

DECISION

Request No.: 17

Request to Reopen

Event: 41 Copa del Rey MAPFRE Race Number: 3
Hearing Schedule: 2023-08-04 11:55

PARTIES AND WITNESSES

Request No.: 17: ORC 3 - Italia ITA27102 - SCUGNIZZA - VINCENZO DE BLASIO

Protest Committee

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: N/A

Proper Hail: N/A

Red Flag Displayed: N/A

Decision: Request Valid

PROCEDURAL MATTERS

1. Diogo Cayolla attended the hearing representing Scugnizza.
2. Anja Eckart, photographer, attended the hearing as witness called by Scugnizza.
3. Nico Martinez, photographer, attended the hearing as witness called by Scugnizza.

FACTS FOUND

1. Scugnizza asked some photographers for pictures this morning at 07:30 and received them at 07:45.
2. Scugnizza presented a photo from yesterday showing that Santina kept her red flag rolled up on the starboard pushpit.
3. Scugnizza presented some pictures showing Santina rounding mark 1 (time of the pictures: around 15:41); in these pictures, the starboard pushpit is not visible and no red flag is visible on the port pushpit or on the backstay.
4. Scugnizza presented a picture of Santina sailing on the first downwind of that race (time of the picture 15:44:42); in this picture, the starboard pushpit is visible with the event flag flying. However, the red flag is not visible at all (neither open, nor wrapped) due to the low quality of that part of the image, being off the camera main focusing point.
5. Scugnizza presented a picture of Santina taken today showing that the red flag was open.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 66.1

1. The evidence that Scugnizza plans to present could have been available at the time of the original hearing, had they asked it at that moment. Furthermore, the photo is not proving that the flag has not been displayed. The evidence that Scugnizza plans to present is not new. Therefore, the requirements in RRS 66.1 for reopening the hearing are not met.

DECISION

Date & Time: 2023-08-04 13:14 CEST

Hearing No. 14 will not be reopened.

PROTEST COMMITTEE

Committee Type: International Jury

Chaired By: Andres Perez (ESP)

Committee Members: Pinar Coskuner Genc (TUR), Manuel Ken Gamito (POR), Giorgio Davanzo (ITA), David Gosalbez (ESP)