

DECISION

Request No.: 05

Request to Reopen

Event: 2021 Imperia Winter Regatta Race Number: 3
Hearing Schedule: 2021-12-07 18:00

PARTIES AND WITNESSES

Request No.: 05: 420 - Open - ITA 57044 - Orlando Reginato
420 - Open - ESP 57215 - Izan Codinachs

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Hail not required

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

RRS 66 - REOPENING OF HEARING

FACTS FOUND

ITA 57044 REQUESTED REOPENING OF HEARING CASE N° 4 FOR NEW WITNESS. THE JURY ALLOW THIS REQUEST. IN THE NEW HEARING THE JURY ARRIVED TO CONVINCED HIMSELF THAT ITA 57004 HAS NOT TAKEN A SIGNIFICATIVE ADVANTAGE IN THE ACCIDENT

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 44 - 66

NORMALLY A NEW WITNESS IS NOT A GOOD REASON TO REOPEN A HEARING, BUT IN THIS CASE THE JURY ALLOWED BECAUSE THE REALLY FIRST REASON OF THE PROTEST WAS ABOUT THE PENALTY TAKEN, AND SO IN THIS CASE THE JURY HAS PREFERRED TO ALLOW THE REOPENING ALSO TO BE SURE TO HAVE NOT DO A MISTAKE IN THE FIRST VERDICT. DURING THE NEW HEARING THE JURY IS ARRIVED TO THE CONCLUSION THAT ITA 57044 HAS NOT TAKEN A SIGNIFICATIVE ADVANTAGE IN THE ACCIDENT, AND SO THE PENALTY OF 720° TAKEN WAS ENOUGH.

DECISION

Date & Time: 2021-12-07 19:00 CET

ITA 57044 CONFIRMED REAL ARRIVAL POSITION, AND CANCELLED THE DSQ. CONFIRMED REDRESS GIVEN FOR ESP 57215.

PROTEST COMMITTEE

Chaired By: Marco Cimarosti (ITA)

Committee Members: Francesca Quercini (ITA) Giorgio Fornaciari