

APPEAL	Non-NABC+ Seven
Subject	Unauthorized Information (UI) - Tempo
DIC	Richard Mueller
Event	Hartford Bridge Club KO, Bracket 2
Session	Final
Date	November 24, 2008

BD#	31
VUL	N/S
DLR	South

2207 Masterpoints	
♠	A 6 4
♥	K 4 3 2
♦	A K J 5 2
♣	5

2261 Masterpoints		Fall 2008 Boston, MA	4305 Masterpoints	
♠	Q T		♠	J 5 2
♥	Q T 9 5		♥	A J 8 7 6
♦	9		♦	8 4
♣	K J T 8 7 2		♣	A Q 3

956 Masterpoints	
♠	K 9 8 7 3
♥	
♦	Q T 7 6 3
♣	9 6 4

West	North	East	South
			Pass
Pass	1♦	1♥	1♠
4♥	Pass ¹	Pass	5♦
Pass	Pass	Pass	

Final Contract	5♦ by North
Opening Lead	♥5
Table Result	5♦ making 5, N/S +600
Director Ruling	4♥ by E, making 4, E/W +420
Panel Ruling	4♥ by E, making 4, E/W +420

(1) Tempo break in excess of required 10 seconds
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The Facts: The director was called at the time of the 5♦ bid. There was an agreement in fact that there was a break in tempo (BIT).

The Ruling: Pass is a logical alternate, especially considering the vulnerability, so per Laws 16 B. and 12C1(e), the contract is reverted to 4♥, making four, E/W plus 420.

The Appeal: The appealing side argued that pass is not a “reasonable alternative” to the 5♦ bid. There is no defense, there could be a double game swing, and the tempo break was not considerably longer than 10 seconds.

The Decision: Six players with the approximate masterpoint holding of the North and South players were polled. All six considered pass – two would not consider it if told of the break in tempo.

The panel believed that the data received in the survey supported the analysis and the director's ruling to adjust the score to 4♥, making four, E/W plus 420 was upheld.

The Panel: Nancy Boyd (Reviewer), Jay Albright and Bernie Gorkin.

Commentary:

Goldsmith The paragraph about the poll seems a little murky. I'm a bit surprised by the results; I would have expected many of the players to bid 5♦ without pause for thought. I wonder if the "consideration" was due to the format of the poll. Were the players just given a hand and asked to bid it, or were they given the problem situation with every action enforced up until then? In any case, did any of the players actually pass? The current guideline for a LA requires it. The write-up didn't discuss how the disputed hesitation was resolved. North's cards make it pretty clear that he had a problem, but I don't see any rejection of N/S's assertion that North's pause was "not considerably longer than 10 seconds." Assuming that there was a hesitation, what UI did it convey? With the South cards, I'd figure that partner was probably thinking of doubling 4♥, not of bidding on, in which case, the UI doesn't demonstrably suggest bidding over passing, and bidding isn't prohibited. I also think that bidding 5♦ is nearly automatic, and would have bid more on my second turn. In fact, I think it's clear enough to bid 5♦ that if partner said, "hold on, I'm thinking of doubling 4♥," that (even ignoring the UI laws) it's still right to bid 5♦ once he doesn't double. Each of these points is arguable, which is why we have five-person appeals committees, but it's definitely reasonable to rule result stands.

Polisner A very poor process or write-up. Of course all players would consider pass. Thinking is the essence of bridge. The standard for a logical alternative is that a significant number of peers would consider pass (which consideration is present) and that some would actually pass (which either was not asked or not reported).

Smith I agree with the ruling and the panel decision. The stated reasons for both could be better, though. The director should have conducted a poll, and both the director and the panel failed to demonstrate why the slow pass demonstrably suggests the 5♦ bid. I see no merit in the appeal.

Wildavsky The rulings look right but the write-up is missing a couple important points. First, what did the BIT suggest? The score can be adjusted only if it suggested bidding, though I agree that it did. Second, what does this mean? "Two would not consider it (pass) if told of the break in tempo." I suppose it might mean that those two players believed that the BIT demonstrably suggested bidding, but it's a curious and ambiguous phrase. That said, I see no merit to the appeal.

Wolff To my mind a difficult decision, but if it was ruled a distinct tempo break hesitation disruption (HD) needs to be ruled against. In a match point game I would only have given E/W an average not plus 420 in order to protect the field (PTF). Of course, N/S should be saddled with minus 420.