

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Golden Gate Yacht Club	Plaintiff,
v.	
Societe Nautique de Geneve	Defendant,
Club Nautico Espanol de Vela,	
	Intervenor-Defendant.

Index No. 602446/07

**AFFIDAVIT OF
THOMAS F. EHMAN, JR.**

THOMAS F. EHMAN, JR., being duly sworn, deposes and says:

1. I am an American citizen over the age of 18 and Head of External Affairs for Golden Gate Yacht Club's racing representative, BMW ORACLE Racing. I have been involved with every America's Cup event since 1980, ten in total counting this latest edition, and I have served in many roles, including Team Manager, Organizing Committee Executive, Challenger of Record Manager, Challenger Commission Chairman, and Class Rule Commission Co-Chairman.


2. I was Executive Director (COO) of the United States Yacht Racing Union (the United States of America's national governing body for the sport) from 1979 to 1984, and I served in various capacities with the International Sailing Federation ("ISAF"), including as head of the American delegation and a member of the ISAF Council, from 1980 through 1998. Over the past three decades, I have served as a judge for many international yacht racing events, including the 1992 and 1996 Olympics.

3. The first agreement with ISAF and an America's Cup competitor related to the America's Cup was executed for the 28th America's Cup. In every Cup event since (and

including) the 28th America's Cup the defender and challenger of record have mutually consented to the terms of the agreement executed with ISAF related to certain aspects of the respective Cup event. I have been directly involved in each of these negotiations in various capacities, including in the 32nd America's Cup as the primary negotiator on behalf of the challenger of record, the Golden Gate Yacht Club ("GGYC"). In that event the challenger of record, GGYC, mutually consented with the defender, Societe Nautique de Geneve ("SNG"), to the terms of the ISAF agreement and pre-approved its execution.

4. Contrary to SNG's prior representations to the New York court, it is simply untrue that it is inherently unsafe to race 90-foot long multi-hull vessels in February in Valencia, Spain. There are numerous multi-hull sailing vessels between 60 and 125 feet long, such as the ORMA 60's and Cheyenne, that race thousands of miles around the world in the open expanses of all five of the world's oceans, hundreds of miles from shore, without any support boats under extreme weather conditions which make the weather on the Mediterranean sea off the coast of Valencia, Spain in February appear mild and pleasant in comparison. What is more, a default match is only 39 to 40 nautical miles in length and has historically been held close to shore with one or more support vessels in close proximity the entire race. There can be no doubt that a 90-foot, or even 125-foot, long multi-hull may be designed and built to safely sail during February in Valencia, Spain on a short course close to shore.

5. Neither ISAF nor SNG/Alinghi will disclose to GGYC their secret agreement pertaining to the February, 2010 America's Cup match.


Thomas F. Ehman, Jr.

STATE OF Rhode Island)
COUNTY OF Newport) ss.

Sworn to before me this 11th day of JULY, 2009

Paulley
Notary Public

my commission Expires 5/21/2011