

**2016 US Sailing Team Race Championships - Hinman Regatta**  
**Redress Request Decision**

Callers Present (8-25-16 20:00 EST):

- Jury: Steven Wolff (Chair), Rob Overton, Kathy Lindgren, Steve Schupak (sailor athlete)
- Chief umpire: Charlie Arms
- Requestor: Ben Greenfield - Days of Thunder
- RC: Rich Reichlesdorfer
- OA: Ben Spiller, Matt Hill
- Advisor: John Pratt
- Invited Parties:
  - Team Trouble: Charles Higgins, Johnny Norfleet
  - BOSS: Brian Clancy, Ian Burrows
  - Days of Thunder: Mark Dinneen, Laura Walsh-Rogalski, Clinton Hayes
  - Mostly Grad Bods: Michael McBrien, Dylan Vogel
  - Jet Lag: Yuri Namikawa, Oliver Otoole, Mateo Vargas

There were no objections to any member of the PC.

Steve Wolff started the hearing by pointing out the Hinman regatta is a protected event and all requirements have been met. There is a 25% sailor athlete composition of jury. Validity was met. All attendees are considered parties to the redress. The hearing will follow Appendix D redress hearing protocols though a written decision will be issued.

**Facts Found**

- The Championship is governed by the US Team Racing Championship Conditions, the Notice of Race and the Sailing Instructions. The Conditions describe the intended format in Section 9 and the SIs provide further details in Section 8 and SI Attachment B.
- SI 8.3 states that when time constraints make "... the completion of more than 79% of a current or additional scheduled round robin or stage impractical, the regatta may be terminated and the results based on the standings at the completion of the immediately preceding round robin(s) or stage."
- The SI 1.4 states that in the case of conflict between any of the above documents that the Championship Conditions "will prevail first, then the Sailing Instructions."
- 11 teams were participating in the 2016 US Sailing Team Racing Championships at the Sheboygan Yacht Club in Sheboygan, WI.
- The regatta is a US Sailing protected event and under the US Sailing prescriptions, all boats were notified of the time and place of the hearing by US Sailing and those requesting to attend were made parties to the redress hearing by the PC.
- Zim 15 type boats were supplied by the OA.
- At the completion of Stage 2A – Gold / Silver Initial Seeding Series, the points totals for the top 8 teams were Days of Thunder – 16, BOSS – 14, Jet Lag – 13, Kirkwood Ticklers – 10, Team Trouble – 8, Mostly Grad Bod – 6.5, Polar Bears – 6, and Jambalaya – 5.

- On Day 3 of the regatta, the RC started and completed Stage 3 – Knockout Quarter Final Series. Each of the four teams advancing from the Quarter Final Series had 2 wins. These teams were Days of Thunder (ranked 1), BOSS (2), Team Trouble (3) and Mostly Grad Bods (4).
- Each part of the Knockout Series was described as a different Stage in SI Attachment B.
- The RC proceeded to Stage 4 – Knockout Semi Final Series. The Semifinal stage format called for knock-out matches between BOSS (2), and Team Trouble (3), and between Days of Thunder (1) and Mostly Grad Bods (4).
- The knockout series between BOSS and Team Trouble resulted in a 2-1 win by Team Trouble, completing their series. Two races were sailed between Days of Thunder and Mostly Grad Bods with Mostly Grad Bods winning both races. Upon completion of the second race, a breakdown hearing was requested by Days of Thunder.
- The breakdown hearing found that one of the boats used by Days of Thunder in both semi final races had an unknown leak which caused the hull to carry a significant amount of water. The findings of the breakdown hearing concluded that the ingress of water caused an unfair disadvantage to one of the Days of Thunder boats in stage 4.
- The Breakdown panel ordered a resail of the second race of the series.
- Conditions were light and variable and at 15:00 the format was terminated pursuant to SI 7 Schedule of Events and US Team Racing Championship Condition 9. As a result, the resail between Days of Thunder and Mostly Grad Bods race did not take place nor did a possible third race in that match.
- Six races were possible in Stage 4 (Match 1 having gone to 3 races). The number of races completed did not reach the 79% threshold described in SI 8.3.
- The RC scored the regatta following the provisions of rule D4.7 Incomplete Knockout Series and the results of the regatta were posted as:
  - 1 – Team Trouble, 2 – Mostly Grad Bods, 3 – BOSS, 4 – Days of Thunder
- The resolution process in rule D4.7 required using the one completed race in the semi final between Days of Thunder and Mostly Grad Bods to determine the winner of that match and the first four places. Under rule D4.7, the RC declared the winner of that race as the match winner of Stage 4.
- The RC resolved the 0 – 0 tie in the un-sailed final series (Stage 5) in accordance with rule D4.7.

