



# SOCIÉTÉ NAUTIQUE DE GENÈVE

28 April 2008

Marcus Young  
Commodore  
Golden Gate Yacht Club  
#1 Yacht Road  
San Francisco, California USA 94123

Dear Commodore,

As you know, the Deed of Gift expressly requires that, in addition to the delivery of a notice of challenge and a certificate specifying the challenging vessel, "a custom-house registry of the vessel must also be sent as soon as possible". Our records indicate that the Golden Gate Yacht Club still has not sent Société Nautique de Genève a custom-house registry nor any Coast Guard certificate of documentation, despite the fact that it has been over nine months since GGYC delivered its notice of challenge.

When Lucien Masméjan and Fred Meyer met on March 27, 2008 with GGYC's representatives, Russell Coutts and Tom Ehman, Mr. Coutts confirmed that GGYC and/or BMW Oracle had already started to build their challenge boat. GGYC has subsequently confirmed the same fact through press releases and other public announcements.

To the extent GGYC intends to pursue its claim to be challenger under the Deed of Gift, GGYC must comply with the Deed's requirement to provide SNG with a custom-house registry of the vessel named *USA* and specified in further detail in the certificate accompanying its July 11, 2007 notice of challenge. If it is GGYC's contention that it has not yet obtained such a registry, please describe the steps that GGYC has taken in order to obtain such registry. The Deed of Gift expressly requires this registry to be provided "as soon as possible". Furthermore, this was affirmed in the GGYC notice of challenge.

There is no reason preventing GGYC from obtaining such a certificate so that it can be provided to SNG "as soon as possible", as required by the Deed of Gift.

As GGYC is fully aware, a challenger's failure to comply with requirements under the Deed of Gift will render its challenge void. If GGYC persists in its non-compliance, SNG will have no choice but to consider the challenge of the first challenge received from a yacht club which is willing to comply with the Deed of Gift. We thus look forward to your prompt response.

In the meantime, SNG reserves its rights in all respects including in respect of Justice Cahn's declaration of GGYC as challenger of record.

Yours sincerely,

  
**Fred Meyer**  
Vice-commodore  
Société Nautique de Genève

  
**Alec Tournier**  
Secretary General  
Société Nautique de Genève

