

APPEAL	NABC+ NINE
Subject	Unauthorized Information (UI) - Tempo
DIC	Steve Bates
Event	Mixed BAM Teams
Session	First Qualifying
Date	July 24, 2008

BD#	34
VUL	N/S
DLR	East

Alex Kolesnik	
♠	J T 3
♥	4
♦	Q J 8 6 4
♣	A 6 3 2

Carreen Hinds		Summer 2008 Las Vegas, NV	Mark Bartusek	
♠	Q 9 4		♠	K 7 2
♥	A 9 6		♥	K Q J T 8 7 5 3
♦	T 9 3 2		♦	K 7
♣	T 7 4		♣	

Ellen Anten	
♠	A 8 6 5
♥	2
♦	A 5
♣	K Q J 9 8 5

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

Final Contract	5♥ doubled by East
Opening Lead	♣K
Table Result	Down 2, E/W -300
Director Ruling	5♥dbld E, down 2, E/W -300
Committee Ruling	4♥ dbld E, down 1, E/W -100

(1) Break in tempo (BIT), No stop card used by East.
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The Facts: The director was called at the conclusion of play. All parties at the table agreed that there was about a 20 second hesitation preceding the double of 4♥ by South.

The Ruling: The BIT did not demonstrably suggest that bidding would be advantageous compared to passing. This was based on the possibility that South was debating double versus pass in which case bidding on might turn a plus into a minus. In accordance with Law 16, the table result of 5♥ doubled, down two, E/W minus 300 was allowed to stand.

The Appeal: Only East attended the hearing. He contended that the slowness of South's second double suggested a desire to bid, therefore, bidding is demonstrably suggested.

The Decision: The committee believed that an in tempo double would indicate normal shape (4234) and extra values. An out of tempo double indicates a desire to bid something else – not a desire to defend. Because of that, the committee decided that the BIT demonstrably suggested bidding and that pass was a logical alternative (LA). In accordance with Law 12C2, the most favorable result that was likely for the non-offending side and the most unfavorable result that was at all probable for the offending side were both 4♥ doubled, down one, E/W minus 100 and N/S plus 100.

The Committee: Aaron Silverstein (Chair), Jerry Gaer, Abby Heitner, Chris Moll and Michael Rosenberg.

Commentary:

Goldsmith North is due a 1/4 board procedural penalty (PP) for bidding 5♦. That looks egregious to me. Otherwise, the committee got it right.

Polisner Excellent committee decision.

Rigal Strongly disagree; no inferences are available as to what South was thinking about. Not for the first time in this set, committees draw inferences as to what the player might have been thinking about, and decide that the tempo demonstrably suggests that (it may also be relevant that N/S are a scratch partnership and so have no partnership experience of each other's tempo) . Leave the table result in place.

Smith I'm not sure I accept that this slow double indicates a desire to bid something else. Law 16 states that partner's freedom of action is restricted if the huddle "demonstrably suggests" one direction over another. I don't think that standard is met here, so I agree with the original ruling by the directors.

Wildavsky It seems obvious to me that a slow double suggests a hand with reservations about defending doubled. Surely a tournament director should obtain input from expert players before making such a ruling in a National event, especially one where he must suspect his ruling will be controversial. The appeals committee corrected an injustice.

Wolff A subjective but very reasonable ruling.