

APPEAL NABC+ FOUR

Subject: Tempo

DIC: Henry Cukoff

Event: Mixed Pairs

Session: First Qualifying, April 4, 2006

Board #3 Benny Libsten
Vul: E/W ♠ K
Dir: South ♥ A T 8 6 5 2
 ♦ T 9 7
 ♣ T 8 3

R. Jay Becker	Rhoda Prager
♠ Q 9 4 3 2	♠ A T 8 6 5
♥ 6 3	♥ K J 8 7
♦ 4	♦ A J
♣ A 9 5 4 2	♣ J 6

Hai Gates
♠ J 7
♥ Q
♦ K Q 8 6 5 3 2
♣ K Q 7

West	North	East	South
			1♦
Pass	2♥ ¹	Pass ²	3♦
Dbl	Pass	4♠	Pass
Pass	Dbl	All Pass	

(1) Not Alerted.

(2) Alleged break in tempo.

The Facts: The director was called after the double of 3♦. North claimed that East's Pass over 2♥ was longer than ten seconds. East said that she took a few seconds and then asked about the 2♥ call, which had not been alerted, and then took a few more seconds and passed within ten seconds. South said that she did not notice how long it was. West said that it was at most twelve seconds. The table result was 4♠ doubled making four, E/W +790.

The Ruling: There was no break in tempo as East is required to wait about ten seconds over a skip bid. Therefore, there is no infraction and the table result of 4♠ doubled making four, E/W +790 stands. South was advised that the weak jump shift response without competition requires an Alert.

The Appeal: N/S said that they disagreed with the director's ruling because East thought about the 2♥ bid, sought an explanation, got it, and then hesitated more than ten seconds. They contended that this constituted a break in tempo. E/W said that East thought about five seconds before the explanation and then about twelve seconds after it.

The Decision: The Committee decided that an unmistakable hesitation occurred and that it clearly showed that East had a hand worth contemplating possible action. Pass was a logical alternative for West over 3♦. Therefore, the Committee adjusted the table result to 3♦ making four, N/S +130 and E/W -130.

The Committee: Barry Rigal (Chair), Jeff Aker, Richard Budd, Ed Lazarus and Chris Willenken.

Commentary:

Goldsmith Good judgment by the AC. How can we know there was a hesitation? By West's double. Perhaps a procedural penalty (PP) for blatant misuse of unauthorized information (UI) was in order.

Polisner Well, it is refreshing to have a player acknowledge the length of the hesitation as without that acknowledgement; the evidence would not support an "unmistakable hesitation" as required by Law 16, taking into account the skip bid. West, having knowledge of the UI, should have been issued a PP for blatant use of the UI.

Rigal From the facts before the committee it did seem that there was a break in tempo (BIT). It is not entirely surprising that the tournament director ruled the other way initially, given South's complicity in the problem by her failure to alert. That said, if a BIT was established, then West clearly had a logical alternative to acting.

Wildavsky I understand the tournament director (TD) ruling -- my guess is that the TD judged that N/S had brought this problem upon themselves through their failure to alert.
The AC did a good job of bringing out the facts and given those facts its ruling looks right to me.

Wolff Good ruling and West was ENTIRELY out of line to bid, still between two bidders but expecting North to pass. When East does not bid an obvious two spades, but commits hesitation disruption instead, to me it is time for both East and West to be censured.

Zeiger Whoa! I'll accept the Committee's finding of a tempo break, based on E/W's own testimony. I'll accept the Committee's finding that Pass by West over 3♦ was a logical alternative. I refuse to accept the Committee's failure to even address whether East would pass out 3♦. Yes, yes, I know East might well have passed, but to not even discuss it? East might certainly think she was being stolen blind. Decision may be right, but failing grade to the Committee anyway.