

DECISION

Request No.: 01

Protest and Request for Redress

Event: StFYC Kite Series Race Number: 2

Hearing Date: 2021-04-27

PARTIES AND WITNESSES

Request No.: 01: Kite - 03 - Johnny Heineken

Kite - 35 - Kai Calder

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Hail not required Tangle, RRS F5 61.1(a)(4).

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

- The parties agreed to the code of conduct.
- Greg Meagher disclosed that he is treasurer of a foundation that benefits Kai, and formerly benefitted Johnny.
- Neither party objected and the hearing proceeded.

FACTS FOUND

1. The conditions were 12-18 knots with flat water in an early flood tide.
2. Kiteboard 3 and Kiteboard 35 approached a windward mark on starboard tack.
3. Kiteboard 3 entered the zone clear ahead of Kiteboard 35.
4. As Kiteboard 3 was rounding the mark, Kiteboard 35 established an inside overlap.
5. A collision occurred almost immediately between Kiteboard 3 and Kiteboard 35's board, and a tangle ensued.
6. Kiteboard 3 sustained minor damage as a result of the collision, and also broke a line.
7. As a result of this damage, Kiteboard 3 was unable to continue the race.
8. Neither boat finished the race.
9. Neither boat took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: F18.2, 62.1

1. Kiteboard 35, clear astern at the time Kiteboard 3 reached the zone was required by RRS F18.2(a) to give Kite 3 mark-room. Once Kite 35 became overlapped inside of Kite 3, she did not give Kite 3 room to round the mark, and broke RRS 18.2(a)(2) and RRS 14.
2. It was not reasonably possible for Kite 3, the kiteboard sailing within the mark-room to which she was entitled, to avoid contact with Kiteboard 35 when it was clear that Kiteboard 35 was not giving mark-room. Kiteboard 3 did not break RRS 14.
3. Kite 3's score in Race 2 was made significantly worse through no fault of her own by physical damage because of the action of Kite 35 that was breaking RRS 18.2(c) and was penalized.

DECISION

Date & Time: 2021-04-27 18:34 PDT

The Protest is Upheld. Kite 35 is to be scored DCT in Race 2.

Redress is given. Kiteboard 3 is to be scored in Race 2 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in all races sailed on April 22, 2021 except race 2. No other boat's score shall change.

PROTEST COMMITTEE

Chaired By: Danielle Lawson (USA)

Committee Members: Paul Zupan (USA), Mays Dickey (USA), Greg Meagher (USA)

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