

DECISION

Request Number: 2

Protest and Request for Redress

Event: Alcatel J/70 World Championship Race Number: 2

Hearing Date: 2016-09-27

PARTIES AND WITNESSES

Initiator: J70 USA 389 Hooligan

Respondent(s): J70 Esp 961 Noticia

Interpreters: Luis Martin Cabiedes

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. ESP established an overlap to leeward of USA from clear astern.
2. USA and ESP both rounded the windward mark on stb tack.
3. When entering the zone of the offset mark, USA was overlapped to the outside of ESP.
4. Both boats rounded the mark and bore away.
5. The lateral distance between the boats at that time was less than 1 BL.
6. 3 boat lengths from the mark, ESP lost control of her boat and luffed into USA.
7. Contact occurred between the bow of ESP and the port side of USA.
8. USA suffered a hole to the gelcoat on her port side.
9. USAs bulkhead was damaged and separated from the hull.
10. USA could not finish the race and retired from the race 2 or 3 minutes after the incident.
11. USA can sail tomorrow.
12. ESP took no penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. USA to windward failed to keep clear from ESP to leeward and hereby infringed RRS 11.
2. ESP, by luffing, failed to give USA room to keep clear and hereby infringed RRS 16.1.
3. ESP sailed above her proper course and hereby infringed RRS 17.
4. ESP failed to avoid a collision when it was reasonably possible for her to do so from the time it became clear to her that USA would not keep clear and hereby ESP infringed RRS 14.
5. It was not reasonably possible for USA to avoid the collision and USA did not infringe RRS 14.
6. USA suffered serious damage.
7. USA is exonerated from her breach of RRS 11 under RRS 64.1(a).

DECISION

Date & Time: 2016-09-27 19:26 PDT

Protest Upheld

ESP is disqualified from race 2.

Pending the boats' successful repair, USA is scored in race 2 points equal to her average score, rounded to the nearest tenth of a point based on her results in the series except race 2 and except the races on the last day of racing.

PROTEST COMMITTEE

Chaired By: Grant Baldwin (USA)

Committee Members: Luca Babini (ITA), Grant Baldwin (USA), Thorsten Doebbeler (GER), Warren Nethercote (CAN), Paul Zupan (USA)