

<b>Subject of Appeal:</b>	Break In Tempo	<b>Case:</b>	N5
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<b>Event</b>	Jacoby Open Swiss	<b>Event DIC</b>	Steve Bates
<b>Date</b>	03/29/2014	<b>Session</b>	Finals


### Auction

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

### Explanation of Special Calls and Points of Contention

1: Break in Tempo

### Hand Record

<b>Board</b>	9	N	William Watson		
<b>Dealer</b>	N	♠ 8	AJ10764		
<b>Vul</b>	E/W	♥ A72	A73		
W	Michael White			E	Lewis Gamerman
♠	KQJ1063			♠	A75
♥	Q8			♥	K2
♦	Q109			♦	K653
♣	106			♣	J542
		S	Howard Liu		
		♠	942		
		♥	953		
		♦	J84		
		♣	KQ98		

<b>Final Contract</b>	<b>Result of Play</b>	<b>Score</b>	<b>Opening Lead</b>
3♥ by N	Made 4	N/S +170	♠ 5

### Facts Determined at the Table

The director was summoned at the conclusion of play of the hand. South had taken 30-45 seconds to bid 3♥. East stated that the hesitation deceived him into not competing to 3♠ in the pass out seat. North's double was not for penalties and showed general strength.

### Additional Factors Determined Away from the Table

Three players were polled about what action they would take with the South hand over 2♠. It was unanimous that 3♥ was the only action that any of the players would consider, and none showed any hesitation in making the call.

### Director Ruling

Per Law 73F, "if the Director determines that an innocent player draws an inference from a remark, mannerism, tempo, or the like of an opponent who has no demonstrable bridge reason for the action, and who could have known at the time of the action that the action could work to his benefit, the Director shall award an adjusted score." Based upon the results of the player poll, the Director ruled that South's hesitation had no demonstrable bridge reason, and adjusted the score to 3♠ by West, making 3, E/W +140.

<b>Director's Ruling</b>	3♠ by W, Made 3, E/W +140
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## The Appeal

The North/South players appealed the director's ruling. They and West attended the committee. South felt that his partner had shown a 1-6-3-3 pattern by his bidding sequence. He was running various hand possibilities through his mind to determine the likelihood that 4♥ might make. Possibilities included x-AKxxxx-Kxx-Axx or x-AJ10xxx-A10x-Axx. He eventually decided that the odds of game were not favorable. He felt his hand improved, holding three small spades opposite partner's presumed shortness.

East felt that South hesitated in a gamesmanship ploy to dissuade E/W from bidding a makeable 3♠ contract.

## Committee Findings

While none of the Committee would have bid 4♥, they did feel the South had a rational argument for his thought process. Therefore, there was a demonstrable bridge reason for his tempo, so there was no infraction and the table result was restored.

<b>Committee Decision</b>	<b>3♥ by N, Made 4, N/S +170</b>
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## Committee Members

<b>Chair</b>	Aaron Silverstein
<b>Member</b>	Jay Apfelbaum
<b>Member</b>	Chris Moll
<b>Member</b>	Patty Tucker
<b>Member</b>	Ray Miller