

<b>Subject of Appeal:</b>	Break in Tempo, Unauthorized Information	<b>Case:</b>	N7
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<b>Event</b>	Reisinger BAM Teams	<b>Event DIC</b>	Matt Koltnow
<b>Date</b>	12/01/2017	<b>Session</b>	First Qualifying

### Auction

West	North	East	South
		1♦ <sup>1</sup>	Pass <sup>2</sup>
1♥	Pass	1♠	Pass
1NT	Pass	Pass	Pass

### Explanation of Special Calls and Points of Contention

1: Could be short, Precision
2: Break in Tempo

### Hand Record

Board	30	N	Jared Lilienstein
<b>Dealer</b>	<b>E</b>	♠ Q86	
		♥ 642	
<b>Vul</b>	<b>None</b>	♦ 732	
		♣ AK54	
W	Brad Moss		
♠	KJ3		
♥	A1087		
♦	Q10		
♣	J1072	E	Joe Grue
		♠	A1075
		♥	KJ
		♦	J654
		♣	Q98
		S	Michael Polowan
		♠	942
		♥	Q953
		♦	AK98
		♣	63

Final Contract	Result of Play	Score	Opening Lead
1NT by W	Made 2	E/W +120	♦7

### Facts Determined at the Table

The director was called at the end of play by E/W to report that South had broken tempo briefly over the 1♦ bid. A kibitzer at the table agreed that South broke tempo over 1♦. E/W thought that the break in tempo suggested a diamond lead over another lead that could have resulted in more tricks for E/W.

### Additional Factors Determined Away from the Table

The director gave the North hand as a lead problem to six players in the event not scheduled to play the board. Some chose to lead the ♣K or a small club, others chose a spade. When asked if they thought a break in tempo over the 1♦ bid suggested anything useful to them, they all thought it did not.

### Director Ruling

The director ruled that the unauthorized information from the break in tempo did not demonstrably suggest one action over another and ruled that, per Law 16B1, the table result stood.

<b>Director's Ruling</b>	1NT by W, Made 2, E/W +120
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### The Review

E/W appealed the director's ruling. The reviewer spoke to East and West together with the kibitzer arriving at the end of the interview, and later to South (North and South sat out the second session and North was unavailable).

E/W were told that by regulation they were expected to show some error that the director made in order to win their appeal.

West said the hesitation over 1♦ took 6-7 seconds; East said 5-7 seconds. They said that in their experience whenever a player hesitates over a nebulous 1♣ or 1♦ opening they always have that suit. Given that West bid hearts and East bid spades, from North's point of view all South could have been thinking about was diamonds.

E/W were surprised at the poll result. West thought it should have been polled as "if this is your hand and partner thought over 1♦, what is the most likely thing that would show?" They also thought that no one would lead a diamond on this auction and noted that their teammates, on the identical auction at the other table, led a high club.

The kibitzer said she thought South took 12-15 seconds over 1♦.

South agreed that he did not bid immediately over 1♦ but that the reason he did was his habit of maintaining an even tempo at all times. He said that whatever time he took was normal for him whether he has a problem or not, which could be confirmed by his first call on the first board of the round against the same pair (there was no video of this table). He argued that he had nothing to think about over 1♦ in any case.

### Panel Findings

The panel reviewed the facts of the case and agreed with the director that the balance of evidence indicated that South broke tempo over 1♦. While the panel understood the E/W concern that the hesitation might show diamond values and that North's lead was not one selected by any of the polled peers, after confirming with the director how the poll was conducted and who was consulted it found nothing wrong with the process. Since the poll results clearly showed that the hesitation did not demonstrably suggest a diamond lead, the table ruling was upheld.

The appeal was found to have merit.

<b>Panel Decision</b>	<b>1NT by W, Made 2, E/W +120</b>
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### Panel Members

<b>Reviewer</b>	Matt Smith
<b>Member</b>	Jenni Carmichael
<b>Member</b>	Kevin Perkins