

APPEAL	Non-NABC+ One
Subject	Unauthorized Information (UI) - Tempo
DIC	Jeff Alexander
Event	Compact KO
Session	First Match of First Session
Date	November 21, 2008

BD#	19
VUL	E/W
DLR	South

Shome Mukherjee	
♠	A K Q 5 4 2
♥	8
♦	J 6 4 3
♣	J T

Marion Kelley		Fall 2008 Boston, MA	Richard Oldford	
♠			♠	J T
♥	Q T 5 3		♥	A K 6 4
♦	T 9 5 2		♦	A K Q 8
♣	Q 9 4 3 2		♣	K 7 5

William Hunter	
♠	9 8 7 6 3
♥	J 9 7 2
♦	7
♣	A 8 6

West	North	East	South
			Pass
Pass	1♠	Dbl	2♦ ¹
2♥	3♠	4♥	4♠
Pass	Pass	Dbl ²	Pass
5♣	Pass	5♥	Dbl
Pass	Pass	Pass	

Final Contract	5♥ doubled by W
Opening Lead	♠A
Table Result	Made 6, E/W + 1050
Director Ruling	4♠ dbld N, made 4, N/S + 590
Panel Ruling	4♠ dbld N, made 4, N/S + 590

(1)	8-10 pts and spade support (raise of spades).
(2)	Break in tempo (BIT) of approximately 10 seconds

The Facts: The director was called initially after the 5♣ call. All participants agreed that there was a BIT prior to East's second double. N/S said that East had asked questions and then thought. East explained that he was unfamiliar with the opponent's agreement about 2♦ and was processing the auction.

The Ruling: The director judged that the BIT demonstrably suggested further action and that a pass was a logical alternative. Therefore, in accordance with Laws 16B1, 73C and 12C1(e), the result was changed to 4♠ doubled by North, making four, N/S plus 590.

The Appeal: All four players attended the hearing. West felt that he had no defense. N/S felt that 4♠ could be going set if East had made a quick double.

The Decision: The hand was given to three of E/W's peers. All passed the double of 4♠. Therefore, on review, the director's judgment that action was demonstrably suggested and that pass was a logical alternative was affirmed. The director's decision to adjust the result to 4♠ doubled by North, making four, N/S plus 590 was upheld.

Since this was late in the first match of the event, there was little time in which to discuss the situation with the appellants. So even though they were advised of the reasons for the ruling and how slim their case was, no appeal without merit warning (AWMW) was assessed.

The Panel: Bernie Gorkin (Reviewer) – This was the first match of a compact KO so there was only time to have the decision reviewed by a one person panel.

Commentary:

Goldsmith Prima facie, this is a pretty clear ruling. More deeply, however, I think that East's double of 4♥ isn't strictly penalty, though it will get passed most of the time. Instead, it just says that he thinks 4♥ was making on power, and that partner is expected to try to maximize the plus score. In that case, the UI from the hesitation isn't quite the same; it could be argued that a slow double in that context is slow due to the fear that partner will pull it. But E/W didn't argue that this is how they treat that double, and if that's how they played it, East would not likely have had much trouble doubling. So I agree with the ruling, but could easily imagine it going differently with a different E/W pair.

Polisner I am not comfortable with the ruling and decision without more information as to the length of the time between the questions about 2♦ and the double. As we have discussed in prior cases, a plus or minus five second delay before calling is about right as a call faster than that would be UI and suggest that partner pass. However, without that information (assuming that the BIT demonstrably suggested an alternative) which at IMPs would very likely suggest bidding.

- Smith** The reviewer confirmed with his poll that the directors made the correct ruling. This looks routine, and I suppose I can live with no AWMW given the hectic nature of the event where it was unlikely that anyone had time to explain things to the appellants. Still, the appeals form does explain the risk in appealing and the appellants did sign it . . .
- Wildavsky** East's reason for hesitating is profoundly irrelevant. The director's ruling looks right, but I'm surprised he didn't take a poll. Without poll results to back up the director's judgment, I don't agree that the case was slim – I see merit to the appeal.
- Wolff** Very harsh, but right!. Players need to learn that slow, out of tempo, actions will be dealt with severely.