

DECISION

Request Number: 2

Protest and Request for Redress

Event: Ullman Sails Long Beach Race Week Race Number: 6

Hearing Date: 2017-06-25

PARTIES AND WITNESSES

Initiator: J120 - 46217 - Hasl Free - Mike Nicoletti

Respondent(s): J120 - 46719 - JIM - John Snook

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

FACTS FOUND

1. *Hasl Free* notified *Jim* of her protest verbally shortly after the incident.
2. Because the incident involved serious damage and injury, the requirements of 61.1(a) did not apply to *Hasl Free*.
3. *Hasl Free* and *Jim* were sailing to the windward mark on the third leg (out of six) in race 6, approximately 4 boatlengths from the mark.
4. *Hasl Free* was sailing on starboard tack, and *Jim* was sailing on port tack on an intersecting course.
5. *Jim* altered course to leeward to pass astern of *Hasl Free*, while *Hasl Free* held her course.
6. The main trimmer on *Jim* did not release her mainsail.
7. There was contact between the bow of *Jim* and the port side of *Hasl Free*.
8. Both the deck and the hull of *Hasl Free* were open to the sea after the contact.
9. A crew member of *Hasl Free* suffered a broken ankle.
10. Both boats retired from race 6.
11. Neither boat sailed in race 7 of the series.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. It was not reasonably for *Hasl Free* to avoid contact when it became clear that *Jim* was not going to *keep clear*. Therefore, *Hasl Free* did not break rule 14.
2. *Jim* as a port tack boat, failed to *keep clear* of *Hasl Free*, on starboard and thus broke rule 10. She also broke rule 14.
3. Because *Jim* retired from race 6, she took an appropriate penalty, and cannot be penalized further.

DECISION

Redress Granted

No further penalty for *Jim*

Hasl Free, average points for races 6 and 7, to the nearest tenth of a point, based on her results from races 1 through 5.

No other boat's scores for races 6 and 7 shall be adjusted.

Date & Time: 2017-06-25 16:51 PDT

PROTEST COMMITTEE

Chaired By: Paul Zupan (USA)

Committee Members: Kirk Brown (USA), K Hawkins (USA), Peter Sangmeister (USA)

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