

# DECISION

**Request Number: 02**

## Protest

**Event:** Larchmont Race Week (Senior) **Race Number:** 1

**Hearing Date:** 2019-07-14

### PARTIES AND WITNESSES

**Initiator:** PHRF Non Spinnaker - PHRF Non Spinnaker - USA 60820 - Callisto - Mark Honorowski

**Respondent(s):** PHRF 2 - PHRF 2 - US 14 - Thin Man - Todd Aven

**Witnesses:** Jan Smeets, PRO

### 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

1. US 14 was not present at the time of the first hearing on July 14, 2019. The hearing proceeded under RRS 63.3(b).
2. On July 14 and July 15, 2019, a protest filing was displayed in error on the website that displayed scores for the event. This error by the PC caused confusion, and as a result the PC decided to reopen the hearing on July 20, 2019.
3. USA 60820 was unable to attend the reopening and chose not to send a representative.
4. USA 14 provided tracking and video evidence at the reopening.

### FACTS FOUND

1. 14 knots of wind.
2. USA 60820, a 30' Cruising Boat was sailing in the PHRF Non-Spinnaker Class.
3. USA 60522 Oh Jee!!, a J 88 was sailing in PHRF Division I, preparing to start her race #3.
4. USA 14, a J 92 was sailing in the PHRF Division II, preparing to start her race #3.
5. The PHRF Non-spinnaker Class had a single race, sailing the Navigators Course #75.
6. USA 60820, was approaching the finish on a broad reach on starboard tack.
7. When USA 60820 was approximately 3 boatlengths from the finish line, USA 60522 approached on port tack and her starboard side passed to windward of the starboard side of USA 60820
8. USA 60522 tacked from a broad reach back to a broad reach and approached the windward side of USA 60820 on port tack on a converging course.
9. USA 60820, to leeward, hailed USA 60522 to windward.
10. No collision occurred.
11. USA 60820 hailed the RC on the VHF that she intended to protest Oh Jee!!
12. The RC recorded USA 60820 protesting USA 60522.
13. USA 60820 submitted a protest form indicating that she was protesting USA 14.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

1. USA 14 was mis-identified as the protested boat on the protest form that was filed.
2. The protested boat may be identified at any time before the hearing per RRS 61.2, but not during the hearing.

### DECISION

Protest dismissed. USA 14 is reinstated in her finishing position in Race #3.

**Date & Time:** 2023-07-20 18:25 EDT

### PROTEST COMMITTEE

**Chaired By:** Danielle Lawson (USA)

**Committee Members:** Ned Roseberry, Senet Bishoff

