

# DECISION

Request Number: 06

## Protest

Event: USODA Team Trials Race Number: 9

Hearing Date: 2019-05-05

### PARTIES AND WITNESSES

**Initiator:** Opti - Red Fleet - USA 22597 - Jonathan Siegel

**Respondent(s):** Opti - Red Fleet - USA 21855 - Umi Noritake

**Witnesses:** Ryan Keenan, witness for 22597; Christian Prendergast and Peter Creitz, witnesses for 21855

### 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

Observers:

Nick Edwards - coach

Joakim Karlsen - coach

Sam Bush - competitor

Alfonso Lanseros - competitor

### FACTS FOUND

1. The boats were on collision courses sailing toward the pin end of the finish line.
2. There was a boat taking a penalty within the zone.
3. 21855 was on port tack and changed course to avoid the boat taking the penalty.
4. 22597, on starboard, hailed as the boats closed the distance.
5. 22597 tacked under 21855, and the boats ended up 4 cm apart.
6. The boats made contact with each others' rails; there was no damage or injury.
7. No boat took a penalty.

**Diagram:** Protest Committee diagram attached

### CONCLUSIONS AND RULES THAT APPLY

1. 22597, a starboard tack boat, had reasonable apprehension of collision and changed course to avoid contact.
2. 21855, a port tack boat, failed to keep clear of 22597 and broke rule 10.
3. When 22597 completed her tack, she failed to give 21855 room to keep clear, however she is exonerated under 64.1(a), because 21855 compelled 22597 to break rule 15.
4. 22597, the leeward right-of-way boat, made contact with no damage and is exonerated under 14(b).
5. 21855, a boat entitled to room, made contact with no damage and is exonerated under 14(b).

### DECISION

21855 is to be scored DSQ in race 9.

**Date & Time:** 2019-05-04 21:34 PDT

### PROTEST COMMITTEE

**Chaired By:** Mike Gross (USA)

**Committee Members:** Don Becker (USA), Edith Collins (USA), Kim Kymlicka (USA), K Hawkins (USA)

Printed: 09 Aug 18:56