



GOLDEN GATE YACHT CLUB  
#1 Yacht Road, San Francisco, California USA 94123

**Statement**  
**Russell Coutts, Skipper & CEO BMW ORACLE Racing**

**San Diego, CA, October 30, 2009-** Our position that rudders should not be included in the Load Water-Line has been supported by the New York Supreme Court.

We welcome this decision. We also totally support the Court's initiative to resolve the remaining issues with input from experts who are previous America's Cup jurors and able to bring their experience to bear on sailing and technical matters.

Justice Kornreich has asked Golden Gate Yacht Club (GGYC) and the defender, Société Nautique de Geneve (SNG), to nominate three persons to attend a hearing of the New York Supreme Court next Wednesday, November 4. Each side will nominate one former juror who, in turn, will select the third.

Their combined testimony will help determine:

- the use of moveable water ballast in the measurement of LWL
- whether it is safe to race off Valencia, Spain, in February 2010 (the date of the 33<sup>rd</sup> Match)
- whether racing and other rules can be changed after the Notice of Race is issued
- the timing of the International Jury being empanelled for an America's Cup Match
- and whether the agreement between the International Sailing Federation and SNG leaves this Jury unencumbered to be independent and objective

These issues go right to the heart of what we have advocated all along: fair rules and fair play.

This is a significant step towards getting the America's Cup back on track.

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