

APPEAL	Non-NABC+ One
Subject	Unauthorized Information (UI) - Tempo
DIC	Su Doe
Event	I.F. Stratified Open Pairs
Session	First
Date	March 11, 2009

BD#	26
VUL	Both
DLR	East

1,623 Masterpoints	
♠	K 6 5
♥	K 7 6 5
♦	A Q 8 3
♣	A 2

16,357 Masterpoints		Spring 2009 Houston, TX	22,078 Masterpoints	
♠	T 8 3		♠	Q 9
♥	T 9 8 2		♥	J 4 3
♦	9 4		♦	7 5 2
♣	Q T 7 3		♣	J 9 8 6 5
1,027 Masterpoints				
♠	A J 7 4 2			
♥	A Q			
♦	K J T 6			
♣	K 4			

West	North	East	South
		Pass	1♠
Pass	2♦	Pass	3♦
Pass	4NT	Pass	5♠ ¹
Pass	6♦ ¹	Pass	7♦
Pass	Pass	Pass	

Final Contract	7♦ by North
Opening Lead	♣6
Table Result	Made 7, N/S + 2140
Director Ruling	6♦ N made 7, N/S +1390
Panel Ruling	6♦ N made 7, N/S +1390

(1) Break in Tempo (BIT).

The Facts: The director was called at the conclusion of the auction and returned after the play of the hand. There was a BIT before South bid 5♠ and before North bid 6♦. South had misbid with 5♠, which showed 2 keycards with the ♦Q when she held three keycards without the ♦Q.

The Ruling: Pass was determined to be a logical alternative and the BIT demonstrably suggested bidding on. In accordance with Laws 16B1, 73C and 12C1(e) the result was adjusted to 6♦ by North making seven, N/S plus 1390 for both sides.

The Appeal: N/S appealed the director's decision and were the only players to attend the hearing.

South said that she thought briefly before bidding 5♠. North and South agreed to a BIT before North bid 6♦.

South said that she "woke up" about her misbid after West passed.

Both claimed that pass was not a logical alternative to pass as South had realized her mistake. He added that his slow 6♦ bid did not suggest bidding 7♦.

The Decision: It was unclear why South bid 5♠ - maybe three keycards? She said she did have the KJT of diamonds. As it is unclear when she realized her mistake, the slow 6♦ bid may have woke her up. Law 16B1(a) reads, "After a player makes available to his partner extraneous information that may suggest a call or play...., or by an unmistakable hesitation,....., the partner may not choose from among logical alternatives one that could demonstrably have been suggested over another by the extraneous information."

Therefore the panel upheld the director's adjustment to 6♦ by North making seven, N/S plus 1390 for both sides.

The appeal was judged to have merit.

The Panel: Tom Marsh (Reviewer), Harry Falk and Candy Kushner.

Commentary:

Polisner I disagree. This seems like the old "if it hesitates - shoot it." The BIT did not suggest bidding seven. As South held a key card not yet shown, he knew that North was not suggesting a grand. North may well have been contemplating 6♠ or 6NT, but not a grand. Table result stands.

Rigal My initial reaction was that the slow 6♦ bid woke up South to his error and thus the 7♦ bid should not be permitted. On balance I think that is a reasonable decision; but the slow 6♦ call does not really tell South anything. After all he knows he has shown the ♦Q so North is confused about the response, not what to do next. Still, since South might never have worked out his mistake were it not for the tempo, the ruling and panel decision are correct.

Smith This has become old hat and rightly well established by now as a routine ruling. The time spent by your partner hesitating before signing off cannot be used by you to alert you to the fact that you misbid in response to Blackwood. Despite the fact that the South hand is pretty impressive on the auction, I can't help but think that this South might well have woodenly passed if partner had bid 6♦ in tempo. If the ruling and the reasons for it were explained to the appellants they deserved an appeal without merit warning (AWMW).

Wildavsky I see no merit to the appeal.

Wolff Since either 7♦ or 7♠ is a poor contract (at best 40% since the queen of spades always has to be onside and in spades with them 3-2 plus in diamonds no 4-1 diamond break), the result should be considered normal playing luck (NPL) and that result counted for the non-offending side. Otherwise the non-offending side (who have done nothing worthy of deserving an automatic good result) has way too much the best of it, certainly taking their result if they beat the poor grand slam, and if not taking an average plus or better in committee. This, in a pair game, DOES NOT protect the field (PTF) and should be considered patently unfair to the game itself. The offending side who may have taken advantage of tempo to reach the grand slam should receive their lucky result but be penalized some number of match points, depending on what the panel or the appeals committee thinks they deserve, possibly, at least in this case, anywhere between 1/4 and 1/2 of a board.

The final result then serves all masters:

1. Caters to NPL (what our game is always about).
2. Penalizes culprits to the extent that they deserve, but does not eliminate the natural luck element which is always there.

Just one small step like this will have an enormous plus effect for all players who realize how logical this change will make our game.