## **Conclusion**

Given the deteriorating conditions between the breakdown hearing and the cutoff time, it was not reasonable for the RC to expect to complete the resail match as required and conclude the semi-final series between Days of Thunder and Mostly Grad Bods. At the 15:00 cutoff time Stage 4 was not completed and 79% of that Stage had not been sailed. SI 8.3 provides the PRO, OA and Chief Umpire with options for how to score the regatta. The word “may” in SI 8.3 is permissive, not compulsory.

SI 8.3 changes rule D4.2(a) by adding to it, allowing for an alternative scoring process to be invoked by a committee composed of the PRO, OA and chief umpire when 79% of a round or stage is not be completed. This scoring process is entirely new and designed to determine the outcome for the entire event and not the outcome of unfinished stages. Therefore, SI 8.3 does not need to cite either rule D4.5 or D4.7.

The race committee (represented by the PRO), the OA and the umpires (represented by the chief umpire’s designee) chose to score according to rule D4.7 rather than by SI 8.3. Using the results of one meeting between these two teams in an incomplete semi-final series, when it had been determined that one of Days of Thunder’s provided boats

was compromised, as a basis for determining the final series results was an improper action when alternative choices were available.

As a result, Days of Thunder was scored 4<sup>th</sup> rather than 1<sup>st</sup>, so her position was made significantly worse through no fault or her own.

**Decision**

Redress is granted. Under SI 8.3, the PRO, OA and chief umpire are given the option to determine results of the regatta based on the standings at the completion of Stage 3, the Knockout Quarter Final Series, which was the “immediately preceding stage” to the incomplete Stage 4. When SI8.3 is applied, four teams are tied. RRS 64.2 direct the PC to “make as fair an arrangement as possible for all boats affected.” The RC is therefore directed to score the top four teams based on their ranking at the end of Stage 3, as follows:

1. Days of Thunder
2. BOSS
3. Team Trouble
4. Mostly Grad Bods

The scores of all other teams shall remain unchanged.

Issued: August 28, 2016 – 13:15



s/ Steven Wolff, Jury Chair



# Protest Form

also for requests for redress and reopening

Fill in and check as appropriate

Date and time received 8/21/16 4:50 AM  
 Received by C. ARMS Filing no. 1  
 Protest time limit 5:56 PM

1. EVENT 2016 Hinman Trophy Organizing authority Sail Sheboygan Date 8/19-21 Race no. \_\_\_\_\_

## 2. TYPE OF HEARING

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

## 3. BOAT PROTESTING, OR REQUESTING REDRESS OR REOPENING

Class Z19 Sail no. \_\_\_\_\_ Boat's name Days of Thunder  
 Represented by Ben Greenfield Tel. 401 7435315 E-mail ben.greenfield@gmail.com

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

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

## 5. INCIDENT

Time and place of incident Semi-final round Incompletion  
 Rule(s) alleged to have been broken SI 8.3 Witness(es) \_\_\_\_\_

