

APPEAL	NABC+ THIRTEEN
Subject	Unauthorized Information (UI) - Tempo
DIC	Gary Zeiger
Event	NABC Swiss Teams
Session	First Qualifying
Date	July 26, 2008

BD#	<b>9</b>
VUL	<b>E/W</b>
DLR	<b>North</b>

<b>Ron Smith</b>	
♠	Q 9 5 3 2
♥	J 7 3
♦	T 6
♣	J T 2

<b>Karen Barret</b>		<b>Summer 2008 Las Vegas, NV</b>	<b>Anne Dawson</b>	
♠	A 8		♠	K J
♥	Q T 8 6 4		♥	
♦	A Q 9 5 2		♦	K 8 7 4
♣	4		♣	A K Q 9 8 6 3

<b>Linda Smith</b>	
♠	T 7 6 4
♥	A K 9 5 2
♦	J 3
♣	7 5

West	North	East	South
	Pass	2♣	Pass
2♦ <sup>1</sup>	Pass	3♣	Pass
3♦	Pass	4♦	Pass
4♠	Pass	5♦ <sup>2</sup>	Pass
6♦	Pass	Pass	Pass

Final Contract	<b>6♦ by West</b>
Opening Lead	<b>♥A</b>
Table Result	<b>Made 7, E/W +1390</b>
Director Ruling	<b>6♦ by W made 7, E/W +1390</b>
Committee Ruling	<b>6♦ by W made 7, E/W +1390</b>

(1)	Alerted – artificial game force.
(2)	Slow.

**The Facts:** The director was called after the hand. The 5♦ call was agreed to have been made in a slower tempo than the other calls.

**The Ruling:** The director judged that passing 5♦ was not a logical alternative (LA) in light of the fact that partner opened a strong 2♣ and had supported diamonds. Therefore, in accordance with Laws 16A2 and 12C2 the table result of 6♦ by West, making seven, E/W plus 1390 was allowed to stand.

**The Appeal:** In screening, it was agreed that East took a significant amount of time before bidding 5♦. E/W estimated the time taken to be 15 seconds and N/S judged it to be 45 seconds. East was the only player not attending the hearing.

E/W were playing a unique system built around losing trick count. They had explained that they opened some eight-counts and passed other hands with thirteen HCP. N/S were surprised at a 2♣ opening with only 16 HCP and no major. East's hesitation suggested that West bid on. N/S questioned whether E/W might have been off two heart tricks.

E/W's requirements for a 2♣ opening with an unbalanced hand are 16+ HCP with three losers or 22+ HCP with four losers. They could open 2♣ with a balanced hand and five losers and 22+ HCP, in which case the opener would rebid 2NT. Since East had shown an unbalanced hand with diamond length and West covered two losers in diamonds, it was impossible for the hands to contain two losers, and automatic for West to bid on.

**The Decision:** The committee attempted to construct hands meeting E/W's requirements for a 2♣ opening that might lack a heart control. It was unable to come anywhere close (within the context of West's hand and the auction to that point). Thus, it agreed that passing 5♦ was not a LA action. Therefore the table result of 6♦ by West, making seven, E/W plus 1390 was allowed to stand.

The committee discussed the merit of the appeal. It decided that N/S's unfamiliarity with E/W's unusual system was sufficient for them to avoid receiving an appeal without merit warning (AWMW).

**The Committee:** Doug Doub (Chair), Abby Heitner, Jacob Morgan and Aaron Silverstein.