

DECISION

Protest by PC

Request No.: 09

Heard Jointly With Number(s): 07

Event: Summer Keelboat Regatta Race Number: 1
Hearing Schedule: 2022-08-11

PARTIES AND WITNESSES

Request No.: 09: Protest Committee

- . - J/105 - USA 46 - Box of Rain - Charles Pick
- . - J/105 - USA 85 - Roulette - William Woodruff
- . - J/105 - USA 268 - Peaches - John Rivlin

Request No.: 07: J105 - USA 46 - Box of Rain - Randy Smith

- . - J/105 - USA 268 - Peaches - John Rivlin
- . - J/105 - USA 85 - Roulette - William Woodruff

VALIDITY

Objection to Jury: No

Within Time Limit: N/A

The PC closed hearing 07, and immediately informed Peaches (who was in the Zoom waiting room) of their protest.

Incident Identified: Yes

Proper Hail: Hail not required

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

1. The hearing was conducted on Zoom and all parties were provided the Code of Conduct for Remote Hearings in advance of the hearing.
2. Grant Baldwin disclosed that he had formerly been a boat partner with John Rivlin. No parties objected to his participation in the hearing.
3. The protest committee protested Roulette, Box of Rain and Peaches when they learned during the hearing of a valid protest for Hearing Request 07 that Peaches was involved in the incident and was not a party to the hearing. RRS 60.3(a)(2).
4. The Hearing for Request 07 was closed and the representative of Peaches, who was in the Zoom waiting room, was immediately informed. The PC provided the representative of Peaches access to Hearing Request 07 and 09 and heard the Request 07 and Request 09 together as directed by RRS 61.1(c).
5. The representative from Peaches acknowledged that he had reviewed the hearing request previously and did not need additional time to prepare.
6. Box of Rain was represented by Randy Smith, Tactician.

FACTS FOUND

1. Race 1. Wind 15 knots, 225 wind direction, sea state moderate, current was not a factor.
2. Downwind leg to finish.
3. Box of Rain was on starboard tack sailing at 8 knots.
4. Roulette and Peaches were sailing at 8 knots on port tack converging with Box of Rain.
5. Peaches was overlapped and to leeward of Roulette.
6. Roulette gybed to starboard 2-3 boat lengths to windward and overlapped with Box of Rain.
7. After Roulette gybed she was on a converging course with Box of Rain.
8. Peaches on port tack was on a converging course with Roulette on starboard.
9. Peaches gybed to starboard 2-3 boat lengths to windward and overlapped with Roulette.
10. Box of Rain bore away 5 to 10 degrees when boats were 5 feet apart.
11. There was 5-10 feet between the hulls of Peaches and Roulette.

12. The boats were overlapped throughout the incident.
13. There was no contact between the boats.
14. No boat took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 11, 43.1(a)

1. Roulette to windward failed to keep clear of Box of Rain to leeward, and broke RRS 11.
2. Peaches to windward failed to keep clear of Roulette to leeward, and broke RRS 11.
3. Since Roulette was compelled to break RRS 11 as a consequence of Peaches breaking RRS 11, she is exonerated under RRS 43.1(a) for this breach.

DECISION

Date & Time: 2022-08-11 21:00 PDT

Peaches is DSQ in race 1.

PROTEST COMMITTEE

Chaired By: Grant Baldwin (USA)

Committee Members: Danielle Lawson (USA), Mark Townsend (USA), Paul Zupan (USA)

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