

APPEAL	NABC+ TWO
Subject	Unauthorized Information (UI) - Tempo
DIC	Henry Cukoff
Event	Von Zedtwitz Life Master Pairs
Session	First Qualifying
Date	July 24, 2009

BD#	9
VUL	E/W
DLR	North

Bryan Maksymetz	
♠	J 7 4 3 2
♥	A K J T 7
♦	Q 9
♣	T

Rick Binder		Summer 2009 Washington D.C.	Kevin O'Donnell	
♠	K 8		♠	A Q 6
♥	9 5 4		♥	6
♦	A K T 7 6 5 4 3		♦	8
♣			♣	K Q 9 8 7 6 4 2

Zygmunt Marcinski	
♠	T 9 5
♥	Q 8 3 2
♦	J 2
♣	A J 5 3

West	North	East	South
	1♠	2♣	2♠
3NT ¹	Pass ²	5♣	Dbl
5♦	Dbl	Pass	Pass
Pass			

Final Contract	5♦ doubled by West
Opening Lead	♥A
Table Result	Made 5, E/W + 750
Director Ruling	3NT W down 2, E/W -200
Committee Ruling	5♦ dbled W made 5, E/W +750

(1)	Slow
(2)	Slow

The Facts: The director was called at the end of the auction and again after the play was completed. West hesitated before bidding 3NT and North hesitated before passing 3NT. East said he bid 5♣ because North's hesitation made it likely that he had a second suit to lead.

The Ruling: The director judged that the 5♣ bid was demonstrably suggested by West's hesitation and that pass was a logical alternative. (Law 16)
Per Law 12C1(e), the result was adjusted to 3NT by West down two, E/W minus 200 for both pairs.

The Appeal: E/W appealed the director's decision. South was the only player who did not attend the hearing.

East said that after a 30-40 second hesitation by North, it became clear to him that North had a second suit to lead. That authorized information made it more likely to be correct to bid 5♣. Partner must have the ♠K, so North's spades are weak and he surely has a strong second suit.

N/S said that if that was the case it would suggest a pull to a slam try or 4♣. Also you might pass 3NT at matchpoints. If partner could win the opening lead and had the ♣A, you would score better in 3NT.

The committee determined that West's hesitation was between 10 and 20 seconds.

The Decision: The committee judged that after North's hesitation over 3NT pass was not a logical alternative. Given the auction and East's distribution it was clear to pull. Therefore, the table result of 5♦ doubled by West making five, E/W plus 750 was reinstated for both pairs.

The Committee: Aaron Silverstein (Chair), Abby Heitner, Eugene Kales, Ed Lazarus and Barry Rigal.

Commentary:

Goldsmith Close call, but I'll buy East's argument and rule with the committee.

Polisner Although I personally agree with the decision, I thought that the directors were supposed to poll peers as to what they would do in a normal tempo auction with the East hand.

Rigal Correct tournament director decision and I think the committee got it right after North's break in tempo. But I would say that wouldn't I?

Smith The committee has convinced me. Perhaps passing 3NT was a logical alternative before North's tank, but it wasn't after it occurred. East is perfectly entitled according to Law 16 to take North's manner and tempo into account.

Wildavsky I like the committee ruling.

Wolff Correct decision by the committee. Normal playing luck (NPL) should be honored and was. East's dummy did not figure to be good but was.