

APPEAL	Non NABC+ Ten
Subject	Unauthorized Information (UI) - Tempo
DIC	Dianne Barton-Paine
Event	Daylight Stratified Pairs
Session	First of Two
Date	March 18, 2010

BD#	24
VUL	None
DLR	West

25,087 Masterpoints	
♠	J T
♥	K Q J 8 7 2
♦	A J
♣	A J 2

1,582 Masterpoints		Spring 2010 Reno, NV	3,137 Masterpoints	
♠	A 7 5 3 2		♠	K Q 6 4
♥			♥	A 6 5 4
♦	K 5 2		♦	8 4
♣	Q T 7 6 3		♣	8 5 4

1,975 Masterpoints	
♠	9 8
♥	T 9 3
♦	Q T 9 7 6 3
♣	K 9

West	North	East	South
Pass	1♥	Pass	Pass
2♥	Pass	2♠	Pass
Pass	3♥	Pass ¹	Pass
3♠	Pass	Pass	Pass

Final Contract	3♠ by East
Opening Lead	♥ T
Table Result	Down 2, E/W - 100
Director Ruling	3♥ N making 4, N/S + 170
Panel Ruling	3♠ E down 2, E/W - 100

(1) Alleged break in tempo (BIT) – not agreed.
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The Facts: The director was called immediately after West bid 3♠ and again after the play of hand was completed.

The BIT was alleged by N/S and disputed by E/W.

The Ruling: The director judged that West bid her hand when she bid 2♥ and that, if East couldn't bid over 3♥, that pass by West was a logical alternative. From the auction and East's hand, the director judged that a BIT was likely to have occurred.

The contract was adjusted to 3♥ by North with a result of making four assigned to both sides (N/S plus 170 and E/W minus 170).

The Appeal: The hand was played on the 8th round and the table director delivered the ruling immediately before round 13. After the session, E/W appealed the director's decision. The N/S pair was not interviewed East stated that while North considered his third call, he had placed his folded up hand on the table. When North bid 3♥, he took several seconds to pick up and open his hand and then several seconds to pick up the pass card. When North was interviewed, he said that East did not take several seconds to pick up his hand and that East took 5-10 seconds with his hand open. North also questions the polling procedure used by ACBL.

The Decision: Six players in the A/B+ category were polled. All six took action with the West hand over the 3♥ bid. The panel judged that there probably was a brief BIT (less than 10 seconds). West, however, couldn't be sure whether a BIT suggests a 3♠ bid or a double. The Panel believed there was a significant break in tempo. However, under Law 16 B1(a) the break must 'demonstrably suggest' an action and there must be logical alternatives. Since the hesitator may be considering a double, which would not suggest a pull, and there is no logical alternative according to our consultants, Law 16 was not violated. The key factor for the panel was that all players polled would take action. Therefore, pass was not found to be a logical alternative and the table result was restored for both pairs.

The Panel: John Gram (Reviewer), Susan Doe, Peter Marcus and Tom Marsh.

Commentary:

Rigal The point in the poll about the winning action not being suggested is a reasonable one. Maybe if West had doubled to cover both bases that would not have been acceptable. By the way WHAT was East doing in this auction? I'd like to penalize him if not West.

Polisner I am stunned that all 6 of the peers polled "took action" with the W hand over 3 H. Perhaps 5 out of 6 doubled for - 630. Any player who was only capable of taking 7 tricks in Spades should not be trying to declare in any event. I distrust the poll and would have decided as the TD ruled.

Wildavsky I prefer the TD's ruling, but given the poll results I can live with the Panel's. I'd prefer their stated rationale to be crisper. They should decide whether the UI could demonstrably suggest bidding before moving on to LAs. If it could not, there is no need to consider LAs. Given the East hand we can see that he was considering bidding -- I can't imagine why he passed. It seems likely to me that West could tell that that was likely what concerned his partner. For one thing, players who are considering doubling usually do double.

I would like to see more than six players polled before we rule that there is no LA to an action. Firmer guidelines on polling might prove helpful.

Wolff

Whether or not on the poll taken no one passed with the West hand in this competitive decision East should not be allowed to get away with such a serious bridge crime. At least a small PP should be given EW for West to be allowed to compete. East's action was an insurance policy to West to go on and bid and nothing bad will happen. Exactly the wrong message to send!!