

# DECISION

Request No.: 02

## Protest and Request for Redress

Event: J70 Spring Regatta Race Number: 3  
Hearing Date: 2021-05-23

### PARTIES AND WITNESSES

**Request No.: 02:** J70 - J70OnePro - USA 370 - jennifer - chris kostanecki

J70 - J70OnePro - USA 347 - Sugoi - Chris Raab

**Witnesses:** Tom O'Connor, Eric Reed

**Interpreters:** None

### 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

Hearing No. 01 was heard together with Hearing No. 2 in accordance with RRS 63.2 since both hearings arose from [the same incident] [very closely connected incidents]. Form in Hearing No. 01 filed incomplete and withdrawn.

### FACTS FOUND

1. Race 3, the wind was approximately 7 knots, with seas approx. 4 feet.
2. This was a J/70 one design race. Boats 370 and 347 were approaching a leeward gate.
3. 370 was approaching the south gate on port jibe, slightly overstood inside of 347.
4. 347 was overlapped with 370 when she entered the zone.
5. 347 was one boatlength from the mark at time of rounding.
6. 347 failed to give 370 sufficient room to round.
7. There was contact between 370 bow and 347 starboard side. Neither boat had serious damage.
8. 370 had the opportunity to keep clear of 347.

**Diagram:** No Diagram Needed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 18.2 and 14

1. 347, outside overlapped at the zone, was required by rule 18.2(b) to give 370 mark room. Once 347 became overlapped inside of 370, she did not give 370 room to sail her proper course while they remained overlapped and broke 18.2(b) and 18.2(c)(2).
2. 370, sailing within the room to which she was entitled, did not act to avoid contact when it became clear that 347 was not giving mark room. 370 broke RRS 14.
3. 347 is not entitled to redress because her position was not made substantially worse through no fault of her own, as a result of injury or physical damage, because of 370 breaking a rule of Part 2.

### DECISION

370 and 347 are DSQ in Race 3.

**Date & Time:** 2021-05-23 07:45 PDT

**PROTEST COMMITTEE**

**Chaired By:** Peter Glick (USA)

**Committee Members:** Rory Mach (USA) Harlan Holmes

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