

# Hearing Decision



## FRENCH OLYMPIC WEEK

Case Number	With Case	Race Number	Hearing Status
16	18	6	Closed

### Type of Hearing

Protest - an allegation that one or more boats broke a rule  
Request to reopen a hearing

Valid	Date of Race	Received Time
yes	26/04	14:49:16

### PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
49er	Blue	ITA 504	Edoardo gamba
49er	Blue	FRA 44	Yann Jauvin

### Witnesses

Name	Boat - Committee - Role
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### Case Summary:

Port starboard situation after the starting signal with 3 boats involved.

### Procedural Matters:

This case was heard with Case 18, FRA 44 protesting DEN 132.

DEN 132 (case 18) is represented by Philipp LYNGBEK

### Facts Found:

1. Race 6, just after the starting signal, in 15 knots of wind.
2. ITA 504 was sailing close-hauled on starboard.
3. FRA 44 and DEN 132 were sailing on port, with DEN 132 3 boat lengths to leeward of FRA 44 and just clear ahead.
4. DEN 132 was sailing on close-hauled at 10 knts, and FRA 44 was sailing below close-hauled at 14 knts.
5. FRA 44 and DEN 132 were both on a collision course with ITA 504.
6. FRA 44 established an overlap to windward of DEN 132 at approximately 3 boat lengths from ITA 504.
7. DEN 132 held her course, now aiming to pass very close astern of ITA 504.
8. At 2 boat lengths from ITA 504, FRA 44 luffed to pass ahead of ITA 504.
9. DEN 132 passed less than 50 cm from the stern of ITA 504.
10. ITA 504 bore away sharply to avoid contact with FRA 44 and passed close to the starboard side of FRA 44 before passing her stern.
11. There was no contact between boats.
12. No boat took a penalty.

Conclusion & Rules:

- 1. DEN 132, the outside boat at the obstruction, failed to give FRA 44 room to pass between her and the obstruction, despite being able to do so from the time the overlap began. DEN broke RRS 19.2(b).
- 2. FRA 44 on port failed to keep clear of ITA 504 on starboard, and broke RRS 10. Since FRA 44 was compelled to break RRS 10 as a consequence of DEN 132 breaking RRS 19.2(b), she is exonerated under RRS 43.1(a) for this breach.

Decision:

DEN 132 is DSQ race 6.

Short Decision:

DEN 132 is DSQ race 6.

Decision Date

26/04

Decision Time

18:17:57

Panel Chair

Luis Ferrandiz Ruiz

Panel Members

John Doerr, Sylvie Harlé