

APPEAL	Non - NABC+ Sixteen
Subject	Unauthorized Information (UI) - Tempo
DIC	Mike Flader
Event	Compact Knockout – Bracket Eight
Session	Semifinal
Date	July 25, 2008

BD#	<b>10</b>
VUL	<b>Both</b>
DLR	<b>East</b>

<b>1,667 Masterpoints</b>	
♠	K Q 9 4
♥	K J 8 2
♦	9
♣	K Q J 4

<b>2,088 Masterpoints</b>		<b>Summer 2008 Las Vegas, NV</b>	<b>732 Masterpoints</b>	
♠	T 7 5 3		♠	J 8 6 2
♥			♥	9 7 6 3
♦	A K 4		♦	T 8 6 5
♣	9 8 7 6 3 2		♣	5

<b>1,795 Masterpoints</b>	
♠	A
♥	A Q T 5 4
♦	Q J 7 3 2
♣	A T

West	North	East	South
		Pass	1♥
Pass	4♦	Pass	4NT
Pass	5♦ <sup>1</sup>	Pass	5♥ <sup>2</sup>
Pass	6♥	Pass	Pass
Pass			

Final Contract	<b>6♥ by South</b>
Opening Lead	<b>♦A</b>
Table Result	<b>Made 6, N/S +1430</b>
Director Ruling	<b>5♥ S making 6, N/S + 680</b>
Panel Ruling	<b>5♥ S making 6, N/S + 680</b>

(1)	One keycard.
(2)	E/W claimed there was a 30-40 second hesitation. Later, N/S denied any hesitation.

**The Facts:** The director was called before the opening lead. The facts are as above.

**The Ruling:** It was determined that there was a BIT and that the hesitation demonstrably suggested not passing over the logical and usual alternative of passing. Therefore, the table result was adjusted to 5♥ by South, making five, N/S plus 680 in accordance with Laws 16A2 and 12C2.

**The Appeal:** All four players attended the review.

South agreed that she did not immediately bid 5♥. She demonstrated her tempo for the reviewer. It appeared to be about seven seconds. North said she had a very good hand for her partner. If partner was willing to bid Blackwood, there must be a play for slam. If they were off two aces, that was too bad.

E/W amended their original estimate of South's BIT to 20-30 seconds. They felt North knew her side was not off two aces because of partner's hesitation.

**The Decision:** Once a member of a partnership asks for controls, that person is the captain of the hand. A hand can be constructed for South that would be strong enough for Blackwood but still be missing too many controls when partner has only one. North is no longer allowed to "take a shot" when partner breaks tempo and then places the contract. Partner may not take an action that even looks like it might have been based on partner's tempo. Because this was the first 12-board match of a compact KO and the result was needed immediately to decide the outcome of the match, only the reviewer heard and decided the appeal.

In accordance with Laws 16A2 and 12C2, the director's decision of 5♥ by South making six, N/S plus 480 was affirmed.

North is experienced enough to know that this was a situation in which she should pass. An appeal without merit warning (AWMW) was issued to N/S.

**The Panel:** Jean Molnar (Reviewer).

**Commentary:**

**Rigal** Agree with the decision, agree with the AWMW, do not agree with failure to give a procedural penalty to North for hubris, chutzpah and let's not forget, the 'C word. In my opinion 3 IMPs or ¼ board in a pair game would not be enough.

**Smith** These hesitation Blackwood cases are getting tiresome, and this is a particularly shameful example of the genre. Good decision all around, including the AWMW.

**Wildavsky** A well deserved AWMW. I'm surprised that a panel can consist of a single member. Was this necessary due the nature of the event, a compact KO? (*Editor's note: This appeal could have been heard by the Chief Director in accordance with Law 93A because a committee could not meet without disturbing the orderly progress of the tournament. In essence, it was heard by a Reviewer as the Chief Director's designee.*)

**Wolff** Perfect, all the way? Hoorah!!