

DECISION

Protest

Request Number: 07

Heard Jointly With Number(s): 06

Event: J/Fest **Race Number:** 5
Hearing Date: 2018-04-08

PARTIES AND WITNESSES

Initiator: J/105 - - - USA 116 - Arbitrage - Bruce Stone

Respondent(s): J/105 - - - USA 112 - 7 - Justin Hersh
J/105 - - - USA 44 - Godot - Phillip Laby

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. Pre start of a start that was recalled in Race 5.
2. Jury examined 007
3. Damage included hull scratches, sheared fittings, laceration of gelcoat, and deck separation. Will need to be repaired.
4. Approaching the line to start about 20-15 seconds before the start to leeward of the RC
5. Godot was to leeward of Arbitrage separated by about 1 boat-width.
6. Arbitrage luffed above close hauled and slowed to 1.5-2 knots through the water.
7. 007 established an overlap to leeward of Arbitrage from astern traveling 3.5-4 knots through the water.
8. 007 collided rail to rail with both Arbitrage and Godot almost simultaneously

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. The collision resulted in serious damage and the hearing proceeded per RRS 36.1.
2. When acquiring right of way, 007 failed to initially give Arbitrage room to keep clear as required by RRS 15.
3. Arbitrage to windward failed to keep clear of 007 to leeward, as required by RRS 11.
4. Arbitrage was compelled to break a rule by the actions of 007 and is exonerated under RRS 64.1.
5. It was not reasonably possible for Arbitrage, to avoid contact with 007.
6. 007 to windward failed to keep clear of Godot to leeward, as required by RRS 11.
7. Although it was reasonably possible, 007, did not avoid contact with Arbitrage and Godot, as required by RRS 14.

DECISION

Date & Time: 2018-04-08 17:25 PDT

1. Protest Upheld, 007 DSQ from Race 5.

PROTEST COMMITTEE

Chaired By: Dick Watts (USA)

Committee Members: Thomas Allard (USA), Danielle Lawson (USA), Dick Watts (USA)