

DECISION

Request No.: 04

Protest

Event: Spring Fest Race Number: 3
Hearing Schedule: 2022-04-10 15:45

PARTIES AND WITNESSES

Request No.: 04: J/105 - 125 - Kincsem - Joerg Esdorn

J/105 - 357 - Yellowfin - Dick Maclay

Witnesses: Alejandro Huneus for Yellowfin

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

Joerg Esdorn, Thomas Allard and Paul Zupan appeared via Zoom conference call.

FACTS FOUND

1. There was approximately two knots of adverse current at the windward mark.
2. Kincsem was close hauled fetching the first windward mark.
3. Yellowfin was to leeward of Kincsem as Kincsem was trying to round the mark.
4. Yellowfin was not making the mark and tacked to pass astern of Kincsem.
5. Kincsem attempted to avoid a collision by altering to windward.
6. Yellowfin's bow collided with Kincsem in the aft port quarter, about a meter forward of the stern.
7. The contact caused some splintered gel coat and crushed fiberglass. Additionally, the port side push pit was dislodged and bent.
8. Yellowfin rounded the mark and executed two turns as a penalty.
9. Yellowfin retired from race three subsequent to the race.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 10, 14

1. Yellowfin on port failed to keep clear of Kincsem on starboard, and broke RRS 10
2. Yellowfin did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for Kincsem, the right-of-way boat to avoid contact with Yellowfin when it was clear that Yellowfin was not keeping clear. Kincsem did not break RRS 14.

DECISION

Date & Time: 2022-04-10 16:34 PDT

Yellowfin retired from race 3 and cannot be penalized further.

PROTEST COMMITTEE

Chaired By: Danielle Lawson (USA)

Committee Members: Thomas Allard (USA), Paul Zupan (USA)