

DECISION

Request Number: 9

Protest by PC

Event: Zhik 29er World Championship Race Number: 5

Hearing Date: 2017-08-01

PARTIES AND WITNESSES

Initiator: International Jury

Respondent(s): 29er - USA 1844 - Sebastian Clark

Witnesses: Damien Boldyrew & Paul Zupan

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Hail not required

Red Flag Displayed: No

DECISION: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

1. The hearing proceeded without the protestee under RRS 63.3(b).
2. 1844 approached the windward mark on port tack, tacked to starboard to leeward of another boat and within 5 meters of the mark.
3. 1844 hit the windward mark, catching the mark on her port wing, contact was lengthy and obvious and moved the mark.
4. 1844 failed to take a penalty turn after hitting the mark.
5. 1844 retired from the race after this protest was filed by the jury and posted.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1844 knowingly broke RRS 31 and knowing did not take the appropriate penalty until the protest had been filed therefore breaking RRS 2.

DECISION

Protest Upheld

1844 shall be scored DNE for race 5.

Date & Time: 2017-08-01 19:44 PDT

PROTEST COMMITTEE

Chaired By: Elias Gonzalez (MEX)

Committee Members: Damien Boldyrew (AUS), Ben Fels (AUS), Elias Gonzalez (MEX), Ron Wood (USA), Paul Zupan (USA)

Printed: 09 Aug 19:20