

# DECISION

Request Number: 4

Protest

Event: Hydrofoil Pro Tour Race Number: 6

Hearing Date: 2017-08-06

## PARTIES AND WITNESSES

**Initiator:** KITEFOIL - FRA 3 - Theo Lhostis

**Respondent(s):** KITEFOIL - USA 30 - John Von Tesmar

**Interpreters:** Soldano, Pablo

## 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      Hearing was held on the day after protest filed.

## PROCEDURAL MATTERS

### FACTS FOUND

FRA 3 and USA 30 were on 1st upwind leg of the race, on starboard tack.

FRA 3 requested for room to tack to avoid an obstruction (sailboat under main/jib, sailing downwind through the kiteboard fleet). FRA 3 made proper hail and required arm signal for room to tack. USA 30 did not respond. USA 30 raised his kite to medium height to avoid hitting sailboat obstruction and passed above (i.e. astern of) sailboat obstruction.

France 3 turned sharply downwind and passed below (i.e. ahead of) sailboat obstruction, then turned upwind resulting in tangling his kite with the sailboat mast. FRA 3 retired from the race. USA 30 continued and finished the race without doing a penalty turn.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

USA 30 failed to respond to a hail for room to tack, breaking rule 20.2b.

### DECISION

Protest Upheld

USA 30 disqualified from Race #6.

**Date & Time:** 2017-08-06 17:49 PDT

### PROTEST COMMITTEE

**Chaired By:** Dick Watts (USA)

**Committee Members:** Nadine Franczyk (USA), Dick Watts (USA), Donald Wieneke (USA)

**Printed:** 09 Aug 19:21