



Spain 2026
SAILING
GRAND SLAM

SGS

27TH MARCH TO 4TH APRIL
MALLORCA / SPAIN 2026

Protest nr: 79

Class	49er FX
Protestor	GER 55 - Marla Bergmann
Protestee	ESP 73 - Alicia Fras Sámson
Witnesses	
Type	protest
Incident	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.
Date/Time of hearing	3 Apr 2025 at 16:15
Location	Room 1
Procedural matters	1. GER 55 was represented by Marla Bergmann. 2. ESP 73 was represented by Alicia Fras Sámson. 3. José Costa, coach of ESP 73, attended the hearing as an observer. 4. Maurice Paardenkooper, coach of GER 55, attended the hearing as an observer.
Facts found	1. GER 55 filed a request for redress concerning the same incident which was heard as case 64. Redress was not granted in that case because ESP 73 did not take the appropriate penalty under rule 61.4(b)(2). 2. This protest was then submitted at 15:49. The protest time limit was 14:34. 3. GER 55 filed the protest after the limit because she was not aware of the requirements of rule 61.4(b)(2) when case 64 was heard.
Conclusion	The protest was delivered after the protest time limit and there is no good reason to extend the time limit.
Rules applicables	RRS 60.3
Jury Decision:	Protest invalid.
Date of decision:	3 Apr 2025 at 16:30
Jury members	Hrvoje Ban (NJ-CRO), Anna Cuccia (IJ-ITA), Laura German (IJ-ESP), Ken Gamito (IJ-POR), Chris Lindsay (IJ-IRL)



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Signature:

22 Jul 2026 21:51:20