

# DECISION

Protest

**Request Number: 13**

**Heard Jointly With Number(s): 14, 15**

**Event:** Etchells World Championship    **Race Number:** 5  
**Hearing Date:** 2017-09-29

## PARTIES AND WITNESSES

**Initiator:** Etchells - BER 1249 - Thrash - Tim Patton

**Respondent(s):** Etchells - USA 922 - IMP - Dale Hoffman

## VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Protest hailed

**Red Flag Displayed:** Yes

**DECISION:** Request Valid

## PROCEDURAL MATTERS

## FACTS FOUND

1. 1249, 922, 1243 and 1433 were going downwind approaching the leeward gate mark for a right hand turn. Another boat (1435) boat was clear ahead at the zone.
2. 1433 passed behind the other three boats on port gybe and turned downwind,
3. As 1249, 922, 1243 and 1433 entered the zone, all four were overlapped on and converging toward the right hand mark
4. 1249 was the inside boat and hailed for room,
5. 922 next to 1249, passed on the hail to 1243 and 922
6. 1249 hit 1435 amidships as she was rounding the mark, causing damage
7. There was contact between 1243 and 1433 (no damage).
8. No penalty turns

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

1. 1435 as clear ahead boat was entitled to mark room. She could not reasonably avoid the collision with 1249
2. When it became clear that 922 was not giving mark room to 1249 it was not reasonably possible for 1249 to avoid colliding with 1435.
3. By failing to give mark room to 1435, 1249 broke rule 18.2(b) but is exonerated by rule 21.
4. By failing to give mark room to 1249, 922 broke rule 18.2(b) but is exonerated by rule 21.
5. By failing to give mark room to 922, 1243 broke rule 18.2(b) but is exonerated by rule 21.
6. 1433 failed to give mark room to 1243 as required by rule 18.2(b).

## DECISION

Protest Upheld  
1433 is scored DSQ for race 5

**Date & Time:** 2017-09-28 19:42 PDT

## PROTEST COMMITTEE

**Chaired By:** Douglas Sloan (USA)

**Committee Members:** Luca Babini (ITA), Ron Barak (ISR), Dick Watts (USA), Paul Zupan (USA)

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