

Chuck:

I have taken some time after your presentation to the Working Committee on 9-3-08 (as I've been traveling on business and vacation for 2 weeks), to allow my initial reaction to what you represented as factual to subside. But I cannot let your statement go unchallenged. If this were just a matter between the two of us, I might have let it go, but since you chose to defame me in a very public context, I must set the record straight.

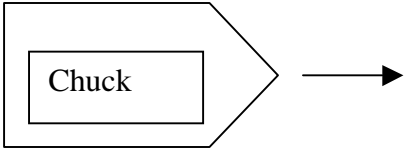
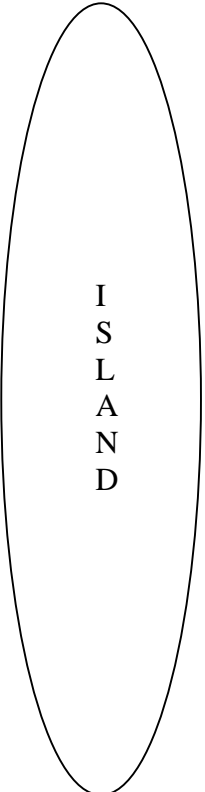
Let me be clear at the outset: I accept responsibility for my part in the "close call" that we experienced on Lake Davidson on August 9, 2008. What is clear is that you accept no responsibility, and that you have embellished and changed your version of what took place several times. These are the most critical issues:

1. There was no collision between our boats. Our paths crossed very closely, but there was no contact. When we spoke immediately after, as well as when you came to the Lake Davidson Park dock approximately one hour later, you said nothing about our boats having touched. This is an aspect of your story which you added only when you called the police later that day. I am sure that we both would have felt the contact if it had happened, which it did not.
2. The incident took place at the widest and deepest part of Lake Davidson, not in one of the coves or a narrow "channel", and the lake was nearly full. (see next page for diagram) We were traveling north towards the Transco Road boat launch, and you were traveling east, from the island direction towards the land between the Ingersoll Rand cove and the Davidson Bay cove. We turned around and came back to make sure that you and your wife were okay, but this was the reverse direction in which we had originally been traveling.
3. Your boat was not stuck in the mud. The water where you were motoring is at least 15-30 feet deep. There are no shallow spots at that portion of the lake; I challenge you to find one. If your boat had been stuck, our boat with its 22" depth of draw would have been stuck as well, and we were not. At no time when you spoke to me on August 9 did you mention anything about being stuck, nor is it factually possible.
4. It is true that I pointed out to you that boating regulations dictate that the motorized craft coming from the port side must yield to the craft approaching from its starboard, and that this meant that from a boating rules perspective (see p. 20 of the NC boating guide – atchd.), you should have yielded to our vessel. I never said or implied that when I am out on the lake in my "fast boat" that anyone else in the vicinity goes out at their peril. This is offensive, and in no way reflects my views of boating etiquette. That being said, our group in our boat had been on the same part of the lake, and repeating the same routine for 2.5+ hours, going back and forth, teaching new wake-boarders. There were other boats on the lake, in our vicinity, which included both motorized boats as well kayaks, and there were no issues or conflicts with respecting each others' activities.
5. You told the committee that we were going "near full speed" and were pulling a skier. That is blatantly false. Our boat will go 45-50mph, and "pulling a skier" as you alleged, normally requires between 25-35 mph. We were pulling a wake-boarder, and the MAXIMUM speed was 18 miles per hour.

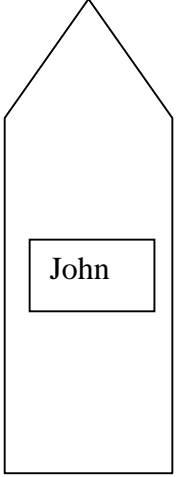
As I said at the time and have continued to say, I acknowledge my portion of responsibility for the incident (in not seeing your vessel earlier), and I am certainly sorry that it happened. I didn't say "I accepted full responsibility for the collision", as you told the committee. It is the first and only time in my 35+ years of boating that anything like this has taken place. I do not know what your level of experience is with respect to boating, but I find your continued "spin" on the story inconsistent, inaccurate and offensive.

Sincerely,

John Akin



North



South