

APPEAL	Non NABC+ Fifteen
Subject	Unauthorized Information (UI) - Tempo
DIC	Tim Crank
Event	Stratified Open Pairs
Session	First
Date	July 24, 2008

BD#	12
VUL	N/S
DLR	West

1,500 Masterpoints	
♠	T 9 7 2
♥	Q 6 4 3
♦	A T
♣	A J 8

9,400 Masterpoints		Summer 2008 Las Vegas, NV	14,000 Masterpoints	
♠	Q 4		♠	3
♥	T 9 8 5		♥	A K 7
♦	K Q 9 7 3 2		♦	8 6 5 4
♣	9		♣	K Q T 6 2

3,600 Masterpoints	
♠	A K J 8 6 5
♥	J 2
♦	J
♣	7 5 4 3

West	North	East	South
2♦	Pass	4♦	Pass ⁽¹⁾
Pass	Dbl	Pass	4♠
Pass	Pass	5♦	Pass
Pass	Dbl	Pass	Pass
Pass			

Final Contract	5♦ doubled by West
Opening Lead	♠T
Table Result	Down 1, E/W minus 100
Director Ruling	4♦ W, making 4, E/W +130
Panel Ruling	4♦ W, making 4, E/W +130

(1) | Hesitation – N/S claim 8-10 seconds; E/W claim 10-15 seconds.

The Facts: The director was called after North's first double. The length of the break in tempo (BIT) was not agreed as stated above.

The Ruling: The director judged that there was an unmistakable hesitation by South. The BIT demonstrably suggested action over a pass, which was determined to be a logical alternative (LA). Therefore the table result was changed in accordance with Laws 16A and 12C2 to 4♦ by West making four, E/W plus 130.

The Appeal: All four players attended the review. N/S both claim that the BIT was in the 8-10 second range required by skip bid regulations. North felt that E/W were stealing and that a fit must exist.

E/W claim that the BIT was more than 10 seconds but no more than 15 seconds.

The panel discovered that the Stop Card was not used before either the 2♦ or 4♦ bid.

North was asked how long he waited over 2♦? He said about 8-10 seconds – E/W claimed it was less.

The Decision: The panel had a great deal of difficulty in determining if a BIT had taken place. If so, the ruling was clear-cut, as all eight players polled passed with the North hand (most would have doubled 2♦).

Eventually the panel looked at the N/S hands to see if it could get a sense of what was likely to have happened at the table. It was finally determined that it was highly likely that South took more than 10 seconds. While the panel wasn't sure if it was allowed to look at North's hand and conclude that his bid looks like he sensed something from South's tempo, the bid does look strange at that vulnerability after not doubling 2♦.

The panel judged that a BIT had taken place. In accordance with Laws 16A2 and 12C2, the director's adjustment of 4♦ by West making four, E/W plus 130 was affirmed.

Although all players polled passed the North hand, an appeal without merit warning (AWMW) was not issued due to the difficulty in determining whether there was a BIT.

The Panel: Bernie Gorkin (Reviewer), Nancy Boyd, Candy Kuschner and Gary Zeiger.

Players Consulted: Eight peers of N/S.

Commentary:

- Rigal** I agree with not awarding an AWMW. I'm not happy with the rationale for looking at the South hand and deciding if there was likely to have been a tempo break from it. I agree it is a human thing to do but I'm not sure it is what is appropriate here. I suppose you could say that North's action suggests there must have been a break; but are we supposed to be turning into amateur psychologists? I just don't know.
- Smith** I think the director and panel got this one right. I would have been comfortable if the panel had just stated that the average of the time taken over 4♦ as stated by each side was enough to determine that a hesitation had occurred. We all know that people are supposed to take ten seconds over a skip bid, and we all know that almost nobody really takes that long at the table. Occasionally directors and panels just need to do the right thing, and this is one of those cases.
- Wildavsky** This case is impossible to decide fairly because of the ACBL's untenable policy regarding the use of the Stop card. I've posted a proposal to remedy the situation on my web site:
http://www.tameware.com/adam/bridge/laws/stop_card.html
- Wolff** I'm glad that not many AWMWs were given. Ruling here seems proper, and I think the BIT was handled correctly.