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DECISION ON APPEAL, Appeal #11-01
HUGE #6375 vs RACE COMMITTEE
Friday Night Series, Race #6
South Beach YC, June 24, 2011

August 31, 2011

SUMMARY OF SITUATION:

HUGE and ADVENTURE were two of ten Catalina 30's competing in a one-design competition, a division of the 2011 Friday Night Series hosted by the South Beach YC. The first race of the series was on April 29 and the sixth race was on June 24. HUGE and ADVENTURE were leading the first "half-series" going into the 6th and final race.

Official results for each race were posted on the Official Notice Board (ONB) at SBYC in the evening following each race and series standings were also updated and posted. On the day following each race, updated results and standings were also posted on the Club website. There is a prize-giving ceremony at the Club in the evening at the conclusion of each Friday's racing.

On June 24, after the 6th and final race for the first "half-series" and after the prize giving for that night had taken place, a mistake in the scoring on the website was discovered in which the scores posted for Race 4 had been mysteriously altered. The standings for the Catalina division were affected, and 1st and 2nd place positions were reversed for the "half-series."

It was believed that the mistakes posted on the website caused some boats in Race 6 to have chosen tactical strategies based on incorrect standings for the "half-series." A request for redress was submitted and a hearing took place on July 14, 2011. The decision of the protest committee has been appealed by HUGE.

FACTS FOUND BY THE PROTEST COMMITTEE:

1. The week before Race 6 the correct series results were posted on the website through Race 5.
2. During the week before Race 6 the results were unexplainably altered so that R3 results were duplicated as Race 4 results.
3. HUGE developed a strategy for Race 6 based on the erroneous results – to not allow ADVENTURE to finish more than one place ahead of HUGE. HUGE had another strategy available – to beat ADVENTURE outright.
4. HUGE elected the strategy to finish one place behind ADVENTURE and executed that strategy successfully.
5. The RC corrected the R4 scores after R6 was complete.

CONCLUSIONS OF THE PROTEST COMMITTEE:

1. HUGE did not demonstrate that her score in R6 was made significantly worse through no fault of her own [RRS 62.1].
2. The action of correcting R4 scores is not improper [RRS 62.1(a), Appeal 44]

DECISION AND APPLICABLE RULES:

Redress is not given.

BASIS FOR APPEAL BY HUGE:

1. The RC posted results for the Friday Night Series on its website. Although initially these results were accurate, the results of Race 4 were subsequently changed and miss-posted.
2. HUGE based her boat-on-boat tactics for Race 6 on the RC's admitted miss-posted results.
3. The conclusion incorrectly states that HUGE did not demonstrate that her score in Race 6 was made significantly worse through no fault of her own.
4. In fact, HUGE's score was made significantly worse as a result of the RC's mistake when consideration is given to tactics based on her score in the Series (per two options described in detail by HUGE).
5. Because of the RC mistake, HUGE chose a less likely option for winning Race 6, but instead chose an option which was more likely to result in HUGE winning the first "half-series."
6. HUGE has suggested a redress solution that does not denigrate the accomplishments of her primary opponent (ADVENTURE), but that does acknowledge the significant negative impact (on HUGE) of the RC mistake. HUGE suggests she be awarded a "tie for first" in the first "half-series."

DECISION OF APPEALS COMMITTEE:

Based on the Facts Found, AAC notes that the Club website incorrectly displayed the Race 3 results in the Race 4 column for a period of a few days immediately prior to Race 6. The RC must accept responsibility for the mistake on the website. Correcting the error on the website was not an improper action by the RC (per RRS 62.1(a)).

A quick glance at the results on the website after Race 5 suggests that HUGE and ADVENTURE were the primary contenders for the first "half-series" honors, and that with only one race remaining none of the other eight competitors were likely to win the first "half-series."

AAC believes that during the days immediately prior to Race 6, the website mistakenly displayed the score line for HUGE as 1, 4, 1, 1, 1; and at the same time the score line on the website for ADVENTURE was displayed as 10, 1, 2, 2, 3 (per facts found). So, going into the final race, HUGE appeared to be ahead with a total score of 4 (with one discard), compared to ADVENTURE with a total score of 8 (with one discard).

AAC believes that when HUGE composed her strategy for Race 6, she should have remembered that she had NOT finished in front of ADVENTURE in all of the most recent races (Races 3, 4 and 5), and that something might be wrong with the scoring as displayed on the website.

AAC believes that when HUGE composed her strategy for Race 6, she should have noticed that the finish positions of all ten competitors, as displayed on the website, were identical for Races 3 and 4 (perhaps something was wrong?).

AAC is concerned that during the hearing HUGE was unable to recall or provide the scores she actually used in composing her strategy for Race 6.

AAC believes that the finish positions posted on the Official Notice Board (ONB) were correct all along (through the finish of Race 6) and had not been altered like the results posted on the website. AAC notes that information posted on the website is declared "to be provisional and subject to modification."

AAC believes that HUGE was guilty of numerous oversights: For example, HUGE should have recalled that she finished 3rd in Race 4 (not 1st), she should have noticed that the scores on the website were displayed as identical for Races 3 and 4, she should have recalled that information posted on the website was "provisional and subject to modification," and she should have compared the suspicious results on the website to those on the ONB.

AAC rules that HUGE failed to satisfy the THROUGH NO FAULT OF HER OWN requirement of RRS 62.1. The appeal is denied and the results for the first “half-series” stand as currently published.

THE APPEALS COMMITTEE OF THE YACHT RACING ASSOCIATION OF SAN FRANCISCO BAY.

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