

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  
Wm. H. DYER JONES**

STATE OF RHODE ISLAND     )  
  ) SS:  
COUNTY OF BRISTOL         )

WILLIAM H. DYER JONES, being duly sworn, hereby deposes and says:

1. I am over 18 years of age and am a citizen of the United States. For over forty years, I have been involved with the America's Cup in various capacities, beginning in 1967 when I was on the shore team for *Columbia*, one of the New York Yacht Club's ("NYYC") defense candidate boats. Starting in 1977, I was a member of the NYYC Race Committee, which organized and conducted racing for the America's Cup event, as well as the trials to select the defending yacht, and I was Chairman of the NYYC Race Committee for the 1983 Cup. Thereafter, I was a Rules Advisor and Yacht Club Representative to the Challenger of Record for the NYYC's "America II" challenge syndicate in Fremantle, Australia.

2. From 1989 to 1995, I was appointed by NYYC to serve on the Trustee's Committee, a body consisting of one representative from each of the Cup's current and former trustees, which acted as the dispute resolution forum for the America's Cup. From August 1995

to 2000, I was the President of the America's Cup Challenge Association, Ltd. ("ACCA"), which was a company formed by NYYC to organize and operate the Louis Vuitton Challenger Selection Series to determine the Cup match finalist for the 30<sup>th</sup> Match in Auckland, New Zealand. From 2001-2003, I served as the Chief Operating Officer and Regatta Director for Challenger of Record Management, Ltd., which company was formed by the Yacht Club Punta Ala of Italy to organize the Challenger Series for the 31<sup>st</sup> Match for the America's Cup. Finally, I served as Regatta Director for the 2007 America's Cup in Valencia, Spain, and administered both the Challenger Selection Series and the 32<sup>nd</sup> America's Cup.

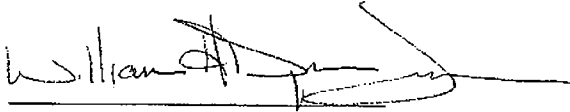
3. The Defender for the 30<sup>th</sup> America's Cup was the Royal New Zealand Yacht Squadron ("RNZYS") and the Challenger of Record was NYYC.

4. On February 26, 1996, ACCA, which represented NYYC, held a meeting in New York City with approximately twenty potential challengers for the 30<sup>th</sup> America's Cup. In my capacity as president of ACCA, I hosted that meeting. Many of the potential challengers expressed their desire to use 3DL sails manufactured in the United States by North Sails.

5. In March 1996, the then-Vice Commodore of NYYC and I, as representatives of the Challenger of Record, met with RNZYS's representatives in Honolulu, Hawaii to discuss the mutual consent terms for the 30<sup>th</sup> America's Cup. During that meeting, RNZYS also expressed a desire to use 3DL sails manufactured in the United States by North Sails. At the Honolulu meeting, the parties agreed to issue a protocol that would allow the use of 3DL sails, and on April 23, 1996, RNZYS and NYYC jointly issued a protocol which stated that a yacht shall be deemed to have been built in a country provided that at least the hull is fabricated and assembled in that country, thus allowing non-U.S. teams to use 3DL sails manufactured in the United

States. It was understood that without this agreement, use of such sails would have been prohibited by the Deed of Gift.

6. I declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

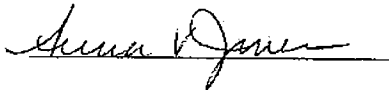


William H. Dyer Jones

Dated: 27 January 2010

Subscribed and sworn to me before this

27<sup>th</sup> day of January 2010



Notary Public

