

DECISION

Request Number: 3

Protest

Event: Hydrofoil Pro Tour - La Ventana Race Number: 2 Blue

Hearing Date: 2016-03-21

PARTIES AND WITNESSES

Initiator: # 56 Matt Taggart

Respondent(s): # 25 John Van Tesmer

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. #56 was on a starboard tack sailing upwind on the first windward leg of the second race.
2. #25 was on a starboard tack clear astern of #56.
3. #56 hailed for room to tack.
4. #25 did not respond.
5. #56 tacked and immediately capsized.
6. #56 held her position with her kite vertical while other boats were near.
7. #25 collided with #56 and tangled.
8. #56 incurred some minor damage to her foils and kite.
9. Neither #56 nor #25 finished the race.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

#25 failed to keep clear of #56 while capsized and broke rule F23.1.

#25 failed to avoid contact breaking RRS 14

#56's score was made significantly worse through no fault of her own because of the actions of #25.

DECISION

Protest Upheld

Date & Time: 2016-03-20 18:45 PDT

No further penalty shall be imposed on #25 as she retired.
 #56 is granted redress for race 2 in the form of points equal to the average of her score for races 1, 3 and 4.

PROTEST COMMITTEE

Chaired By: Paul Zupan (USA)

Committee Members: Rafael Zarazua (MEX), Paul Zupan (USA)

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