

# DECISION

Request Number: 03

Protest and Request for Redress

Event: C420 North American Championship Race Number: 3

Hearing Date: 2019-07-11

## PARTIES AND WITNESSES

**Initiator:** C420 - Blue - 5803 - Alec Van Kerckhove

**Respondent(s):** C420 - Blue - 6931 - Michael McCulloch

## VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Protest hailed

**Red Flag Displayed:** Not required

**DECISION:** Request Valid

## PROCEDURAL MATTERS

## FACTS FOUND

1. 5803 was sailing on starboard immediately after the start
2. 6931 was sailing on port on a collision course with 5803
3. 5803 altered course to windward to avoid contact with 6931 and capsized.
4. 5803 broke her mast because of the incident
5. 5803 was unable to finish race 3
6. 6931 took a two turn penalty

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

1. 6931 on port failed to keep clear of 5803 on starboard, as required by RRS 10
2. Because of damage caused by 6931 breaking a rule of Part 2, 5803's score was made significantly worse through no fault of her own.
3. Because 6931 caused serious damage her penalty was to retire.

## DECISION

**Date & Time:** 2019-07-11 20:04 PDT

Protest Upheld

6931 shall be scored DSQ in Race 3

5803's request for redress is granted. 5803 is to be scored in race 3 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points for races 1 and 2. This shall not change the score of the other boats.

## PROTEST COMMITTEE

**Chaired By:** Grant Baldwin (USA)

**Committee Members:** Lori Lowe (BAH), Paul Zupan (USA), Greg Meagher (USA), Steve Holmstrom (USA)

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