

<b>Subject of Appeal:</b>	Tempo/Unauthorized Information	<b>Case:</b>	R8
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<b>Event</b>	A/X Swiss Teams	<b>Event DIC</b>	Dianne Barton-Paine
<b>Date</b>	07/28/2016	<b>Session</b>	First Session

### Auction

West	North	East	South
		1NT <sup>1</sup>	Pass <sup>2</sup>
2♣	2♦	2♥	3♦
3♥	Pass	Pass	Dbl
Pass	Pass	Pass	

### Explanation of Special Calls and Points of Contention

1: 14-16 HCP
2: Break in Tempo

### Hand Record

<b>Board</b>	<b>30</b>	<b>N</b>	Suman Agarwal		
<b>Dealer</b>	<b>E</b>	♠	1073		
		♥	K10		
<b>Vul</b>	<b>None</b>	♦	A109632		
		♣	87		
<b>W</b>	Rose Meltzer			<b>E</b>	John Mohan
♠	Q984			♠	AK
♥	Q874			♥	6532
♦	75			♦	Q4
♣	953			♣	AJ642
		<b>S</b>	Vijay Vasudevan		
		♠	J652		
		♥	AJ9		
		♦	KJ8		
		♣	KQ10		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
3♥X by E	Down 3	N/S +500	♦ 8

### Facts Determined at the Table

The director was called after North bid 3♦. Both sides agreed to the BIT by South. The director was called back at the end of play, and was asked to examine North's 2♦ bid, in light of the UI from South's out of tempo pass. E/W play Garbage Stayman, and West's plan was to correct a potential 2♦ Stayman response to a non invitational 2♥. South said that if North had passed 2♣, he would have doubled 2♥ to show values. He did not have a bid available over 1NT, as they play Meckwell, which does not have a value showing call directly over 1NT.

### Additional Factors Determined Away from the Table

The TD polled six players in the A/X Swiss, to find out whether they would bid 2♦ with the North hand without the UI. Four players passed. Two players bid 2♦, but said it was close.

### Director Ruling

Based upon the player poll, Pass was established as a logical alternative to bidding. Proceeding from South's declared double of 2♥, the director adjusted the contract to 3♦ by North, making 3, after a proposed auction of 1NT-P-2♣-P-2♥-Dbl-P-3♦-P-P-P, N/S + 110.

<b>Director's Ruling</b>	<b>3♦ by N, Made 3, N/S +110</b>
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## The Appeal

N/S appealed. Before the Review, the Reviewer noted that 3♦ would always make four if declarer found the ♦Q. North, South, and West attended the Review. North stated that he would always bid 2♦, for the lead. South stated that West's 3♥ bid was poor, and that if North had been forced to pass over 2♣, he definitely would have doubled 2♥, and following North's 3♦ bid, he might have bid 3NT. Further, even if he didn't bid 3NT, West might have made the same unsuccessful 3♥ bid that she did at the table.

West agreed that her 3♥ bid was very poor, but said that if she had been able to pass 2♥, she would never have bid 3♥ later, because East would have first had the chance to do so himself.

## Panel Findings

The Reviewer conducted several additional player polls. He confirmed that roughly half of North's peers would have passed over 2♣. He also confirmed that a BIT by South suggested that bidding would be more successful than passing. No player, after being shown the South hand, and told no systemic call was available to come in over 1NT, wanted to enter the auction after 2♥. Of the players who passed with the North hand over 2♣, 2/3 passed after 2♥-P-P.

For N/S, the Panel decided that South's BIT over 1NT demonstrably suggested that North not pass over 2♣, and that Pass was clearly a LA. Since the polling also demonstrated that South might not double 2♥, and that a subsequent pass by North was a LA, the Panel assigned a contract of 2♥ by East, down 2, N/S +100, per Laws 16B3 & 12C

For E/W the Panel decided, per Law 12C1b, ("when the non-offending side has contributed to its own damage... by a wild or gambling action, it does not receive relief in the adjustment for such part of the damage as is self-inflicted."), that the 3♥ bid qualified as a such an action. The table result was restored for E/W, 3♥X by East, down 3, E/W -500

<b>Panel Decision</b>	<b>N/S: 2♥ by E, Down 2, N/S +100 E/W: 3♥X by E, Down 3, E/W -500</b>
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## Panel Members

<b>Reviewer</b>	Gary Zeiger
<b>Member</b>	Matt Koltnow
<b>Member</b>	Kevin Perkins