



GOLDEN GATE YACHT CLUB

#1 Yacht Road, San Francisco, California USA 94123

Let's focus on the real issues: factual comment on latest Grant Simmer posting on Alinghi website

The following notes correct the record regarding comments posted on the Alinghi website on 16 September 2008 by Grant Simmer, Alinghi's design team coordinator.

As we have repeatedly made clear, GGYC and BMW ORACLE Racing are committed to a conventional multi-challenger America's Cup operating under rules similar to the well-regarded 32 AC protocol. It is disappointing that instead of considering our longstanding offer to adopt this protocol that Alinghi continue to raise distractions from their real agenda: which is to stack the deck in their favor for the next America's Cup.

1. Claim: BMW ORACLE have "forced the America's Cup to a standstill".

Fact: GGYC is ready to drop the court case immediately if Alinghi will agree to the fair rules of the last event. This offer has been available to Alinghi from the outset. A majority of challengers have also endorsed a reasonable compromise proposal to enable a conventional event to go ahead that Alinghi has also rejected without discussion. If Alinghi genuinely wants to see the Cup move forward it should explain why it does not at least give these options serious consideration.

2. Claim: GGYC has not delivered a "long awaited" Custom House Declaration (CHR) as promised.

Fact: Justice Cahn's order declaring GGYC the valid Challenger of Record was reversed and GGYC does not currently have any obligations under the Deed with respect to a CHR for a challenge vessel.

This continuing claim is simply a distraction from resolving the real issues that would enable a fair Cup to proceed. GGYC has always and will continue to comply with what the Deed requires.

Moreover, this claim suggests that Alinghi believe they will not win in the Court of Appeals and are now already seeking to set the stage for yet more court action in order to defend unfair and anti-competitive rules.

3. Claim: The recently launched BOR 90 boat must be the club's race boat for the next America's Cup, anything else would be a breach of the rules.

Fact: It seems Alinghi are reading more into the Deed than is there. As noted below, the Deed requires the challenger to stay within the specific dimensions set out in its challenge. It does not limit the strategies used by the challenger to design and create its challenging vessel. BMW ORACLE Racing will of course race in a boat that fully complies with the Deed.

Note: The Deed states that a challenging club provide a:
“certificate of the name, rig and following dimensions of the challenging vessel, namely, length on load water-line; beam at load water-line and extreme beam; and draught of water; which dimensions shall not be exceeded; and a custom-house registry of the vessel must also be sent as soon as possible.”

Ends

Editor's Note: For additional background, please go to www.ggy.com.

For More Information:

Jane Eagleson

Jeagleson@bmworacleracing.com

Mobile +34-6202-80742

Bernard Schopfer

Bernard.schopfer@maxcomm.ch

Mobile: +41 79 332 11 76

Office: +41 22 735 55 30