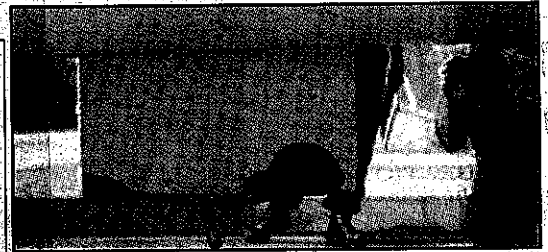


Boat builder sued over Excalibur disaster

Mates died at sea



Suing boat builder . . . John Rogers and Brian McDermott



Snapped off . . . the Excalibur's damaged keel

By PATRICK O'NEIL

TWO sailors who lost their best mates in the Excalibur yachting disaster three years ago will today sue the boat builder for unspecified damages.

John Rogers and skipper Brian McDermott survived the capsizing after the boat's keel snapped 40km off Port Stephens, on the mid-North Coast, on September 16, 2002.

Peter McLeod, Christopher Hayes, Ann Marie Pope and Tracy Luke drowned when the boat overturned in seconds.

Mr Rogers and Mr McDermott floated in a 6m swell for seven hours awaiting rescue.

The pair will sue the engineering companies that built Excalibur and managing director Alex Cittadini for lost earnings, pain and suffering.

Mr Rogers, 53, had known Mr McLeod and Mr Hayes since his early 20s, and met Ms Pope and Ms Luke at the Royal Melbourne Yacht Squadron. He said he was still haunted by their deaths.

A coroner's inquest into the tragedy has heard a structurally-unsound keel, which had been cut and re-welded, was to blame for the \$1 million ocean racer capsizing. The inquest heard the owner

or crew were not told about the re-welding and it was only a matter of time before it broke.

Mr Rogers likened welding a keel back on to snapping off the wing of a 747, sticking it back on, and hoping for the best.

"It was a disaster waiting to happen and we weren't told anything. We want to get to the bottom of who cut it, why it was cut, and why we weren't told about it," Mr Rogers said.

"There's normally 10 crew on board, so more lives could have been lost. It tears me up quite a bit," Mr McDermott said.

As the men turned the 15m yacht in high winds on September 16, 2002, the keel fell off and the boat capsized in a matter of seconds — trapping four crew.

Mr Rogers and Mr McDermott suffered hypothermia and were nearly run over by a 60,000 tonne bulk carrier.

The coroner's inquest is yet to find who cut and re-welded the keel. The yacht's builders have all denied involvement.

Those responsible could face manslaughter charges and huge fines.

Lawyer Lee Flanagan, said his clients' lives would never be the same: "Four people are dead and those responsible will held accountable. This incident has devastated my clients."