

- 1) Event: Morf Open, Race 1 Sep 15 2018
- 2) Type of hearing: Consideration of redress by protest committee
- 3) Boats being considered for redress: Whisper, Tide the Knot, Gaucho
- 4) Incident: Direction of US Sailing appeals committee to consider redress for the boats after they were DSQ.

- 1) It is very unclear where and what the ONB (official Notice Board) is. To begin with, NoR 6, Sailing Instructions, states that the SI's would be "available before 2000 on Sept 22 (sic), 2018 on the ONB on the MORF homepage: <http://morfracing.org/index.jsp>." This is an improper action of the OA (organizing authority)

The NoR and the SI's contain links to the MORF website for Notices to Competitors and SI's, etc. When one gets to that site there is no clear link indicating "Notices to Competitors" or "Official Notice Board." It is only after scrolling down to the bottom of the home page, to a section called "Recent Posts," that there is any mention of an ONB. There one finds several posts, one that has "NoR and SSI's" in the title. It is there, on page 2, that there is a paragraph indicating links to the event NoR and SSI. Indeed, when you arrive at the MORF website, not only is there no clear link to "Notices to Competitors" or an "Official Notice Board," there is a clear section called "Racing," and in that section there is a clear section called "Sailing Instructions." It is reasonable to assume these are the sailing instructions for the event.

That link connects to the 2018 MORF Race Book which includes "Sailing Instructions" in its title. In that book there is a section called "General Sailing Instructions" (beginning on page 7). Furthermore, in the "official" sailing instructions dated Sept 15-16, 2017 (sic), found in the "Recent Posts" section, SI 2, Notice to Competitors, uses this site "<http://morfracing.net>," which takes you to the MORF website home page, where, as stated above, there is no clear link indicating "Official Notice Board." Therefore, due to the fact that there is no link provided in the NoR or SI's to the ONB and that competitors are sent to the MORF website for Notices to Competitors with no clear link to Notices or the ONB once there, it is understandable that competitors were confused by these improper actions and omissions of the OA and RC. And it is reasonable that competitors would assume that once they were on the MORF webpage, they were where Notices to Competitors were, and it is reasonable for them to begin by clicking on "Racing."

- 2) Regarding the course, NoR 7, Regatta Venue and Courses, describes the closed courses to be used. It states "SA7 Circle marks will be used. Courses found on pages 12-19 of the MORF 2018 Race Schedule and Sailing Instructions (MORF Race Book) at: morfracing.org/meta/racebook/MORFacebook_web_version.pdf." Unfortunately, this link takes you to the 2017 MORF Race Book (not 2018), and the page numbers are incorrect; another improper action of the OA.

On page 21 of the 2018 MORF Race Book (which is the Race Book referred to in NoR 7, the "S" course, which is the course used in the race in this appeal, is shown with a gate (i.e., leaving mark SA7 to starboard). Later in the 2018 MORF Race Book, on page 39 is a section called "Special Sailing Instructions." On page 48 is a listing for what we believe is the regatta in this appeal, but the dates are incorrect. This is another improper action of the OA. And there is nothing about the course description in this special SI (SSI).

Also on the MORF website under "Racing" is a link to "Race Sign Up" and in there is a section called "MORF Races Open to all - click for NOR/SSIs." There you find a link to what appears to be the "special sailing instructions" for the event but not the NoR; another omission of the organizing authority.

Furthermore, the sailing instructions in that section are titled "2018 Skyway Yacht Works MORF Open, September 15-16, 2018, Sailing Instructions," which are the correct dates of the event. We note the dates of the event in the SI's found through the link titled "Official Notice Board" are "September 15-16, 2017." This is an improper action of the RC and clearly confusing to the competitors.

To reiterate, the SI's in the "Racing" section show the "S" course to have a gate and to leave SA7 to starboard (SSI 8.1), whereas the "official" SI's show the "S" course to not have a gate and to leave SA7 to port (SSI 8.1). Therefore, due to the fact that there was no clear ONB and several versions of sailing instructions that conflicted with each other posted on the MORF website, it is understandable that competitors were confused by these improper actions and omissions of the OA and RC, and reasonable that competitors would be confused about what course to sail.

The protest committee requests that pursuant to World Sailing case 45, the boats be allowed to round the leeward mark to port or through the gates, and that Gaucho, Whisper and Tide the Knot be reinstated in their original position.

See US Sailing Appeals Committee file 18-08

Dennis Bartley

Midwest Open Fleet Protest Committee Chair