

DECISION

Request No.: 03

Protest and Request for Redress

Event: 2024 Spring Fest Race Number: 1
Hearing Schedule: 2024-04-06 17:00

PARTIES AND WITNESSES

Request No.: 03: Knarr - USA 102 - Benino - Mark Dahm
knarr - USA 135 - jonathan perkins
Knarr - USA 105 - Lykken - Shaum Sinawi
Knarr - USA 39 - Thor - Jeffrey Spoering

Witnesses: Mark Dahm for Knarr 102

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Yes

Decision: Request Valid

PROCEDURAL MATTERS

USA 102 was represented by Mike Peterson, 35 by Larry Swift.

FACTS FOUND

1. USA 102, 135, 105, and 39 were sailing downwind, 8 boat lengths from the finish of race #1.
2. USA 135, 105, and 39, sailing from clear astern, established an overlap to windward of USA 102.
3. USA 135 was 1 to 3 meters above 102.
4. USA 105 was 1 to 3 meters above 135.
5. USA 39 was 3-5 boat widths to windward of USA 105.
6. USA 102 altered course to windward. USA 135 initially altered course to keep clear of USA 102.
7. USA 105 had room to alter course to windward, but did not do so.
8. When it was clear that USA 105 was not altering course to keep clear of USA 135, USA 135 and USA 102 altered course to leeward to avoid a collision.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules:

1. USA 135 to windward failed to keep clear of USA 102 to leeward, and broke RRS 11.
2. USA 105 to windward failed to keep clear of USA 135 to leeward, and broke RRS 11.
3. Since USA 135 was compelled to break RRS 11 as a consequence of USA 105 breaking RRS 11, she is exonerated under RRS 43.1(a) for this breach.
4. USA 102's score in race 1 was not made significantly worse by damage or injury and therefore, the requirements for redress in RRS 62.1 are not met.

DECISION

USA 105 is DSQ in race #1.
Redress is denied.

Date & Time: 2024-04-06 17:45 PDT

PROTEST COMMITTEE

Committee Type Protest Committee

Chaired By: Paul Zupan (USA)

Committee Members: Andrew Lorenzen (USA), Richard Reitmeyer ()