

DECISION

Protest

Request Number: 03

Heard Jointly With Number(s): 01, 02

Event: Whidbey Island Race Week 2018 Race Number: 2
Hearing Date: 2018-07-21

PARTIES AND WITNESSES

Initiator: 3 - PHRF - USA USA 3 - Eye Eye - David and Vernice Cohen

Respondent(s): 3 - PHRF - USA USA 054 - Nui Koa - Bill Boyd

Witnesses: Jared Swalwell (Elixer), Scott Atwood (Nui Koa)

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

Eye Eye and Mod Mod Margie approach the start on starboard near the pin. Nui Koa approached on port near the pin.

Mod Mod Margie was to weather of Eye Eye initially separated by 2 meters.

Eye Eye began coming up slowly

Nui Koa tacked to starboard, when Nui Koa initiated her tack to starboard there was 8' of clearance to Eye Eye's bow

While Nui Koa was tacking, Eye Eye turned up abruptly immediately contacting Mod Mod Margie, resulting in gel coat scratches to Eye Eye 6-8" long on the starboard rail.

Subsequently the push pit of Mod Mod Margie and the midship starboard stanchion of Eye Eye locked slowing the boats, with no way for Eye Eye to avoid contacting the start pin.

Diagram: Diagram not endorsed - See attached diagram endorsed by Protest committee

CONCLUSIONS AND RULES THAT APPLY

As windward boat, Mod Mod Margie did not keep clear of the leeward boat Eye Eye. Rule 11

Mod Mod Margie failed to avoid contact with Eye Eye breaking rule 14.

Eye Eye had reasonable apprehension that they would collide with Nui Koa. Nui Koa as port tack boat failed to keep clear of Starboard tack Eye Eye. Rule 10

Eye Eye hit the start mark as a result of the collision with Mod Mod Margie, there for breaking rule 31.

Before starting Eye Eye broke rule 31 by touching the starting mark, however she is exonerated by rule 21(b).

DECISION

Mod Mod Margie is DSQ from race 2

Nui Koa is DSQ from race 2

Date & Time: 2018-07-21 11:04 PDT

PROTEST COMMITTEE

Chaired By: Chris White (USA)

Committee Members: Liesl Mordhorst (USA), Jeff Snell (USA), Jared Hickman (USA)

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