

# DECISION

Request No.: 59

## Protest

Event: Campionato Italiano Giovanile doppio OPEN Race Number: 1  
Hearing Schedule: 2023-09-09 19:20

### PARTIES AND WITNESSES

Request No.: 59: 29er - Blue - 2798 - David Plettner

29er - Blue - 2705

### 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

Il CdR non è stato informato poiché la barca non ha terminato la prova per i danni

### FACTS FOUND

1. Race 9, windspeed 12kts , on the second run,
2. GER 2798 on port clear ahead of ITA 2705 with no jennaker,
3. ITA 2705 established an overlap to leeward of GER2798 having the jannaker up,
4. ITA 2705 while overtaking GER 2798 with crew on the trapeze rolled to windward
5. The 2 mast got stuck and the mailsail of GER 2798 was ripped.
6. No boat finished.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 15, 14

1. ITA 2705 non ha evitato il contatto quando era ragionevolmente possibile, ed ha infranto la RRS 14.
2. Quando ha acquisito diritto di rotta mediante le proprie azioni, ITA 2705 non ha inizialmente dato spazio a GER 2798 per tenersi discosta, ed ha infranto la RRS 15 .
3. La posizione di GER 2798 nella R 9 è stato/a significativamente peggiorato/a, senza alcuna sua colpa, da danni materiali dovuti all'azione di ITA 2705 che stava infrangendo la RRS 15 e che si è ritirata. Pertanto, sono soddisfatti i requisiti della RRS 62.1[(a)] per la riparazione.
4. It was reasonably possible for ITA 2705, the right-of-way boat to avoid contact with GER 2798 when it was clear that GER2798 was not keeping clear. ITA 2705 did not break RRS 14.
5. When acquiring right of way through her own actions, ITA 2705 failed to initially give GER 2798 room to keep clear, and broke RRS 15 .
6. GER 2798 place in race F1 and F2 was made significantly worse through no fault of her own by physical damage because of the action of ITA 2705 that was breaking RRS 15 and took an appropriate penalty. Therefore, the requirements for redress in RRS 62.1(b) are met.

### DECISION

ITA 2705 has retired, no further penalty

GER 2798 redress given in F1 and F2 average of the final races except F1 and F2

Date & Time: 2023-09-09 19:56 CEST

### PROTEST COMMITTEE

**Committee Type** Protest Committee

**Chaired By:** Bojan Gale (SLO)

**Committee Members:** Tito Morosetti (ITA), Valentina Anguillesi (ITA)

