

THIS SIDE FOR PROTEST COMMITTEE USE

Fill in and check as appropriate

Class Non-Spin ICS + below Race# 10/13 Filing# 3
Heard together with numbers 4

Withdrawal requested; signature _____ Withdrawal permitted

Protest time limit 2200 hrs Protest, or request for redress or reopening, received within time limit Time limit extended

Protestor, or party requesting redress or reopening, represented by Robert Lugliani

Other party, or boat being considered for redress, represented by Christina Lewis (potential original hearing - redress)

Names of witnesses Victor Gray, Bill Hackel, Brittany Lewis, Spencer Coler

Interpreters _____ Remarks _____

No objection about interested party

Written protest or request identifies incident

'Protest' hailed at first reasonable opportunity See below per RRS 61.1(a)(3)

No hail needed; protestee informed at first reasonable opportunity

Red flag conspicuously displayed at first reasonable opportunity

Protest or request valid; hearing will continue Protest or request invalid; hearing is closed

FACTS FOUND Protest originally heard 8/9/2012. Jury reopened hearing 8/23/2012.

1. Prior to the start of Race 10, both "pHat Jack" (Sail #18257) and "Carmelita" (Sail #131) were approaching the starboard end of the starting line on starboard tack.
2. At approximately 15 seconds to the starting gun, "Carmelita" became overlapped to windward of "pHat Jack" (see drawing, Position 1).
3. Upon contact between "Carmelita's" headsail and "pHat Jack's" lifeline stanchion, "pHat Jack" bore off to avoid collision (see drawing, Position 2).
4. "pHat Jack" altered up to start.
5. "Carmelita" made contact with the start mark SC1.
6. As a result of her contact with the mark, "Carmelita's" bow spun down, making contact with "pHat Jack's" windward quarter, causing damage to both boats (see drawing, Position 3).
7. Damage to "pHat Jack's" starboard topside included a 2'X4' delamination of her composite layup and a 12'X1" deep gash through the fiberglass and into the balsa core.
8. "Carmelita" sustained damage anchor gear, headstay chainplate and other associated hardware.
9. "Carmelita" got clear and promptly took penalty turns (2).

Diagram of boat _____ is endorsed by committee. Committee's diagram is attached.

CONCLUSIONS AND RULES THAT APPLY

1. Windward boat "Carmelita" failed to keep clear of leeward boat "pHat Jack" and broke RRS 11 and RRS14.
2. In contacting the mark (SC1) and her subsequent collision with "pHat Jack", "Carmelita" broke RRS 31 and RRS 14.
3. "Carmelita" caused serious damage.
4. As a result, "Carmelita" was obligated to retire, per RRS 44.1(b).

DECISION Protest: dismissed Boat(s) "Carmelita" (131) is (are) disqualified from race(s) 10

penalized as follows _____

Redress: not given given as follows _____

Request to reopen a hearing: denied granted Jury requestal reopening

PROTEST COMMITTEE Written decision requested

Members Douglas Stosa, Paul Zappa, Chris Anderson, Grant Baldwin, Chair When _____

Chairman's signature [Signature] Date & time 8/23/12 2300hrs By whom _____

Date provided _____