, Chris Moll, Jacob Morgan and Eddie Wold.

Commentary:

Goldsmith Good job, appeals committee. I suspect that in fact, West was thinking of bidding 2♦, "you pick your major," planning to correct 2♥ to 2♠ to show a mild invitation to game. That's a pretty common meaning of the sequence, and, red at IMPs, I think his hand is a close decision between 2♦ and 2♠.

- Polisner** The director got it right and the appeals committee (AC) missed it. The director, who had the advantage of discussing the facts with all of the players, concluded that four or five seconds was not an unmistakable BIT which is required for Law 16 to apply. If West had bid in one second, it would be too fast so we are down to a two-second window if four seconds is a BIT. However, if it was determined that there was a BIT, I agree with the AC that the table result should be adjusted.
- Rigal** Excellent decision by the appeals committee to overrule what in my opinion was a flawed tournament director (TD) ruling. Though it is easy to over-generalize, the idea that slow sign-offs generally deliver unbidable extras is one that has come up enough for us all to be familiar with it. Here I'm drinking the Kool-Aid. I would have expected the initial TD ruling to force E/W to appeal the decision.
- Smith** I agree with the committee's rationale and think it's decision was correct.
- Wildavsky** The tournament director ruling is puzzling. Certainly a slow 2♠ suggests that the final contract should be higher -- how could it not? The appeals committee got this one right. They might also have noted that 2♥ may have been available if West had equal length in both majors, and if not then 2♥ would be the most frequent choice with equal length since it leaves partner room to show extra strength with longer spades at the two-level.
- Wolff** OK ruling.