

Received by race office: Date and time 12/16/17 Signature [Signature] Number 1  
 Protest Time Limit 15.49

**PROTEST FORM – also for requests for redress and reopening**

Fill in and tick as appropriate

1. EVENT SEYC mid winter 17-18 Organizing authority SEYC Date \_\_\_\_\_ Race no. \_\_\_\_\_

2. TYPE OF HEARING

- Protest by boat against boat  Request for redress by boat or race committee
- Protest by race committee against boat  Consideration of redress by protest committee
- Protest by protest committee against boat  Request by boat or race committee to reopen hearing
- Consideration of reopening by protest committee

3. BOAT PROTESTING, OR REQUESTING REDRESS OR REOPENING

Class F Fleet \_\_\_\_\_ Sail no. 1956 Boat's name Octavia  
 Represented by Gerry Swinton Phone 811 518 2282 Email gerry.swinton@sbcslobal.net

4. BOAT(S) PROTESTED OR BEING CONSIDERED FOR REDRESS

Class \_\_\_\_\_ Fleet \_\_\_\_\_ Sail no. \_\_\_\_\_ Boat's name \_\_\_\_\_

5. INCIDENT

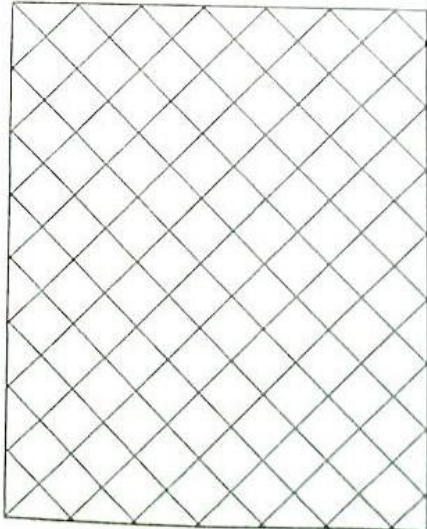
Where and when the incident occurred Race # 2 1st beat top mark  
 Rules alleged to have been broken \_\_\_\_\_ Witnesses \_\_\_\_\_

6. INFORMING PROTESTEE How did you inform the protestee of your intention to protest?

- By hailing  When? \_\_\_\_\_ Word(s) used \_\_\_\_\_
- By displaying a red flag  When? \_\_\_\_\_
- By informing her in some other way  Give details \_\_\_\_\_

7. DESCRIPTION OF INCIDENT (use another sheet if necessary)

Diagram: one square = hull length; show positions of boats, wind and current directions, marks.



Octavia properly rounded the windward mark and after doing so discovered that the anchor rode of the mark was caught on her keel. Octavia never touched the mark. Octavia dragged the mark 20-30 boat lengths before she was able to unangle rode from keel. Mark was not properly anchored in the shallow water.

there was no dead man to manage the rode. Octavia request redress. this caused Octavia to catch the mark.



<b>THIS SIDE FOR PROTEST COMMITTEE USE</b> <i>Fill in and check as appropriate</i>	Class: PHRF < 80 Race: 5 Filing: 1 Heard together with numbers: 1 and 2
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<input type="checkbox"/> Withdrawal requested; signature: <input type="checkbox"/> Protest or request for redress/reopening, rec'd within time limit Protestor, or party requesting redress or reopening, represented by: Other party, or boat being considered for redress, represented by: Other party, or boat being considered for redress, represented by: Names of witnesses: Gene Sofen (markboat)	<input type="checkbox"/> Withdrawal permitted <input type="checkbox"/> Time limit extended <u>Ellen Kett (Octavia)</u> <u>Chrisina Shaw (Race Committee)</u> <u>Mackenzie Cook (Astra)</u>
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<input checked="" type="checkbox"/> Conflict of interest declared <input type="checkbox"/> Written protest or request identifies incident <input type="checkbox"/> 'Protest' hailed at first reasonable opportunity <input type="checkbox"/> No hail needed; protestee informed at first reasonable <input type="checkbox"/> Red flag conspicuously displayed at first reasonable opportunity <input type="checkbox"/> Protest or request valid; hearing will continue	Objections: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No _____ _____ _____ _____ _____	<b>Remarks</b> _____ _____ _____ _____ _____
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**FACTS FOUND:**

- 1) Judge Roskosz declared a long friendship with party Ellen. Judge Gross declared a training and race management relationship with party Christina.
  - 2) Astra was present at the hearing. The PC filed for redress on her behalf under RRS 63.2(c).
  - 3) The windward mark set by the Race Committee was a 4 ft. inflatable tetrahedron with ten ft. of chain, 80 ft. of rode, ten ft. of chain and a Bruce type anchor.
  - 4) The mark was set close to shore in 20-30 ft. of water with 25-30 kts. of offshore wind and small swell/waves.
  - 5) At the first windward mark of race 5 Octavia, a modified SC50 with a 9.5ft keel with bulb, rounded first with 12 ft. between her and the mark.
  - 6) After rounding, Octavia observed the mark 'following' her down the course to the leeward mark.
  - 7) After 20-30 boatlengths, Octavia stopped and was able to free the mark rode and anchor fouled on her keel.
  - 8) Octavia sailed to the harbor to inspect her keel for damage. She was scored DNF by the RC.
  - 9) Astra followed Octavia at the first mark and sailed a course higher than her proper course for 20-30 boatlengths to round the mark and rode still attached to Octavia. She was scored in 2<sup>nd</sup> place by the RC.
  - 10) The Race Committee was aware Octavia was fitted with a 9.5 ft bulb type keel.
  - 11) Animal was scored in 1<sup>st</sup> place by the RC.
  - 12) Heart Beat was scored DNC by the RC.
- Diagram of boat endorsed by committee.  Committee's diagram is attached.

**CONCLUSIONS AND RULES THAT APPLY:**

- 1) The Race Committee is responsible to set marks using equipment that is adequate for the conditions in the race area and also adequate for the boats competing in the race.
- 2) The equipment was adequate to hold the mark in position in the conditions. However, the chain and rode configuration was not adequate to allow a boat with a 9.5 ft. keel to round at 12 ft. distance.
- 3) Octavia's score was, through no fault of her own, made significantly worse by the RC's use of inadequate equipment and she is entitled to redress under RRS 62.1(a).
- 4) Octavia is given redress under RRS 64.2. Her redress is average points as described in RRS A10(a).
- 5) Astra is given redress under RRS 64.2. Her score is that scored by the RC or average points as described in RRS A10(a), whichever is lower.

**DECISION:**

**Protest:**  dismissed      Boat(s) (is) (are)  disqualified from race(s)  
 penalized as follows

**Redress:**  not given       given as follows: (see conclusion 4 and 5)

**Request to reopen a hearing:**  denied     granted

**PROTEST COMMITTEE:**

Members: Charlie Roskosz, Mike Gross (ch)

Chairman's signature: mikegross

Date and Time: 12/19/17 2038

**Written decision requested**

When

By whom

Date provided