

JURY DECISION

Protestor represented by: Sean Svensen, Knarr 140

Other party represented by: Tom Doberoth, Knarr 115

Third party represented by: Mike O’Callaghan, Knarr 143

Names of witnesses: Dan McLaughlin, Aaron Wheeler

Protest or request valid Protest or request invalid, hearing is closed

Facts found:

1. Validity found based on 61.1(4).
2. 140 was close hauled on a starboard tack on the first windward leg of Race #8.
3. 115 was on a starboard tack overlapped and to windward of 140.
4. 143 was on a starboard tack overlapped and to windward of 115.
5. At about two boat lengths away the obstruction identified as the “H” Beam in the sailing instructions, 140 hailed for sea room including an arm signal.
6. 115 then loudly and repeatedly hailed 143 for sea room.
7. 143 did not respond.
8. At about one boat length away from the obstruction, 140 hailed again.
9. 115 crash tacked and sailed down in an emergency fashion in order to cross behind 143.
10. 140 tacked at the same time as 115.
11. 140 was then on a collision course with 143.
12. 140 believed she could not pass below 143 and crash tacked back to starboard.
13. 140 then collided with the “H” Beam.
14. The mast on 140 was broken at the deck and fell from the contact with the “H” Beam.
15. 115 retired from the race.
16. 140 could not continue in the race.
17. 143 did not attempt to render assistance to 140 despite admitting that the crew heard the collision, and saw the mast down and the boat and crew in danger.
18. 143 did not do a penalty turn and finished the race.

Conclusion:

1. 115 was obligated to respond to 140’s hail to tack and she did so, and did not break RRS 20.2(c).
2. 143 was obligated to tack when 115 hailed, or when 115 tacked, but failed to do so, breaking RRS 20.2(c).
3. 143 was obligated to tack when 140 hailed, or when 140 tacked, but failed to do so, breaking RRS 20.2(c).
4. 143 was obligated to give all possible help to any person or vessel in danger and failed to do so, breaking RRS 1.1.
5. 143 was obligated to compete in compliance with recognized principles of sportsmanship and fair play and did not do so, breaking RRS 2.

Rule(s) applicable:

RRS, 1.1, 2, 20.2

Decision:

Knarr 143 is scored DNE in Race 8.
Knarr 140 is granted average points as per A10(b).

Jury: Grant Baldwin, Danielle Lawson, Thomas Allard, Brent Draney, Paul Zupan

Chairman: Grant Baldwin

Signed:

Date: July 1, 2014

Time: 22:15