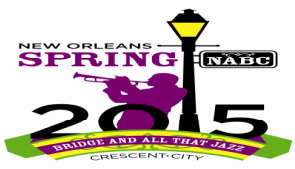


<b>APPEAL</b>	<b>NON-NABC+ THREE</b>
Subject	Tempo
DIC	Susan Doe
Event	North American Pairs, Flt. B
Session	First Qualifying
Date	March 15, 2015

BD#	<b>5</b>
VUL	<b>N/S</b>
DLR	<b>N</b>

<b>1446 masterpoints</b>	
♠	AQ974
♥	J7632
♦	2
♣	J5

<b>891 masterpoints</b>	
♠	K62
♥	(void)
♦	J9863
♣	K10763

	
<b>1126 masterpoints</b>	
♠	J103
♥	Q1084
♦	A7
♣	A982

<b>705 masterpoints</b>	
♠	85
♥	AK95
♦	KQ1054
♣	Q4

West	North	East	South
	<b>P</b>	<b>1♦</b>	<b>P<sup>(1)</sup></b>
<b>2♦<sup>(2)</sup></b>	<b>2♠</b>	<b>3♦</b>	<b>P</b>
<b>4♦</b>	<b>P</b>	<b>5♦</b>	<b>X</b>
<b>P</b>	<b>P</b>	<b>P</b>	

Final Contract	<b>5♦X by East</b>
Opening Lead	<b>♠J</b>
Table Result	<b>Down 2, N/S +300</b>
Director Ruling	<b>5♦X by E, Down 2, N/S +300</b>
Panel Decision	<b>5♦ by E, Down 2, N/S +100</b>

(1)	Agreed break in tempo
(2)	Inverted Minors: limit raise or better

**The Facts:** The director was called after the 2♠ bid. The BIT was agreed. After the play, East was adamant that North should not have been allowed to bid 2♠.

**The Ruling:** The director polled 5 peers of North. The results were 2 Passes, one 2♠ bid, one 2NT bid, and one 3♦ bid. The director also polled 4 peers about the opening lead against 5♦ without a 2♠ bid. Three led the ♠J, and one led the ♦A. The directors allowed the table result to stand.

**The Appeal:** E/W appealed. The facts, as stated above, were not in dispute. East said that North's hand was not good enough to bid 2♠ vulnerable. He also said that without the 2♠ bid, South might have led a small heart, which would lead to down only

one. E/W made no suggestion that they wouldn't reach 5♦, without a 2♠ bid during the auction. North said that 2♠ was automatic, as lead directive, with partner a passed hand.

**The Decision:** Further peer polling was done, which reinforced the original poll. The Panel judged that Pass over 2♦ was clearly a logical alternative not demonstrably suggested by the UI from the BIT, while 2♠ was demonstrably suggested. No player, in either poll, led a heart against a 5♦ contract where the 2♠ bid was not part of the given auction. This dismissed the suggestion made by E/W concerning a possible heart lead resulting in only down one. The Panel changed the contract to 5♦ by East, down 2, +100 NS. Laws 16B, 12C1.e.

**The Panel:** Gary Zeiger, Kevin Perkins, Matt Koltnow

**Commentary:**

**Martel** – OK (though maybe more consideration to E/W not getting to 5♦ if N didn't bid 2♠).

**Marques** – The report states that EW made no suggestion that they wouldn't reach 5♦ without the 2♠ bid, which makes me infer that the TD and/or AC did not examine the possibility of the auction stopping in a partscore (for example, via 1♦ 2♦ 2♥ 3♦). When analyzing the case, the TD/AC is not bound only to what the appealing side asks for. This can be used as a starting point, but the TD/AC can very well come to a decision which is more favorable to the appellant than what they thought, or in very extreme cases more favorable to the other pair than the table result.

After establishing that Pass over 2♦ is a logical alternative, another poll should have been conducted to determine likely outcomes of the auction by EW. Seems that 5♦ is a bit generous to the offending side.

Assuming that E-W would get to 5♦, removing the double is normal, so it's a good decision in that respect.

It's curious that North used UI to bid 2♠, which in turn became a sort of UI for South's double.

**Kooijman** – I do not understand the TD decision. With North passing, does South have an obvious double any more? It seems a lazy decision to allow the table result.

**Goldsmith** – OK. I'm surprised so few bid 2♠ at matchpoints, but so be it.

**Woolsey** – I disagree that the UI suggests the 2♠ call. To me, it means that South is strong enough to want to act, but doesn't make a takeout double because of the wrong shape. That wrong shape could easily be spade shortness, in which case the 2♠ call will be a disaster.

If North had made a takeout double, that would be another story. The UI does suggest that action. But it does not suggest the action chosen.

**Wildavsky** – Some (not me) would argue that the slow pass did not suggest 2♠, because 2♠ might encourage a partner who holds values. We see here that it did not

encourage this South, who found an extraordinarily conservative Pass over 3♦. I agree that the UI demonstrably suggested the 2♠ bid and that Pass was a LA. The TD ruling was egregiously poor and literally inexplicable; we are not told why he ruled as he did. The Panel corrected an injustice.