

DECISION

Protest

Request No.: 13

Heard Jointly With Number(s): 14

Event: Sunset Series Race Number: 8
Hearing Schedule: 2021-07-21

PARTIES AND WITNESSES

Request No.: 13: PH D - Performance - USA 77303 - Syndicate - Tim Hohmann

PH D - Performance - USA 18474 - Zulu - Brent Van Er Linze

Request No.: 14: PH D - Performance - 18474 - Zulu - Team Zulu

PH D - Performance - USA 77303 - Syndicate - David Haas

Witnesses: Chris Semper;

Interpreters: None

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit Paper protest filed within one hour of finishing for both protests.

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Yes

Decision: Request Valid

PROCEDURAL MATTERS

Hearing No. 13 was heard together with Hearing No. 14 in accordance with RRS 63.2 since both hearings arose from very closely connected incidents.

FACTS FOUND

1. Pursuant to the SI 6.2 (d): "After starting: . . .(d) Leave to port any 'No Sail' (or 'No Sailboats') buoys designating the lane for leaving the harbor located along the northwest side of the entrance channel. The line between any two adjacent 'No Sail' buoys is a continuing obstruction and a boat shall not sail with any part of her hull across this line. . ."
2. Syndicate and Zulu were headed downwind on port tack.
3. Syndicate sailed to the north of the "No Sail" line.
4. Syndicate then became overlapped on Zulu's port side at the next "No Sail" buoy and Syndicate made contact with Zulu. No damage or injury occurred.

Diagram: No Diagram Needed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 19. 1 and 14

1. Syndicate broke SI 6.2.
2. Syndicate did not avoid contact when it was reasonably possible, and broke RRS 14.
3. While the boats were passing a continuing obstruction defined by the SIs, Syndicate clear astern was required to keep clear and became overlapped between Zulu and the obstruction and at the moment the overlap began, Syndicate failed to keep clear broke RRS 19.2.
4. Since Zulu was right-of way boat and the contact did not cause damage or injury, she is exonerated under RRS 43.1(c) for breaking RRS 14.

DECISION

Syndicate's protest is dismissed. Zulu's protest is affirmed.

Date & Time: 2021-07-21 21:45 PDT

Syndicate withdrew. No further penalty can be assessed

PROTEST COMMITTEE

Chaired By: Bill Stump (USA)

Committee Members: Greg Rutter (USA), Peter Glick (USA)

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