

Request to Reopen

Protest No: 07

Received At: 2021-07-05 09:48 PDT

1. Event Name: Sunset Series

Protest On: 2021-06-30

Race No: 6

2. Hearing Type

- Protest
- Protest by RC
- Protest by PC
- Protest by TC

- Request to Reopen
- Reopening by PC
- Request for Redress
- Request for Redress by RC

3. Protestor

PH D - Performance - USA 36014 - Big Apple - Joe Couce

4. Protestees

1. PH D - Performance - USA 46380 - Avet - Curt Johnson

5. Incident

Time Place: 2021-6-30, 7:15 pm, at the south end of the MdR detached breakwater

Rules: I respectfully request the reopening of the hearing due to a procedural infraction due to the hearing being started without all three judges present. The second judge arrived at the point where the respondent's witness was giving his statement and the third judge showed up at the ending statements. I was also not in a state of mind that was able to process the event well. I had stated to the RC that I was very shaken from the accident and I even needed assistance in fill out the protest form, I had tried about three times on my own, a very kind lady from the race committee assisted me in fill out the protest form. Also I must have been so disoriented in the hearing that one of the judges, who's name I don't remember but was wearing a Bravura jacket, came out and did a pupal check. I thought how strange, did this guy think I was so bad he thought my brain may have been putting pressure on my optic nerve. I must have had a concussion because my mind didn't clear until Sunday.

Witnesses: Mike Kunes, Ryan Ward

6. Informing Protestee

Hail:

Hail When: in main channel and then again at the finish line

Hail Comment: 46380, we are protesting you

Red Flag:

Red Flag Comment: just after hit at break wall

Other:

Other Comment: also by radio on race channel 68

7. Description Of Incident

When rounding the break wall, 36014 ,the windward boat on port tack, had to change course and was driven into the break wall, an obstruction, by 46380 who was the leeward boat, also on port tack, who did not give room.

8. Damage Or Injury

damage to boat keel. Injuries to multiple crew members, broken tooth and laceration.

Attachments