

# DECISION

Protest and Request for Redress

**Request Number: 10**

**Heard Jointly With Number(s): 13**

**Event:** Hydrofoil Pro Tour - La Ventana    **Race Number:** 13  
**Hearing Date:** 2017-03-28

## PARTIES AND WITNESSES

**Initiator:** Senior - 40 - Marvin Baumeister Schoenian

**Respondent(s):** Senior - 22 - Kerneur Julien

## VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Protest hailed

**Red Flag Displayed:** Not required

**DECISION:** Request Valid

## PROCEDURAL MATTERS

## FACTS FOUND

1. 40 was sailing on port on the first up wind leg
2. 22 was on port clear ahead of 40
3. 22's kite failed in the heavy wind and collapsed into the water in front of 40.
4. 40 could not avoid sailing into the lines of the now downed kite.
5. 22's kite was damaged such that he could not finish the race.

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

22 failed to give room to 40 to keep clear and broke RRS 16.1

It was not possible for 40 to avoid 22 and she did not break 23.1.

40's score was made significantly worse by the actions of 22 through no fault of her own.

## DECISION

Redress Granted

22 did not finish the race and will not be penalized further. <br>40 is granted redress for race 14 in the form of average points for all races of day 3 except race 14.

**Date & Time:** 2017-03-28 17:30 PDT

## PROTEST COMMITTEE

**Chaired By:** Francisco Jauregui (MEX)

**Committee Members:** Elias Gonzalez (MEX), Francisco Jauregui (MEX), Paul Zupan (USA)

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