

DECISION

Protest

Request No.: 2

Heard Jointly With Number(s): 01

Event: SCYA Midwinters Race Number: 04
Hearing Schedule: 2024-02-17

PARTIES AND WITNESSES

Request No.: 2: J/111 - - - USA USA66 - G U R L I - Derek Heeb

J/111 - - - USA 77111 - J Boss - Dan McGanty

Request No.: 01: J/111 - - - USA USA66 - G U R L I - Derek Heeb

J/111 - - - USA 77111 - J Boss - Dan McGanty

Witnesses: Tim Ford GURRLI Helen Brierly JBoss

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

Hearing No. 1 was heard together with Hearing No. 2 in accordance with RRS 63.2 since both hearings arose from the same incident.

FACTS FOUND

1. Wind was 10 to 12 knots; smooth seas.
2. GURLI was on port tack approaching a windward mark to be round to port. GURLI was laying the mark about one boat length from the mark.
3. JBoss was on starboard tack on the lay line to pass the mark.
4. GURLI tacked from port to starboard one boat length from the mark on the the layline in front of JBoss.
5. GURLI speed slowed and JBoss was unable to change course to avoid GURLI.
6. As GURLI was being to round the mark, JBoss made contact with GURLI over GURLI port side transom causing damage to GURLI and JBoss.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10 15

1. GURLI on port failed to keep clear of JBoss on starboard, and broke RRS 10
2. It was not reasonably possible for JBoss the boat sailing within the room to which she was entitled the boat to avoid contact with GURLI when it was clear that GIURLI was not keeping clea JBoss did not break RRS 14.
3. Since RBoss was compelled to break RRS12 as a consequence of GURLI breaking RRS 10, she is exonerated under RRS 43.1(a) for this breach.
4. When acquiring right of way through her own actions, GURLI failed to initially give JBoss room to keep clear, and broke RRS 15 .

DECISION

The Protest of GURLI is Dismissed

Date & Time: 2024-02-17 22:44 PST

GURLI is DSQ in race 4.

PROTEST COMMITTEE

Committee Type Protest Committee

Chaired By: Peter Glick (USA)

Committee Members: Ann Ach (USA), Bill Moore (USA)