

DECISION

Protest and Request for Redress

Request Number: 09

Heard Jointly With Number(s): 10

Event: J/70 World Championship **Race Number:** 5
Hearing Date: 2018-09-26

PARTIES AND WITNESSES

Initiator: J 70 - Open - USA 1042 - Black River Racing - Douglas Strebel

Respondent(s): J 70 - Open - USA 340 - Rimette - John Brim

Witnesses: Paul Zupan, Jury Member

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. CHI 1038 was on port approaching the finish on a reach.
2. USA 340 was on starboard on a collision course with CHI 1038.
3. USA 1042 was on starboard slightly bow out and to windward of USA 340, also on a collision course with CHI 1038.
4. CHI 1038 entered the zone overlapped with USA 1042 and USA 340.
5. USA 1042 and USA 340 jibed as they entered the zone.
6. CHI 1038 and USA 1042 collided side to side as they neared the finish line.
7. CHI 1038 collided with the pin end committee boat.
8. The collision with the committee boat caused a hole in CHI 1038's hull.
9. No boat took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. USA 340, as outside overlapped boat at the zone, failed to give USA 1042 mark-room, as required by RRS 18.2(b)
2. USA 1042, as outside overlapped boat at the zone, failed to give CHI 1038 mark-room, as required by RRS 18.2(b), but is exonerated under RRS 21.
3. USA 1042 failed to avoid contact with CHI 1038 as required by RRS 14.
4. USA 1038 failed to avoid contact with a mark of the course as required by RRS 31 but is exonerated under RRS 21.
5. It was not reasonably possible for CHI 1038, a boat entitled to mark-room, to avoid contact with USA 1042 when it was clear that USA 1042 was not giving mark-room.
6. USA 1038's score was not made significantly worse by the damage caused from the collision with the committee boat.

DECISION

Date & Time: 2018-09-26 19:57 EDT

1. Protest Upheld
2. Redress Denied
3. USA 340 is to be scored DSQ for race 5.

PROTEST COMMITTEE

Chaired By: Stephen Wrigley (USA)

Committee Members: Luca Babini (ITA), Warren Nethercote (CAN), Leo Reise (CAN), Paul Zupan (USA)