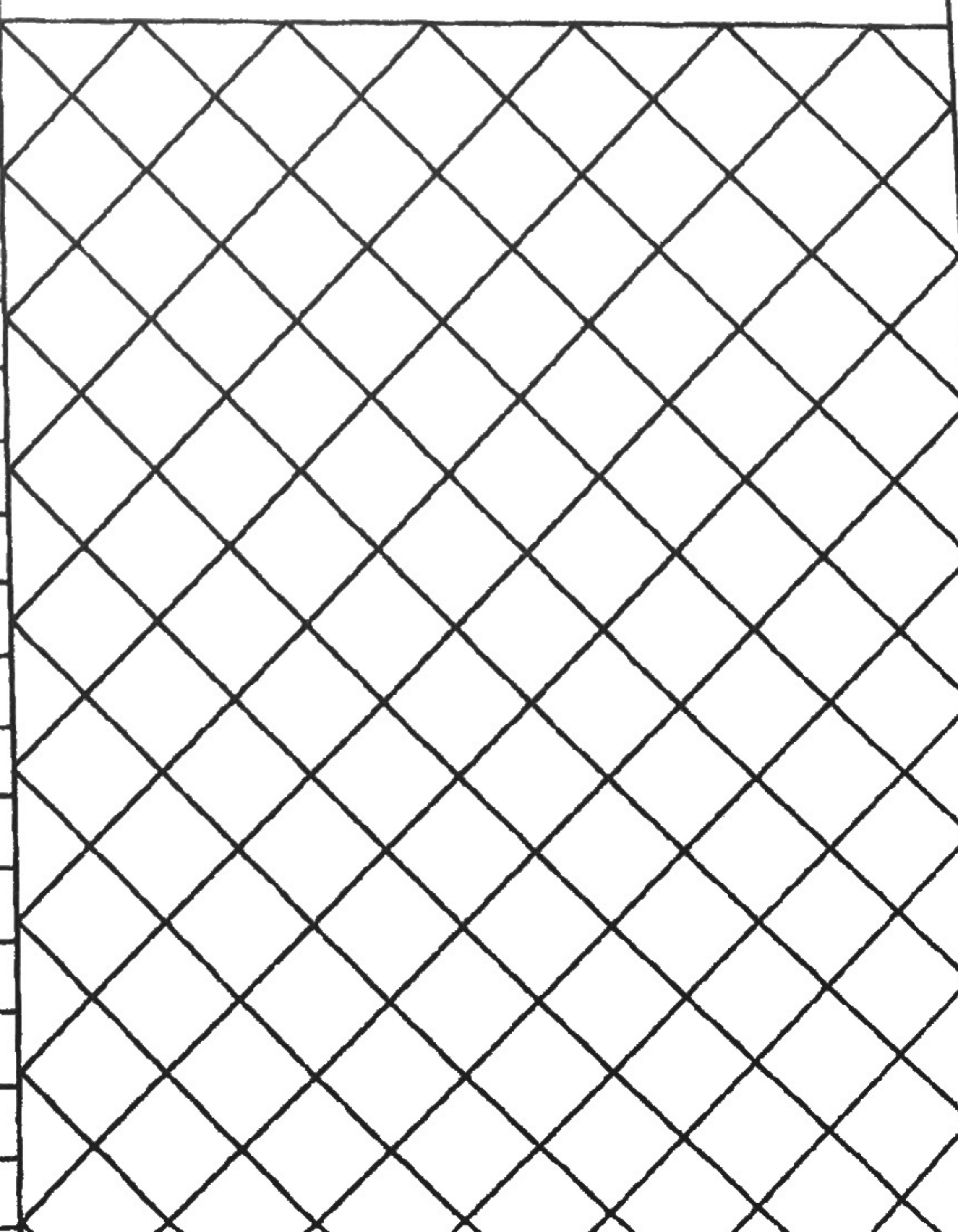
## 6. INFORMING PROTESTEE How did you inform the protestee of your intention to protest?

- By hailing When? on land after results Word(s) used \_\_\_\_\_
- By displaying a red flag When? were released
- By informing him/her in some other way Give details \_\_\_\_\_

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

See back side

Diagram: one square = one hull length  
 Show positions of boats, wind and current direction, marks.



Semi-final Stage was started and not completed. Only one race of the ~~the~~ matchop was completed due to the event time limit. SI 8.3 requires 79% of a Stage to be completed for its results to carry forward. One race of a first-to-two series does not constitute 79%. The SIs designate the semi-finals as a stage (stage 4).