DECISION

Request Number: 5

Protest and Request for Redress
Event: Zhik 29er World Championship **Race Number: 2**
Hearing Date: 2017-08-01

PARTIES AND WITNESSES

Initiator: 29er - HKG 2678 - chiken wing - Yann Thierry d'Argenlieu

Respondent(s): 29er - USA 2402 - Louisa Nordstrom

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. After a postponement of race 2, 2678 was on starboard close hauled sailing up the course.
2. 2402 was on port tack on a collision course with 2678.
3. 2402 had limited speed and manueverability because of damage to her rudder.
4. 2578 attempted to avoid the collision, but 2678 and 2402 collided on the aft port quarter of 2678.
5. 2402 retired from race 2.
6. 2678 sustained damage such that the hull was sealed with tape before race 2, but the tape came off during race 2.
7. 2678 again taped the damage before race 3, but the tape came off again in race 3 and she had "5 bowls of water" in it by the end of race 3.
8. The water intrusion in the hull of 2678 significantly affected her performance.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. 2402 failed to keep clear of 2678 and broke RRS 10.
2. 2402 failed to avoid contact with 2678 and broke RRS 14.
3. 2678 sustained damage from the collision such that her score was significantly made worse through no fault of her own in race 3.

DECISION **Date & Time:** 2017-07-31 19:11 PDT

Protest Upheld
2402 shall not be penalized further as she retired.
2678 is granted redress as per RRS A10(b).

PROTEST COMMITTEE
Chaired By: Don Martin (CAN)
Committee Members: Damien Boldyrew (AUS), Elias Gonzalez (MEX), Don Martin (CAN), Ron Wood (USA), Paul Zupan (USA)

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