

<b>Subject of Appeal:</b>	Tempo/Unauthorized Information	<b>Case:</b>	N1
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<b>Event</b>	von Zedtwitz LM Pairs	<b>Event DIC</b>	Matt Koltnow
<b>Date</b>	08/07/2015	<b>Session</b>	First Qualifying

### Auction

West	North	East	South
		1♦	1♠
3NT	Pass	Pass	Pass

### Explanation of Special Calls and Points of Contention


### Hand Record

<b>Board</b>	10	N	Jerry Jackson		
<b>Dealer</b>	E	♠	K5		
		♥	QJ1076		
<b>Vul</b>	Both	♦	J5		
		♣	10853		
W	Mickie Chambers			E	Jim Bachelder
♠	Q32			♠	76
♥	95			♥	K8
♦	K84			♦	AQ10632
♣	AKJ74			♣	Q96
		S	Wayne Snider		
		♠	AJ10984		
		♥	A432		
		♦	97		
		♣	2		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
3NT by W	Down 3	N/S +300	♠ K

### Facts Determined at the Table

The Director was summoned after the lead to Trick 2. After the ♠K was led, South fumbled, moving cards around within his hand and finally playing the ♠J. East and West stated that the break in tempo (BIT) took approximately one minute. After the ♠K held, North switched to the ♥Q, resulting in down 3.

### Additional Factors Determined Away from the Table

Three Flight A players were given this problem. All three stated that while the ♥Q was a possibility, they would have continued spades.

### Director Ruling

Law 16B1 indicates that if a spade continuation is a logical alternative (LA), and the BIT demonstrably suggests another action, the Director must enforce the spade continuation. Per Law 12C1 the result was changed for both sides to 3NT by West, Making 4, E/W +630.

<b>Director's Ruling</b>	<b>3NT by W, Made 4, E/W +630</b>
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### The Appeal

North/South appealed, and both attended the hearing. South explained that he was considering whether to overtake the ♠K and knock out the Q versus ducking and giving suit preference. Finally, he decided that his goal was to cash their three tricks. While he was thinking, he pulled out one card and another. He does this often. South said any high

spade would encourage, but that the ♠J was suit preference. He had assumed that the ♠K was singleton, so attitude was not relevant. North/South use standard signals.

### Committee Findings

A spade continuation would be right when South held something like ♠QJTxx. The play of the ♠J, authorized information to North, showed both that South did not hold QJTxx and that South could have afforded to overtake if he judged that it was right to set up the spades.

The AC found that the UI from the slow play to trick one did not demonstrably suggest one action over another. Accordingly it found no reason to adjust the score. The TD ruling was incomplete in that it did not address this point. Had useful UI been present, the AC noted that it could not imagine anyone's not playing the ♥Q after seeing the ♠J, so the AC would not have deemed a spade continuation a LA in any case. The AC restored the table result for both sides, 3N by West, down 3, N/S +300.

The AC encouraged South to refrain from pulling out one card then another while thinking.

<b>Committee Decision</b>	<b>3NT by W, Down 3, N/S +300</b>
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### Committee Members

<b>Chair</b>	Jeff Goldsmith
<b>Member</b>	Scott Stearns
<b>Member</b>	John Lusky
<b>Member</b>	Abby Heitner
<b>Member</b>	Ray Miller

#### Note from the National Appeals Chairman

Had the AC found that the UI did suggest a heart over a spade it would have proceeded to determine whether a spade continuation was a logical alternative. Unfortunately it would have needed to discount the TD's poll results because, contrary to the latest revision to the ACBL Handbook on Appeal Committees, the poll had not been conducted in writing. Accordingly the AC could not be confident as to who was polled or exactly what questions they'd been asked. Fortunately the AC ruling did not require relying on this aspect of the case.