



Spain 2026  
SAILING  
GRAND SLAM

SGS

27<sup>TH</sup> MARCH TO 4<sup>TH</sup> APRIL  
MALLORCA / SPAIN 2026

# Protest nr: 64

|                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Class                | 49er FX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Protestor            | GER 55 - Marla Bergmann                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Protestee            | ESP 73 - Alicia Fras Sámson                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Witnesses            | FRA 702 - Manon Peyre                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Type                 | request for redress                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Incident             | <p>It was at the first top mark. BEL18 in front of us did a gybe set, we did a gybe set as well outside of them. ESP73 also did a gybe set behind us and sailed with their genaker pole into our bungee/rope at the back of the boat. The bungee/rope broke. We shouted protest to ESP73 several times and they didn't turn immediately - they only turned after 1/3 of the downwind. The bungee/rope is connecting the two wings and prevents the tiller from being stuck under the wing. We tried sailing with the broken bungee/rope but on the second downwind, with wind of 16-18kts we couldn't gybe because the tiller was stuck underneath the wing which is why we then capsized. We didn't finish the race because of this and are asking for redress. AUS5 was just in front of of us before the capsize.</p> |
| Date/Time of hearing | 3 Apr 2025 at 14:30                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Location             | Room 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Procedural matters   | <ol style="list-style-type: none"> <li>1. GER 55 was represented by Marla Bergmann.</li> <li>2. FRA 702 Manon Peyre attended the hearing as witness of GER 55</li> <li>3. ESP 73 Alicia Fras Sàmson attended the hearing as witness of GER 55</li> <li>4. Before the hearing started, GER 55 clarified that she was only seeking redress and not protesting ESP 73.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Facts found          | <ol style="list-style-type: none"> <li>1. The conditions at the time of the incident were 16/18 knots of wind and choppy waves.</li> <li>2. After the first beat, while rounding mark 1, BEL 18 did a gybe set, and GER 55 did a gybe set as well outside of them.</li> <li>3. ESP 73 also did a gybe set clear astern of GER 55 and there was a contact between the gennaker pole of ESP 73 and GER 55's bungee at the back of the boat.</li> <li>4. ESP 73 took One-Turn penalty.</li> <li>5. GER 55 continued sailing and in the middle of the second downwind, she tried to gybe but the tiller extension got stuck underneath the wing and she capsized.</li> <li>6. GER 55 did not finish the race.</li> <li>7. GER 55 repaired the bungee with the help of her coach and sailed in the race 12F.</li> </ol>       |



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|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Conclusion        | <p>1. Since the damage adversely impacted GER 55's sailing performance in a significant way the damage is serious damage.</p> <p>2. GER 55's score in race 11F was made significantly worse through no fault of her own, by serious damage because by the action of ESP 73 that was breaking a rule of Part 2. However, by taking a One-Turn penalty ESP 73 did not take an appropriate penalty.</p> <p>3. Therefore, the requirements for redress in RRS 61.4(b)(2) are not met.</p> |  |
| Rules applicables | RRS 61.4(b)(2)                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
| Jury Decision:    | Redress is not given.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| Date of decision: | 3 Apr 2025 at 15:30                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Jury members      | Hrvoje Ban (NJ-CRO), Itami Manuel (IJ-POR), Chris Lindsay (IJ-IRL) Laura Germa (IJ ESP) Anna Cuccia (IJ-ITA)                                                                                                                                                                                                                                                                                                                                                                          |  |
| Signature:        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |

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