

# Hearing Decision



## FRENCH OLYMPIC WEEK

**Case Number** 61      **With Case**      **Race Number** 11      **Hearing Status** Closed

### Type of Hearing

Protest - an allegation that one or more boats broke a rule

**Valid** yes      **Date of Race** 28/04      **Received Time** 15:43:58

### PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
49er	Gold	FRA 44	fischer kévin
49er	Gold	USA 43	Andrew Mollerus

### Witnesses

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

Port and starboard situation on the first beat to winward

### Procedural Matters:

RRS N1.4(b) three person panel.

### Facts Found:

1. Wind speed was 13 knots light choppy sea.
2. FRA 44 and USA 43 were close-hauled with FRA 44 on starboard and USA 43 on port on a converging course.
3. USA43 held her course.
4. FRA 44 bore away about 20 degrees half-boat distance from USA 43.
5. The crew of FRA 44 touched the water and recovered immediately.
6. No penalty was taken

### Conclusion & Rules:

FRA 44, the right away boat, could not sail her course with no need to take avoiding action and therefore USA 43 broke RRS 10.

### Decision:

USA 43 is DSQ in race 11.

### Short Decision:

49er Gold USA 43 is DSQ in race 11.

### Decision Date

28/04

### Decision Time

18:55

### Panel Chair

Ana Maria Sanchez del Campo Ferrer

### Panel Members

Sylvie Harlé, Marco Sarcoli