

APPEAL	NABC+ TWO
Subject	Unauthorized Information (UI) - Tempo
DIC	Steve Bates
Event	Open Board-a-Match
Session	Second Qualifying
Date	November 19, 2006

BD#	6
VUL	E/W
DLR	East

Ed Lazarus	
♠	K T 8
♥	A 7 5 3
♦	J 8 4 3 2
♣	9

Brad Moss		Fall 2006 Honolulu, Hawaii	Russ Ekeblad	
♠	A Q 6 5 2		♠	J 9 4 3
♥	Q 8 4		♥	
♦	Q 7 6		♦	A K T 5
♣	A 5		♣	J 8 7 6 2

Diane Lazarus	
♠	7
♥	K J T 9 6 2
♦	9
♣	K Q T 4 3

West	North	East	South
		P	1♥
1♠	2♠	4♦ ¹	4♥
4♠	5♥	5♠	Pass
Pass	Dbl ²	Pass	6♥
Pass	Pass	Pass	

Final Contract	6♥ by N-S
Opening Lead	♦6
Table Result	Down two, -100 N/S
Director Ruling	5♠ doubled by W, N/S -850
Committee Ruling	5♠ doubled by W, N/S -850

(1)	Alerted and explained as a fit-showing jump shift.
(2)	The double was after a hesitation.

The Facts: There was an agreed to unmistakable break in tempo (BIT) by North when North doubled. The N/S pair admitted to a duration of approximately twenty seconds. The estimate of the duration by the E/W pair was slightly longer.

The Ruling: The BIT suggested doubt and demonstrably suggested bidding if South could not provide the normal complement of defense. Pass was considered to be a less successful logical alternative. In accordance with laws 16A and 12C2, the director adjusted the result to 5♠ doubled by West making five, N/S minus 850.

The Appeal: N/S, the only pair to attend the hearing, contended that South's bid was clear, that there was no logical alternative; and that, therefore, there should be no adjustment to the table result. South testified that she intended to push E/W to the five-level but that she did not want to push them to the six-level. She also said that she had planned on bidding 6♥, if her partner doubled 5♠.

The Decision: The committee thought that South's 6♥ bid must be considered in the light of the fact that South did not bid 6♥ over 5♠. South had told the committee that the reason that she did not bid 6♥ immediately over the 5♠ bid was that she was afraid that E/W might bid and be able to make 6♠. The committee, however, thought that a person who passed 5♠ would be unlikely to bid 6♥ when her partner (who hadn't passed during the auction yet) doubled to say that he thought 5♠ could be beaten. Since some statistically significant number of players who had passed over 5♠ would also pass the double of 5♠, the committee ruled that pass was a logical alternative to bidding 6♥. With pass being a logical alternative to the bid of 6♥ which was demonstrably suggested by the BIT, the committee decided that adjusting the board to 5♠ doubled and making, minus 850 N/S, was appropriate.

The committee discussed at length the issue of whether the appeal had substantial merit. There was strong reasoning supporting the conclusion that the appeal did not have substantial merit. However, the fact that one committee member maintained that there was no logical alternative to bidding 6♥ weighed heavily on this committee. The majority of the committee decided that the appeal had substantial merit based largely on that one member's belief that the committee was deciding wrongly on the primary issue before it. Accordingly, by majority vote the committee decided to find that the appeal did have substantial merit.

The Committee: Richard Popper (Chair), Mark Feldman, Robb Gordon, Chris Moll and Ellen Wallace.

Commentary:

Goldsmith This appeal's merit was grossly overstated. South is an experienced player and ought to know that 6♥ is illegal. 1/4 board procedural penalty.

Polisner I am surprised that a long-standing member of the North American Appeals Committee would have consented to (or permitted) an appeal of this trivial ruling. An AWMW would have been appropriate.

Rigal Technically, I think an appeals committee can still vote for no-merit even when one member of the committee is a dissenter. But in practice the decision here makes sense even if I would have gone the other way on merit. A case that was correctly decided, anyway.

- Smith** The director and committee addressed all the relevant issues. Good decision.
- Wildavsky** I agree with the TD and appeals committee (AC) rulings. The AC's observation that South could have bid 6♥ over 5♠ is telling. I see no merit in the appeal.
- Wolff** Until we can take South to a committee for failure to take partner's double out, assuming North would have made a very prompt double, we cannot then allow South to take a slow double out. This point should be addressed more by our committees. In this case, even though I believe everything South said about being afraid of pushing them into a makeable spade slam, she couldn't now take the double out since partner's slow double barred her.
By the way, the side talk about AWMW's show a tremendous inconsistency the way different committees either issue them, threaten to issue them, or, with no comment, don't issue them.