



# PROTEST COMMITTEE DECISION

Case No.  
2023-01

With Case(s):

Race:  
Furlined Race #2

## PARTIES

Boat or Committee or Person	Class/Fleet	Represented By / Not Present
1767 Cap'n Crunch	PHRF	Not Present

## WITNESSES

Name	Boat – Committee – Role
Rod Gardner	1009 Scallywag. Witness for Protest Committee

Valid – Yes / No (if 'No' use Facts Found to document this decision)

**Case Introduction:** (Type of hearing and one or two sentences to set the scene of the case e.g. 'A boat to boat incident at the leeward mark' or 'A request for redress for being scored OCS.')

- A request for redress for being scored DNF.

**Procedural Matters:** (Conflicts of Interest, parties not present, extending time limits)

- No conflicts of interest.
- Josh Wiwcharyk 1767 Cap'n Crunch did not attend the hearing.
- The Protest Committee found the request was valid.

**Facts Found:**

- Wind was 7-10 knots from NE, flat water.
- Boats were returning into the river mouth to finish at the NOLSC flag pole.
- Prior to the incident, 11 Ali Kat (J88) was first boat, followed by 1252 Bad Habit (J24) and both were in the river. 1012 Rampant (Shark) was 3<sup>rd</sup> just off the Coast Guard dock, overlapped by 1009 Scallywag (Shark). 909 Afternoon Delight (Shark) was approaching the CG dock overlapped by 1797 Cap'n Crunch (Shark). 178 Blue Yonder (Aloha 8.5) was still in the lake.
- 909 hit a rock at the river mouth just downstream of the CG dock and broke their rudder off. They lost control and retired from racing.
- 1767 started their engine and rendered assistance, dropped their sails, retired from racing and towed 909 upstream and across the river to the Canadian side.
- 1009 eased sails and maintained speed against the current, ready to provide assistance.
- 1012 turned to assist and retrieved the floating rudder belonging to 909.
- 1252 started their engine and turned downstream to assist.
- Once 909 was under tow, 1009, 1012 and 1252 continued racing and finished.
- 1009 spent approximately 5 minutes standing by.
- 1009 placed first on corrected time. 1012 placed fourth on corrected time.



NOLSC and YYC



## PROTEST COMMITTEE DECISION

### **Conclusion & Rules:**

- Boats 1767, 1009, 1012 and 1252 provided assistance or attempted to in accordance with RRS 1.1 and are eligible for redress.
- Based on positions before the event, the wind conditions and the recorded results, the PC concluded that 1012, 1009 and 1767 would have finished in the first three positions had they not responded to assist.
- The PC recognizes that 1252 responded and turned around, but was not able to accurately determine the time lost by their actions

### **Decision**

- In accordance with RRS 64.3:
  - o 1009 Scallywag is to be scored 1<sup>st</sup> as recorded,
  - o 1012 Rampant is to be scored 1<sup>st</sup> (RDG), tied with 1009 Scallywag,
  - o 1767 Cap'n Crunch is to be scored 3<sup>rd</sup> (RDG),
  - o 1252 Bad Habit is to be awarded 1 minute subtracted from their Uncorrected Elapsed Time.

### **Protest Committee:**

- Andrew Durward, Chair
- Glen Berglund
- John Mills

### **Signed:**

### **Date/Time:**

April 24, 2023