

Subject of Appeal:	Break In Tempo	Case:	R4
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Event	Thurs Stratified Swiss Teams	Event DIC	Peter Wilke
Date	03/27/2014	Session	First

Auction

West	North	East	South
			Pass
1♣	1NT ¹	Pass ²	2♣ ³
Pass	2♠	Pass	Pass
3♣	Pass	Pass	Pass

Explanation of Special Calls and Points of Contention

1: 14-17 HCP
2: Break in Tempo
3: Stayman

Hand Record

Board	11	N	7500 mps		
Dealer	S	♠	KQJ9		
		♥	A2		
Vul	None	♦	AJ103		
		♣	1063		
W	500 mps			E	200 mps
♠	6			♠	A753
♥	K74			♥	Q96
♦	876			♦	K942
♣	AKJ854			♣	Q2
		S	6000 mps		
		♠	10842		
		♥	J10853		
		♦	Q5		
		♣	97		

Final Contract	Result of Play	Score	Opening Lead
3♣ by W	Made 3	E/W +110	♠ K

Facts Determined at the Table

The director was summoned after the 3♣ bid and again at the conclusion of play. North explained that East had hesitated approximately 15 seconds before passing following the 1NT overcall.

Additional Factors Determined Away from the Table

The Director gave the West hand to four players with approximately 2000 MP each, and three passed out 2♠.

Director Ruling

Having used the poll to determine that Pass was a logical alternative, the Director decided that there was an unmistakable hesitation by East during the auction. Judging that the hesitation demonstrably suggested not passing, they adjusted the score on the board to 2♠ by North, making two, N/S +110, per Laws 16B, 73C, and 12C1e.

Director's Ruling	2♠ by N, Made 2, N/S +110
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The Appeal

E/W appealed the ruling. They contended that there had been no significant time taken by the East player. Each of the four players was asked in turn to estimate the time taken: North claimed a minute; South demurred, and said it was less than that. When timed with a stopwatch, they felt eight seconds was about right.

West claimed that “there was no break in tempo, maybe 7 seconds, or less.” West stated that they “would always bid 3♣.” East felt that she had a problem with her hand about what to bid, but agreed with her partner that it took her no more than about 7-8 seconds.

A poll was taken of about 15 players in the 300-1200 masterpoint range, given the West hand. Most doubled the 2♣ bid, or bid 3♣ immediately. Of the six who chose to pass South's 2♣, two passed 2♠ as well.

Panel Findings

The panel felt that 7-8 seconds was sufficient to suggest interest in the auction and consideration of a call, thus making the 3♣ bid more attractive. The polls showed a sufficient minority who would have passed, making that a logical alternative under Law 16B1. The panel cancelled the 3♣ bid and rolled the contract back to 2♠.

It was noted that even though the break in tempo took place in the first round of the auction, it could still influence a call made by partner at their third turn. The Law does not restrict the use of unauthorized information just to the partner's next turn.

The panel considered the play in 2♠S. While it could be defeated by repeated trump leads, the panel (as well as two expert-level players consulted on the matter) felt that the contract would make two the majority of the time. Law 12C1e instructs that when a score is adjusted the offending side receives the “most unfavorable result that was at all probable” and the non-offending side receives “the most favorable result that was likely”. Therefore, the result was ruled to be 2♠ by North, making two, for N/S +110.

Since further competition with the West hand was the majority action, and since there was some question of the length of East's pause, it was felt that the appeal did have some merit, so no Appeal without Merit Warning was given.

Panel Decision	2♠ by N, Made 2, N/S +110
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Panel Members

Reviewer	David Metcalf
Member	Matt Smith
Member	Gary Zeiger