HEARING REQUEST

for **protests**, requests for **redress**, and **reopening**

ussailing.org

FOR COMMITTEE USE

Time & date received _____ Rec'd by _____

Protest time limit _____ Filing # _____

Race # | **Day/Date of Race** | **Event/Series**

Type of Hearing ☐ Protest ☐ Redress ☐ Reopening

Boat or Committee Protesting or Requesting
Making allegation, claim, or request

Boat (sail # / name)	
-OR- Committee	
Represented by	
Mobile	
Email	

Protestee(s) or Committee/Body
Alleged to have broken a rule, or made an improper action or omission

Boat (sail # / name)	
Boat (sail # / name)	
Boat (sail # / name)	
Boat (sail # / name)	
-OR- ~~Committee/Body~~	

For a protest only, informing the protestee How did you inform the other boat of your intent to protest?

			If "Yes" when (for each)?		
By hailing?	☐ No	☐ Yes		Words used?	
By displaying a red flag?	☐ No	☐ Yes			
Some other way?	☐ No	☐ Yes		Where / how?	

The incident

For a protest: When and where did it happen? (e.g. ½ way along first upwind leg, pre-start just below pin, etc.)

For protests, please describe the incident. For redress or reopening, please state the reasons.

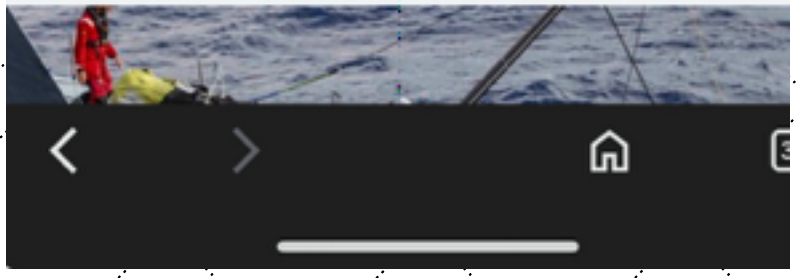
Rules alleged to have been broken

For either a protest or

Diagram Include wind asons)

2025_Transpac_07.11.25_sg_020677 ☆ 1

2025_Transpac_07.11.25_sg_021116 ☆ 1



Witnesses Please list by name

USE ONLY TO WITHDRAW FILING

I request to withdraw this filing

Signature of representative

Print name

Filing withdrawal approved

Signature of PC member

Print name

Hearing: *BADPAK* vs. Protest Committee, *LUCKY*
18 July 2025, 1430 HST

Parties

Initiator: *BADPAK*
Respondents: Protest Committee (PC), *LUCKY*

Procedural Matters

1. The hearing was conducted via video conference. The parties, witnesses, and members of the hearing panel were all offsite and remote from each other.
2. *BADPAK* was represented by Artie Means, navigator of *BADPAK.*
3. *LUCKY* was represented by Stan Honey, navigator of *LUCKY.*
4. *BADPAK* indicated on her hearing request that she was protesting, requesting redress, and requesting a reopening.
5. *LUCKY* had not received a copy of the hearing requests prior to the hearing. One was provided, and *LUCKY* was offered time to prepare for a hearing. *LUCKY*, in the interest of expediency, agreed to continue with the hearing, but requested the right to ask for a recess to be able to prepare for specific areas as needed.
6. NoR 1.2, as amended, deleted the US Sailing prescriptions to RRS 63.1 and to the preamble of Part 5, Section B.
7. The hearing panel considered the validity of each of these hearing requests individually, as the requirements for each were different.

Facts Found

Validity

Protest

1. *BADPAK* delivered its *protest* to the race office via email.
2. *BADPAK* did not notify *LUCKY* of her *protest*.
3. *BADPAK* stated that she did not intend to protest *LUCKY*, rather that she was protesting the protest committee as a result of the PC decision in the Race Committee (RC) vs. *LUCKY* hearing.
4. *BADPAK*'s *protest* alleged a breach of RRS 69.

Request to Reopen

5. *BADPAK* was not a *party* to the hearing in the *protest* between the RC and *LUCKY*.
6. *LUCKY*, as a *party* in the earlier hearing between RC and *LUCKY*, declined to request that the earlier hearing be reopened.
7. *BADPAK* acknowledged she did not have any significant new evidence to share with the PC.

8. *BADPAK* alleged the PC made a significant error in the hearing for RC vs. *LUCKY*.
9. This hearing panel included all three of the members from the hearing panel for RC vs. *LUCKY* and two new members.

Request for Redress

10. *BADPAK* finished at 204305 HST 12 July 2025.
11. The time for the RC vs. *LUCKY* hearing was posted on the Transpac Official Notice Board (ONB) at 0900 HST 15 July 2025.
12. The RC vs. *LUCKY* hearing commenced at 1200 HST 15 July 2025, as scheduled.
13. The written decision in the RC vs. *LUCKY* hearing was delivered to the RC at 1115 HST 16 July 2025, and posted on the ONB shortly before 1200 HST 16 July 2025.
14. After being informed by someone else, *BADPAK* became aware of that protest and decision at 1400 HST 17 July 2025.
15. *BADPAK* filed her hearing requests at 1042 HST 18 July 2025.

Conclusions

Validity

Protest

1. Because *BADPAK* intended to lodge a complaint against the protest committee, the *protest* did not comply with the definition *Protest*.
2. *BADPAK* failed to inform *LUCKY* of the protest at the first reasonable opportunity as required under 60.2(b)(1) and 60.2(b)(3).
3. Contrary to RRS 60.4(a)(3), the *protest* alleges a breach of RRS 69.

Request to Reopen

4. *BADPAK* was not a *party* to the hearing RC vs. *LUCKY*. Therefore, the requirements in RRS 63.7(b) for reopening the hearing are not met.
5. The evidence that *BADPAK* intends to present is not new. Therefore, the requirements in RRS 63.7(a)(3) for reopening the hearing are not met.
6. The protest committee did not make a significant error in the original hearing. Therefore, the requirements in RRS 63.7(a)(2) for reopening the hearing are not met.

Request for Redress

7. *BADPAK* failed to deliver the hearing request as soon as reasonably possible after the relevant information was available, as required by RRS 61.2(b)(3).
8. There was no good reason for the PC to extend the time for filing the request.

Decisions

Validity

Protest

1. The *protest* is invalid.

Request to Reopen

2. *BADPAK*'s request to reopen the hearing is invalid.
3. The hearing RC vs. *LUCKY* will not be reopened.

Request for Redress

4. The request for redress is invalid.
5. The hearing is closed under RRS 63.4(a)(1).

Hearing Panel
Kevin Hawkins, John Christman, Michael Roth, Phillip Katzman, Bruce Ladeira

Decision Delivered
Verbally: 18 July 2025, 1535 HST
Written: 19 July 2025, 1000 HST