

DECISION

Request Number: 8

Protest and Request for Redress

Event: Hydrofoil Pro Tour - La Ventana Race Number: 8

Hearing Date: 2017-03-27

PARTIES AND WITNESSES

Initiator: Senior - 16 - Rogelio Basave

Respondent(s): Senior - 40 - Marvin Baumeister Schoenian

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. 16 sustained damage to her kite as a result of the incident and 40 was aware of the contact at the time.
2. Just before the start 40 was on starboard clear ahead of 16 approaching the line.
3. 40 collided with a third boat breaking rule 11 and capsized.
4. Unable to avoid 40, 16 collided with the stern of 40 as she capsized.
5. 16 sustained a tear to her kite in the incident which caused her to retire from the race.
6. 40 retired from the race.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

40 failed to keep clear of a third boat breaking RRS 11.

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

DECISION

Redress Granted

40 retired and shall not be penalized further
16 is granted redress for race 8 in the form of average point for all the race of day 2 excluding race 8.

Date & Time: 2017-03-27 19:10 PDT

PROTEST COMMITTEE

Chaired By: Francisco Jauregui (MEX)

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

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