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Date: Wednesday, January 11, 2023 at 2:46 PM  
Subject: Member Suspension in Fleet 1

At the J/105 Executive Committee (EC) meeting held on January 9, 2023, the J/105 EC voted to suspend the Class membership of Timothy Russell for the 2023 calendar year.

Because Mr. Timothy Russell will not hold a valid Class membership in 2023, he will not be able to act as Owner / Driver of a J/105 for one-design racing as described in Section 3 of the J/105 Class Rules.

### **Background**

On October 25, 2022, the Protest Committee for the 2022 Rolex Big Boat Series conducted a Rule 69 hearing to consider allegations that Mr. Timothy Russell (owner of J/105 Ne\*Ne) and Mr. Arne Vandenbroucke boarded the J/105 Maverick at 8:57pm on Saturday, September 17 and tampered with the boat's lifelines.

As a result of this hearing, the Jury determined that Timothy Russell and Arne Vandenbroucke each committed misconduct under RRS 69.1(a) during the event and that Ne\*Ne shall be scored DNE in all races (1-7) under RRS 69.2(h)(2).

The Jury referred the decision to both US Sailing and the J/105 Class Association. The J/105 Regatta Committee (Class Officers) have met and discussed this topic on multiple occasions. For privacy reasons, the Jury did not provide the Class with all of the proceeding documents. However, the fact that the incident involved action between two J/105 Class members made a compelling case for the Class EC to take action.

The J/105 Class Constitution Section 6 provides guidance on the grounds for member suspension.

### **MEMBER SUSPENSION**

6.1 A Member may be suspended or removed from the Class by the Executive Committee for: a) committing an unlawful act in relation to the Class or one of its Members; b) any unsportsmanlike conduct contrary to the interest of the Members of the Class; or c) intentional violation of the Class Rules. 6.2 A Member shall not be entitled to the return of any part of his Class dues in respect of any period for which he/she has been suspended or removed from membership.