



# HEARING DECISION BY A PROTEST COMMITTEE

Filing  Heard with  Race   
 Event

**TYPE OF HEARING**  Protest  Redress  Reopening  Support Person

**PARTY: Protestor / Requester / Person Reporting**

Boat (sail #, name, etc.)   
 -OR- Committee   
 Person/Represented by

**PARTY: Protestee / Committee / Reported Person**

Boat (sail #, name, etc.)   
 -AND/OR- Committee   
 Person/Represented by

**WITNESSES** Name (Role)

Craig Davis  
Ilan Menzie

**WITNESSES** Name (Role)

**BEFORE THE HEARING (without parties present)**

Committee member conflict of interest?  Yes  No  
 Committee member witness?  Yes  No  
 US Sailing Prescriptions 63.1 & 63.2 satisfied?  Yes  No  N/A

----- Relevant information -----

**PROCEDURAL MATTERS (with parties present)**

Party needs time to prepare?  Yes  No  N/A  
 Hearing proceeds without party?  Yes  No  N/A  
 Objection based on conflict of interest?  Yes  No  
 Representatives on board at time of incident?  Yes  No  N/A

**VALIDITY OF PROTEST OR REQUEST**

Filed within relevant time limit?  Yes  No  Extended  
 Identifies incident (protest) / reason (request)?  Yes  No  N/A  
 Identifies where and when (protest)?  Yes  No  N/A  
 Identifies any rule believed broken?  Yes  No  N/A  
 'Protest' hailed (first reasonable opportunity)?  Yes  No  Exception  
 Flag displayed (conspicuously, at first reasonable opportunity, and until no longer racing)?  Yes  No  Exception  
 Crew in danger, injury, or serious damage?  Yes  No  N/A  
 Informed some other way?  Yes  No  N/A  
 Other validity requirements satisfied?  Yes  No  N/A

**VALIDITY CONCLUSION**

Protest or request is valid?  Yes  $\longrightarrow$  Hearing proceeds  No  $\longrightarrow$  Hearing closes



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**PARTY**  | **PARTY**

### FACTS FOUND (Number 1, 2, etc. for easy reference)

1. A scoring inquiry was submitted by BER 1038 alledging to have been scored incorrectly in race 10.  
 2. BER 1038 alledged to have finished in 4th, not 5th as scored by the race committee.  
 3. The race committee PRO confirmed from the finish records that BER 1038 was scored in 5th place in race 10.  
 4. Line sightng witnesses for the race committee stationed on the anchored finish boat observed the finish sequence of BER 1118 (4th), a blank place, BER 1027(6th). The blank position was reconclied as BER 1038 (5th) as she crossing the finish line.

Committee's diagram is attached  Committee endorses diagram by boat (sail # / name)

### CONCLUSIONS AND APPLICABLE RULES (Number 1, 2, etc. for easy reference)

1. There was neither an improper action nor omission of the race committee. Therefore, the requirements for redress in RRS 62.1(a) are not met.

### DECISION AND SCORING CHANGE, IF ANY (Number 1, 2, etc. for easy reference)

1. Redress not given.  
 2. The results of race 10 remain as scored by the race committee.

### PROTEST COMMITTEE (List Chair and other members)

Clifford Black, Chair; Patrick Cooper

Sign & date:

### WRITTEN DECISION REQUESTED?

By whom?

Time & date?

Time & date provided?