

# DECISION

Request No.: 02

## Protest

Event: Eurilca Master Series 2023 - Lago di Garda Stages Race Number: 3  
Hearing Schedule: 2023-09-30

### PARTIES AND WITNESSES

Request No.: 02: Ilca7 - GER 217147 - Nico Schäfferling

Ilca7 - ITA 218049 - Alberto Tevini

Witnesses: Jury

### 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

Elisa Polito is translating to Italian, Alen Kustic to english

### FACTS FOUND

Wind 12 kts, waves up to 0.5 meter

GER 217147 on starboard sailing upwind on collision course with ITA 218049 sailing downwind on starboard aiming to pass behind GER. When boats were less than one length apart ITA 218049 luffed sharp trying to avoid GER. GER luffed as well but failed avoid to contact. ITA sheet went across GER bow and ITA capsized. ITA helm went into water. ITA after some time climbed on GER boat and was exhausted

ITA managed to release sheet and GER continued to race and finish race 3. ITA has retired. No boat has taken a penalty turn. There is a cracked gelcoat on GER bow approx 4 x 4 cm. ITA rudder has been damaged

Diagram: Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

Rules: 11, 14

1. ITA to windward failed to keep clear of GER to leeward, and broke RRS 11.
2. ~ It was not reasonably possible for GER, the right-of-way boat to avoid contact with ITA when it was clear that ITA was not keeping clear. GER did not break RRS 14.

### DECISION

Date & Time: 2023-09-30 18:10 CEST

Protest is upheld. Since ITA took an applicable penalty, she is not further penalized under RRS 64.2(a).  
Redress is not given.

### PROTEST COMMITTEE

Committee Type: Protest Committee

Chaired By: Elisa D'ippolito (ITA)

Committee Members: Alen Kustic (CRO), Bob Milner (GBR), Ulrich Fischer (GER)