

DECISION

Request No.: 01

Protest and Request for Redress

Event: 2021 Slalom Windsurf Series Race Number: 4 and 5
Hearing Schedule: 2021-07-25

PARTIES AND WITNESSES

Request No.: 01: Windsurf - Soheil Zahedi

Windsurf - 40 - David Berntsen

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit Late but accepted by the PC because Protestor was delayed because of injury.

Incident Identified: Yes

Proper Hail: No proper hail Waived because of injury.

Red Flag Displayed: No

Decision: Request Valid

PROCEDURAL MATTERS

1. The hearing was held on Zoom and all parties were remote.

FACTS FOUND

1. Soheil was sailing directly toward the start line at 8 seconds to the start on a course to windward of the first mark.
2. David was sailing to windward and slightly behind Soheil and bore away to start.
3. David collided with Soheil and both capsized.
4. Soheil did not have time to respond to David's course change.
5. David assisted Soheil while in the water and in recovering his board.
6. The RC assisted Soheil ashore.
7. Soheil did not finish race 4 or sail in race 5.
8. David retired from race 4.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 11, 14, B2

1. David failed to keep clear of Soheil breaking RRS 11.
2. Soheil was sailing above the shortest course to the first mark, breaking RRS B2, the modification to RRS 17, but is exonerated under RRS 43.1(a).
3. David failed to avoid contact with Soheil breaking RRS 14.
4. Soheil's score was made significantly worse through no fault of his own because of a breach of a rule of part 2 by David.

DECISION

Date & Time: 2021-07-24 19:50 PDT

1. Protest Upheld. David took the applicable penalty and is not further penalized. .
2. Redress is given to Soheil. Soheil is to be scored in race 4 and 5 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of his points in all races sailed before the last scheduled day of the series, except races 4 and 5. No other boat's score shall change.

PROTEST COMMITTEE

Chaired By: Grant Baldwin (USA)

Committee Members: Greg Meagher (USA), Paul Zupan (USA), Bryan McDonald (USA)

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