

## ***Dear Marius Golombeck.***

1. This appeal decision looks at reviewing the decision to award a 10 Penalty Point penalty to Marius Golombeck, following a post race review of qualifying for Round 8 of the Hyundai N E-Festival Global League 2022, at Daytona International Speedway (Road Course).
2. As a part of this penalty review, the Race Stewards and myself acting in capacity as a 3<sup>rd</sup> and review steward have gone through the process of awarding the penalty again, and if any information received in our appeal would have changed our decision making processes. For clarity, we use a 'balance of probabilities' approach to decision making, weighing up all information provided to us.

### **Penalty Awarded to Mr Golombeck**

3. The original penalty awarded to Golombeck was 10 Penalty Points for slowing down deliberately in qualifying, to move to the back of a qualifying draft pack. Stewards noted in particular that these were drivers for the Core Simracing Team, whom Golombeck is a teammate, and whom have been involved in pack running throughout the season.
4. The rules in qualifying have changed throughout the course of the season, especially via protests and stewards observations around the way certain sets of drivers were gaining a qualifying advantage. Whilst initially not outlawed, over the season the practice of running in packs, providing and receiving tows have been cracked down upon for all drivers, as this practice was seen as unfair to certain drivers over others.
5. A number of drivers have continued running in packs, and this includes the four drivers running Core Simracing colours. Although in the appeal it was mentioned that Core Simracing are not running as a team both as:
  - This is an individual championship, and;
  - There is a supplementary country championship,
6. Stewards do not feel that this is a satisfactory defense, in particular due to the fact that in all open qualifying this season the four cars have predominantly been on the racetrack together. In fact, a separate incident occurred during qualifying for the Daytona event where a Core Simracing

driver timed his exit from the pits in order to fall into the the pack of the other three Core Simracing drivers. In an interesting addition to this:

- One Core Sim Racing driver has confirmed that he is NOT running this championship in partnership with his countryman, including on a broadcast.
- The appeals for both Golombeck and another driver use the same, identical template.

7. Of particular note to the stewards was the speed of Golombeck going past the S/F line on different laps, whilst leading a number of other cars past the line, and when being in a pack. The stewards pointed to the fact that Golombeck appeared to, in the eyes of the stewards slow down at the conclusion of one of his qualifying laps, to allow other cars to pass.

8. In his appeal, Golombeck noted that other drivers had slower speeds past the S/F line, as one of the points of his defense. This is recognized by stewards.

## **Outcome of appeal**

9. After reviewing all the information provided, stewards are required to follow this process:

- Is there still a case to answer?
- If yes, is the penalty provided still adequate?
- If no, is there another penalty that should be issued?

10. Stewards agree that there remains a case to answer. We find the defense of not running as a sim racing team as not adequate, and on track action to date has demonstrated actions consequential to this.

11. The stewards agree that a penalty is still warranted, however are not certain that the penalty issued is proportionate to the action at this stage of the championship. The stewards do feel as though Golombeck did slow down unnecessarily, for the overall intention to go to the pack of a draft pack, and the rules have increased the options available to stewards as the season has progressed, and as qualifying packs have become more difficult to police.

12. Having noted Golombeck's previous track record in the series, the decision has been made to SUSPEND the penalty, so long as Golombeck does not accrue any penalty points in Rounds 9 and 10 of the championship. Should Golombeck receive any penalty points, he will:

- Receive the points awarded to him by the stewards
- Receive 10 Penalty points from this previously suspended penalty.
- Receive a qualifying ban in Round 10, if this happens in Round 9, and captured by stewards in time.
- Receive another, proportionate penalty if this occurs in Round 10, or not reviewed by stewards in time for Round 10's qualifying, OR if Golombeck signals his intention to appeal the decision made in Round 9 captured by stewards in time.

13. Please note that this decision can not be appealed further, but any subsequent penalties can be reviewed by stewards as normal.

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We hope you enjoy the next two races of the championship, and wish you all the best.



**Wil Vincent MA BSc (Hons) FHEA**

**CEO – RaceSpot Live Events Limited**

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