

# DECISION

Request Number: 12

Protest

Event: 2019 KiteFoil World Series Race Number: 9

Hearing Date: 2019-07-26

## PARTIES AND WITNESSES

**Initiator:** KiteFoil - Act 1 - Gizzeria - FRA 58 - Lilian Mosa

**Respondent(s):** KiteFoil - Act 1 - Gizzeria - ESP 8 - Javier BERNABEU Guerrero

**Witnesses:** Reclass to the average of my race

## 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

ESP 8 was not present

## FACTS FOUND

1. One minute after the start, ESP 8. was sailing clear ahead of FRA 58.
2. ESP 8 fell in the water and her kite moved to 12 o'clock.
3. FRA 58 sailed to leeward of ESP 8 while ESP 8 was recovering.
4. When FRA 58 was clear ahead, ESP 8 lowered her kite and contact occurred between the kites.
5. No tangle or damage occurred.
6. ESP did not finish race 9

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

1. ESP 8 to windward did not keep clear of FRA 58 to leeward breaking rule 11
2. It was not reasonably possible for FRA 58 to avoid the contact, therefore she is exonerated from breaking rule 11

## DECISION

ESP 8 is DSQ in race 9

Date & Time: 2019-07-26 19:06 CEST

## PROTEST COMMITTEE

**Chaired By:** David Gosalbez (ESP)

**Committee Members:** Marina Psychogyiou (GRE), Bruno De Wannemaeker (BEL)

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