

DECISION

Request Number: 10

Protest

Event: US Laser National Championships **Race Number:** 7

Hearing Date: 2017-07-24

PARTIES AND WITNESSES

Initiator: Laser - USA 208381 - Cameron Feves

Respondent(s): Laser - USA 176124 - Peter Phelan

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Not required

DECISION: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

1. At five boat lengths from Mark 5 (leg 6), 206105 was inside and to windward of 208381, with 176124 outside and to leeward with 208567 furthest outside and leeward most.
2. The parties agreed that 208381 and 176124 were overlapped at 5 boat lengths from the mark.
3. The parties disagreed over the existence of an overlap as the first of them entered the three boat length zone.
4. 208381 hailed for mark room from 176124 at 3 boatlengths
5. At approximately 1 boatlength, 176124 had broken the overlap and altered to windward, denying mark room to 208381, but did give room to 206105.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Absent corroborating witness testimony, the PC finds that:

- 1.) At the last point of certainty, an overlap between 208381 and 176124 existed.
- 2.) There was reasonable doubt that the overlap had been broken at three boat lengths.
- 3.) Per 18.2(e.), if there is reasonable doubt that the boat obtained or broke an overlap in time, it shall be presumed, she did not.

DECISION

Protest Upheld

176124 shall be scored DSQ for Race 7

Date & Time: 2017-07-23 19:06 PDT

PROTEST COMMITTEE

Chaired By: Paul Zupan (USA)

Committee Members: Mark Townsend (USA), Grant Baldwin (USA), Paul Zupan (USA)

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