

|                           |  |              |    |
|---------------------------|--|--------------|----|
| <b>Subject of Appeal:</b> | Break in Tempo, Unauthorized Information | <b>Case:</b> | R6 |
|---------------------------|--|--------------|----|

|              |                 |                  |                 |
|--------------|-----------------|------------------|-----------------|
| <b>Event</b> | 10K Mixed Swiss | <b>Event DIC</b> | Candace Kushner |
| <b>Date</b>  | 07/30/2017      | <b>Session</b>   | First Final     |

### Auction

| West | North | East | South            |
|------|-------|------|------------------|
|      | 1♠    | Pass | 2♣ <sup>1</sup>  |
| 2♥   | Pass  | Pass | 4♠ <sup>2</sup>  |
| 5♦   | 5♥    | Pass | 5♠               |
| Pass | 6♠    | 7♦   | Dbl <sup>3</sup> |
| Pass | 7♠    | Pass | Pass             |
| Pass |       |      |                  |
|      |       |      |                  |

### Explanation of Special Calls and Points of Contention

|                          |
|--------------------------|
| 1: Artificial, forcing   |
| 2: Limit Raise or better |
| 3: Comment made by North |
|                          |
|                          |
|                          |

### Hand Record

| Board         | 21         | N  | 7900 MPS |
|---------------|------------|--|----------|
| <b>Dealer</b> | <b>N</b>   | ♠ KJ98765  |          |
| <b>Vul</b>    | <b>N/S</b> | ♥ A6   |          |
|               |            | ♦ (void)   |          |
|               |            | ♣ AK82   |          |
| <b>W</b>      | 7200 MPS   |  |          |
| ♠ 10          |            |  |          |
| ♥ KJ8543      |            |  |          |
| ♦ Q8764       |            |  |          |
| ♣ Q           |            |  |          |
|               |            | <b>S</b>   | 5700 MPS |
|               |            | ♠ AQ3  |          |
|               |            | ♥ Q72  |          |
|               |            | ♦ A53  |          |
|               |            | ♣ J1096  |          |
|               |            | <b>E</b>   | 4500 MPS |
|               |            | ♠ 42   |          |
|               |            | ♥ 109  |          |
|               |            | ♦ KJ1092   |          |
|               |            | ♣ 7543   |          |

| Final Contract | Result of Play | Score     | Opening Lead |
|----------------|----------------|-----------|--------------|
| 7♠ by N        | Made 7         | N/S +2210 | ♥10          |

### Facts Determined at the Table

The director was called at South's fourth turn to bid. Following 7♦, South paused to think and North said, "It doesn't matter what you do, I'm bidding 7♠." The director allowed South to now bid, and she Doubled. The auction continued with North making his announced call, and the director instructed the players to play the hand and to call him back at the end of the hand if they felt damage had occurred.

### Additional Factors Determined Away from the Table

Six players were given the South hand and, while there was some variation in the actual auction, five passed. Pass was deemed to be a logical alternative.

### Director Ruling

While South had not yet hesitated over 7♦ when the director was called, North's comment made South's actions moot. The ruling presumed South would have hesitated and doubled. Accordingly, as North had Unauthorized Information from the hesitation, and per Law 16, could not choose from among Logical Alternatives an action suggested by the UI. Per Law 12C, the result was adjusted to 7♦X by West, down 4, N/S +800.

|                          |                                   |
|--------------------------|-----------------------------------|
| <b>Director's Ruling</b> | <b>7♦X by W, Down 4, N/S +800</b> |
|--------------------------|-----------------------------------|

## The Review

N/S appealed the ruling. After he completed the Appeal form the table Director realized that there was no unauthorized information unless South had actually broken tempo. Thus the only question before the Panel was how long South took before North's outburst. All four players attended the hearing shortly before the second session.

After the 7♦ bid North knew South had little if any wasted diamond values. North and South both said South thought for about four seconds before North's comment. South said that after the hand was over she learned that she should have passed with first round diamond control.

East, being timed by a watch, said there was a seven second BIT. West thought it was longer.

## Panel Findings

Seven experienced players were consulted about the length of time South should be allowed to think when this level of bidding is reached before she was judged to be giving UI. The experts gave answers as low as 6-8 and as high as 12-15 seconds with 10 seconds being about average. Two pointed out that South's Pass should be automatic (showing first round diamond control), but South did not learn that treatment until after the hand was over – as evidenced by her actual call. South's seven seconds (by her opponent's estimate) was well under the time most players espoused, so there was no noticeable BIT, Law 16 was not violated and North was allowed to bid whatever he chose. The table result of 7♠ by North, making seven, N/S +2210 was restored.

However, North's statement about bidding 7♠ was completely out of line. His team was given a four VP procedural penalty.

Experts consulted: Bob Bitterman, Marge Gwozdzwinsky, Barbara Heller, Jerry Helms, John McAllister, Jacob Morgan and Gene Saxe

|                       |  |
|-----------------------|--|
| <b>Panel Decision</b> | <b>7♠ by N, Made 7, N/S +2210<br/>N/S: 4 VP Procedural Penalty</b> |
|-----------------------|--|

## Panel Members

|                 |                    |
|-----------------|--------------------|
| <b>Reviewer</b> | Charlie MacCracken |
| <b>Member</b>   | Marc Labovitz      |
| <b>Member</b>   | Ken Van Cleve      |