

APPEAL	Non-NABC+ Eight
Subject	Unauthorized Information (UI) - Tempo
DIC	Gary Zeiger
Event	Stratified Open Pairs
Session	First of Two
Date	July 26, 2009

BD#	16
VUL	E/W
DLR	West

53,356 Masterpoints	
♠	T 8
♥	A Q 8
♦	K Q J 6 3
♣	K Q 7

1,074 Masterpoints		Summer 2009 Washington D.C.	1,061 Masterpoint	
♠	6 3 2		♠	K Q J
♥	9 5 2		♥	K J 6 4 3
♦	8 7 4		♦	A 2
♣	T 8 6 5		♣	J 9 4

1,570 Masterpoints	
♠	A 9 7 5 4
♥	T 7
♦	T 9 5
♣	A 3 2

West	North	East	South
Pass	1NT	Pass	2♥ ¹
Pass	2♠	Pass	2NT
Pass	3NT	Pass	Pass
Pass ²			

Final Contract	3NT by North
Opening Lead	♣4
Table Result	Made 3, N/S + 400
Director Ruling	3NT N made 3, N/S + 400
Panel Ruling	3NT N made 3, N/S + 400

(1)	Transfer to spades.
(2)	8-10 second hesitation.

The Facts: The director was called after the play of the hand was completed. The hesitation by West was agreed. North claimed that the hesitation caused him to go wrong at trick 11.

The play had been club to the queen. Declarer played the diamond king to the ace. The club nine was returned to dummy's ace. Declarer cashed the diamond ten and nine and passed the heart ten to East's jack, East returned the spade king to the ace in dummy. Declarer played the club 3 to his king and cashed the diamond king and queen, which left the following position:

	♠ T	
	♥ A Q	
♠ 6 3		♠ J
♥ 9		♥ K 6
	♠ 9 7	
	♥ 7	

At this point, North cashed the heart ace and led the spade ten.

The Ruling: According to Law 73D1, any inferences from an opponent's hesitation may be taken by a player at his own risk. Additionally, declarer had all relevant information after trick 10. Therefore, the table result of 3NT by North making three was allowed to stand for both sides.

The Appeal: N/S appealed the director's decision. All four players attended the hearing. North said that West hesitated 10 seconds before the final pass (8-10 seconds was agreed). West said he was reviewing the auction. Because of West's hesitation, North elected to play him for the spade jack and one heart (he had discarded the 13th club and a heart). Four players were asked if they thought West's hesitation suggested a lead to East. Three felt it had no bearing; the other said it suggested leading a minor suit.

The Decision: Based on the consultants' opinions, the panel judged that there was no connection between the hesitation before the last pass and the lead. Also, there was no connection between the play at trick 11 and the hesitation. Therefore, the table result of 3NT by North making three, N/S plus 400 for both sides was the correct decision. The appeal was determined to have merit.

The Panel: Tom Marsh (Reviewer), Jay Albright and Bill Michael.

Commentary:

- Polisner** What about Law 73F2 which requires that the director award an adjusted score if he or she determines that West could have known that such a hesitation could work to his benefit? Certainly it could as it runs no risk of fooling partner who will know that West holds a Yarborough. However, I would have still ruled against N/S as it was obvious at trick 11 that West could not have had anything to think about.
- Rigal** Zero, zero, ZERO merit. Absolutely ludicrous behavior by North even to call the director. I think we can work out who it is from the MP total but I choose not to. (Maybe a recorder form issue – but I think even that would be excessive.)
- Smith** This one is hard to understand. Was the issue really just that West hesitated before passing out 3NT? And somehow this led a North with a world of experience to decide that such a hesitation showed the spade jack, the heart king and no other high cards? And then N/S does not get an appeal without merit warning (AWMW)? North didn't even seem to be arguing that the opening lead was the issue, or that another hesitation occurred later in the play by West. Something must be missing, but I can't begin to understand what it is. On the facts as stated the directors and panel were clearly correct, but I have a strong suspicion that more was going on here than the writeup tells us.
- Wildavsky** This is the flimsiest appeal I've ever seen. Was North seriously contending that because of West's hesitation he played him for a Yarborough with a Jack rather than a Yarborough with a Ten? Did he suppose West was considering doubling, or must West have been considering a save? Not a shred of merit.
- Wolff** From the sublime to the ridiculous. The declarer was claiming that because of West's hesitation before his final pass he was more likely to have a Yarborough with one jack than one without it. N/S should not only receive an AWMW, but also a punitive penalty for idiocy. When nothing punitive is done, N/S will continue to want something for nothing.