

# DECISION

Request No.: 32

## Request to Reopen

Event: 40 Copa del Rey MAPFRE Race Number: 10  
Hearing Schedule: 2022-08-06 17:30

### PARTIES AND WITNESSES

**Request No.: 32:** Orc 3 - Ita 31041 - Scricca - Raffaele Valsecchi

Orc 3 - Ger 7444 - Magnus Masilge

**Witnesses:** ITA190 Gabriele Spotorno

### 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

ITA was not aware of the new witness on August 5. Request to reopen is granted On August 6 at 17.33. Hearing reopened at 18.10..

### FACTS FOUND

Approaching the first windward mark, GER7444 and ITA31041 were sailing on port tack with ITA31041 to leeward and clear ahead.

ITA entered the zone clear ahead.

On the layline, ITA luffed to tack and GER, about 3/4 boat length behind, also started luffing and the boats became overlapped..

ITA passed head to wind and GER continued luffing. The distance between the boats were 3/4 boat length

ITA31041 completed her tack and xGER7444 continued luffing and there was contact between the starboard stern corner of GER7444 and the port side of ITA31041 1 m in front of the mast.

GER did not fetch the mark.

GER completed a penalty turn when bearing away and tacking to round the mark.

There was damage.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

#### Rules:

When acquiring right of way through her own actions, ITA31041 failed to initially give GER7444 room to keep clear, and broke RRS 15.

It was not reasonable for GER7444 to avoid contact.

### DECISION

ITA31042 is DSQ in race F4

Date & Time: 2022-08-06 18:46 CEST

### PROTEST COMMITTEE

**Chaired By:** Pinar Coskuner Genc (TUR)

**Committee Members:** Manuel Santos e Silva (POR), Mats Björklund (FIN)