

DECISION

Request Number: 1

Protest

Event: Ullman Sails Long Beach Race Week **Race Number:** 5

Hearing Date: 2017-06-24

PARTIES AND WITNESSES

Initiator: Pac 52 - 55052 - Fox - Jonathen McKee

Respondent(s): Pac 52 - 60052 - Bad Pak - Bruce Nelson

Witnesses: Will Tiller (aboard Invisible Hand), called by protestor; David Servais (aboard Fox), called by protestor; Artie Means (aboard Bad Pak), called by protestee

Interpreters: N/A

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. Wind 13 knots
2. Sea state was moderate chop
3. Current was less than 1/2 knot
4. Fox was approaching the windward mark on starboard at approximately 9 kts on layline.
5. Bad Pak was approaching on port at approximately 9 kts below the port lay line
6. Bad Pak tacked from port to starboard to leeward and ahead of Fox, passing head to wind at approximately 4 boat lengths from the mark, and was fetching the mark upon completion of her tack.
7. Bad Pak's speed after completing her tack decreased to approximately 6 knots.
8. Shortly after Bad Pak completed her tack Fox moving faster became overlapped to windward of Bad Pak
9. As Bad Pak came close to the mark she altered course slightly to windward to round the mark.
10. Fox altered course to avoid contact with Bad Pak
11. There was no contact

Diagram: Protest Committee diagram attached

CONCLUSIONS AND RULES THAT APPLY

1. Bad Pak tacked from port to starboard and kept clear of Fox during the tack; therefore, did not break rule 13
2. After completing her tack to starboard Bad Pak gave Fox room to keep clear; therefore, did not break rule 15
3. Fox kept clear under rule 11
4. Rule 18.3 did not apply because Bad Pak crossed head to wind outside the Zone.
5. Bad Pak was entitled to mark-room under Rule 18.2(b)
6. Fox gave Bad Pak mark-room required by Rule 18.2(b)

No Rules were broken

DECISION

Protest Dismissed

Date & Time: 2017-06-24 19:56 PDT

PROTEST COMMITTEE

Chaired By: Don Becker (USA)

Committee Members: Don Becker (USA), Karen Butler (USA), Kim Kymlicka (USA)