

Alinghi submits further evidence that GGYC challenge is invalid

Expert opinions:

- **Nigel Irens, fellow of the Royal Institute of Naval Architects and designer of the trimaran pictured in the GGYC's 'Petrocelli Affirmation', explains that:** "contrary to Ms Petrocelli's contention, this vessel does not have any keels and, in any event, is not fairly categorised as a "keel yacht". He adds: "In my 50 years of sailing experience, I have never once heard a multi-hull referred to as either a "keel yacht" or a "keelboat".
- **Jochen Schuemann, three-time Olympic Gold medalist and twice America's Cup winner testifies that:** "that a multi-hull is not properly classified as a keel yacht, and that, indeed, a "multi-hull" is essentially the opposite of a "keelboat".
- **Göran Marström, founder of Marström, the company that builds the ISAF Tornado Class Catamaran,** refutes Ms Petrocelli's suggestion that the Tornado is a keel yacht, stating unequivocally that: "We, at Marström, would not consider a Tornado Class catamaran a "keel yacht" or a "keelboat". It is categorised under ISAF rules as a multi-hull, not a "keel yacht".
- **Nicolas Grange, president of the Swiss Multi-hull Association,** explains that the specification of only a single "beam at waterline" in GGYC's certificate is customary for a *keel yacht*. For a multi-hull vessel, by contrast, the beam measurement (*i.e.*, breadth) is customarily stated separately for each hull, as well as for the ship as a whole; and a trimaran would be specified differently than a catamaran. He declares: "GGYC's specification of a single dimension for the entire vessel reinforces its description of the boat as having a single hull. However, the dimensions in the certificate (90x90feet) are strongly suggestive of a multi-hull, which creates inherent ambiguity and/or self-contradiction."

Chosen excerpts from Affirmation by Barry Ostrager, attorney for SNG

- **"As described by US Sailing, the governing body of sailing in the United States and an ISAF member,** the term "keelboat" refers to those sailboats which have a weighted keel (the vertical fin at the bottom of the boat) which is of sufficient weight to counterbalance the force of the wind in the sails. US Sailing describes "multihulls" as a separate type of boat from "keelboats". It draws sharp contrasts between the two categories of boats, noting, for example, that "the best part about multihulls is they do not need ballast (heavy keels) to keep them upright" and that "because of that light weight [multihulls] do not need the traditional hoists, ramps and lifts that keel boats have to have."
- **"The International Sailing Federation (ISAF) (...)** issued an interpretation last week, plainly concluding that: "A "multi-hull" would not be classified as a "keel yacht". Thus in light of GGYC's recently confirmed intention to sail in a multihull, this ISAF interpretation compels the disqualification of the GGYC challenge."
- **"The Deed of Gift requires a challenger to provide a Coast Guard registration of its vessel "as soon as possible".** In the Coast Guard registration process, the breadth for multi-hulled vessels is measured for each hull, as well as for the entire ship. GGYC's specification of a single beam at waterline is further suggestive of a keel yacht with a single hull."
- **"The Court of Appeals** has given clear and specific instruction that disputes over sailing issues are to be determined in accordance with the sailing rules and procedures followed by the Cup holder. (...) This sailing issue is only one of many

that may arise (...) and as *Mercury Bay* instructs, these issues should be left for the sailing community to resolve."

- "As previously submitted (...) SNG has received challenges from a number of well established yacht clubs who stand ready to serve as **Challenger of Record**, including but not limited to: Royal Thames Yacht Club, Deutsche Challenger Yacht Club and the Royal Cape Yacht Club of South Africa, Royal New Zealand Yacht Squadron."