



Protest Form

also for requests for redress and reopening

Fill in and check as appropriate

| | | | |
|------------------------|------------------------|------------|----------|
| Date and time received | <u>8:20 pm / 20.20</u> | | |
| Received by | <u>W. Vellee</u> | Filing no. | <u>1</u> |
| Protest time limit | <u>22:00</u> | | |

1. EVENT SBYC Friday Night Organizing authority SBYC Date 6/16/17 Race no. 1

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 G Sail no. 28289 Boat's name MR MAGOS
Represented by HALSEY RICHARTZ Tel. 820 304 9211 E-mail HALSEY.RICHARTZ@ICLOUD.COM

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

Class _____ Sail no. _____ Boat's name _____

5. INCIDENT

Time and place of incident STARTING LINE
Rule(s) alleged to have been broken 29.1 Witness(es) GABE MERTHER

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 him/her in some other way Give details _____

7. DESCRIPTION OF INCIDENT

(use another sheet if necessary)

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

AT STARTING SIGNAL, ANCHOR WAS SOUNDED
BUT NO "X" FLAG WAS DISPLAYED. SEVERAL
MINUTES & 2 TACKS LATER, OTHER BOATS HAILED
THAT WE WERE O.S. THOUGH WE STILL SAW NO
"X", WE TURNED TOWARD THE LINE. AT THAT POINT
WE SAW A MEMBER OF THE RC HOLD AN "X".
WE RE-CROSSED THE LINE RETURNED TO
THE PRE-START SIDE OF THE LINE AND
RE-STARTED.

| | |
|---|--|
| THIS SIDE FOR PROTEST COMMITTEE USE <i>Fill in and check as appropriate</i> | Class: <u>G</u> Race: <u>1 (6/16/17)</u> Filing: <u>1</u> Heard together with numbers: <u>n/a</u> |
|---|--|

| | |
|---|---|
| <input type="checkbox"/> Withdrawal requested; signature: <input checked="" 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: Names of witnesses: <u>none</u> Interpreters: _____ <input checked="" type="checkbox"/> Conflict of interest declared Objections: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No _____ <input checked="" 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 checked="" type="checkbox"/> Protest or request valid; hearing will continue <input type="checkbox"/> Protest or request invalid; hearing is closed | <input type="checkbox"/> Withdrawal permitted <input type="checkbox"/> Time limit extended <u>Halsey Richartz</u> <u>None; continued RRS 63.3(b)</u> <div style="text-align: right;">Remarks</div> |
|---|---|

FACTS FOUND:

- 1) The RC was unable to attend the hearing due to a last minute personal incident.
- 2) Judge Mr. Gross declared a possible conflict of interest as he has trained some race officers at SBYC.
- 3) Mr. Richartz read a written statement from the RC regarding the incident and agreed to its use with the knowledge he would not be able to cross examine the author.
- 4) One second before the starting signal for race 7 of the series the RC noted three boats had just broken the plane of the starting line. "Magoo" was identified, the other two were not.
- 5) The RC made the starting signal and then one sound signal. Five to six seconds later the RC displayed flag X.
- 6) "Magoo" heard the start sound signal and a second sound signal and looked at the signal boat. She did not see flag X displayed.
- 7) After about 1 ½ minutes of sailing, another boat hailed her to inform her she was over early.
- 8) "Magoo" sailed back to the prestart side of the starting line and, en route, saw flag X displayed.
- 9) "Magoo" was scored 4th in the race.
- 10) The corrected time margin between 1st and 4th in the race was 2:45 (m:ss).

CONCLUSIONS AND RULES THAT APPLY:

- 1) When the RC identifies boats on the course side at the starting signal they are required to promptly display flag X with one sound (RRS 29.1). Displaying flag X after 5-6 seconds is not "promptly".
- 2) It was not obvious to "Magoo" that she had not started just after the starting signal.
- 3) Because Flag X was not displayed promptly, "Magoo" sailed 2 or more minutes before returning to the start area to start properly. It is possible that this made her score significantly worse through no fault of her own.
- 4) By not promptly displaying flag X, the race committee committed an improper action that may have caused "Magoo's" score to have been made worse through no fault of her own which entitles her to redress under RRS 62.1(a).
- 5) Redress given "Magoo" under RRS 64.2 for race seven will be average points as described in RRS A10(b).

DECISION:

Redress: ☐ not given ☒ given as follows: **Average points as described in RRS A10(b).**

| | |
|--|---|
| PROTEST COMMITTEE: Members: Charlie Roskosz, Fred Molnar, Mike Gross (Chair) Chairman's signature: mikegross Date and Time: 6/29/17 2040 hrs | Written decision requested When _____ By whom _____ Date provided _____ |
|--|---|