

<b>Subject of Appeal:</b>	Break in Tempo	<b>Case:</b>	R5
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<b>Event</b>	2 <sup>nd</sup> Thursday Open Pairs	<b>Event DIC</b>	Jeanne van den Meiracker
<b>Date</b>	11/30/2017	<b>Session</b>	Second Session


### Auction

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

### Explanation of Special Calls and Points of Contention

1: Keycard Gerber for hearts
2: Two Keycards without ♥Q

### Hand Record

<b>Board</b>	7	N	300 MPS		
<b>Dealer</b>	S	♠	QJ873		
		♥	86		
		♦	K54		
<b>Vul</b>	Both	♣	A63		
W	5000 MPS			E	2200 MPS
♠	A642			♠	K10
♥	J			♥	AKQ109754
♦	AQ86			♦	3
♣	KJ54			♣	82
		S	400 MPS		
		♠	95		
		♥	32		
		♦	J10972		
		♣	Q1097		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
6♥ by E	Down 1	N/S +100	♠9

### Facts Determined at the Table

The director was called after the play of the hand finished. After winning the ♠K, declarer cashed seven hearts and lead up to the ♣KJ in Dummy. South fidgeted, looked at the board, hesitated a moment more, and then played the ♣10. Declarer played the king losing to the ace and subsequently lost the ♣Q for down one. All agreed to the facts

### Director Ruling

South had no discernible bridge reason for his actions and could have known at the time of the action that they could work to his benefit. Therefore, an adjusted score of 6♥ by East, making 6, E/W +1430, was awarded per Law 73E2: "If the Director determines that an innocent player has drawn a false inference from a question, remark, manner, tempo or the like, of an opponent who has no demonstrable bridge reason for the action, and who could have been aware, at the time of the action, that it could work to his benefit, the Director shall award an adjusted score."

<b>Director's Ruling</b>	<b>6♥ by E, Made 6, E/W +1430</b>
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### The Review

N/S appealed the ruling. Each said that South did not fumble for nearly as long as declarer said he did. South said that the opponents had been intimidating them during the round.

## Panel Findings

The panel agreed that South had no demonstrable bridge reason for his actions and the score of -1430 was clear for N/S. There was discussion on whether E/W should be awarded the full score or some percentage of it. The director polled one player. That polled player was adamant that the break in tempo gave declarer no chance to get it right and the jack would be the normal play due to the 1♠ overcall. The declarer had stated that he intended on playing the jack before the hesitation but changed his mind based on the huddle. The panel therefore upheld the original ruling of 6♥ by East, making 6.

The panel unanimously felt that the appeal was without merit and felt the Appeal Without Merit Warning issued was not enough in this case. After being told several times that ignorance of the law was not a valid excuse for an appeal and South stating that he wanted to go ahead with the appeal because “a procedural penalty couldn’t hurt their game”, the panel decided to assess a ¼ board procedural penalty to NS for blatantly abusing the appeal process. In addition a player memo was filed to record this in case similar actions are taken by this pair.

<b>Panel Decision</b>	<b>6♥ by E, Made 6, E/W +1430 N/S: ¼ board Procedural Penalty</b>
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## Panel Members

<b>Reviewer</b>	Karl Miller
<b>Member</b>	Eric Bell
<b>Member</b>	David Metcalf