

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
FRANK ALBINA**

FRANK ALBINA, being duly sworn, hereby deposes and says:

1. I am over 18 years of age and I am a citizen of France.
2. I am employed by BMW ORACLE Racing (“BOR”) as a CFD engineer. I have an aeronautical engineering degree and a PhD in Computational Fluid Dynamics (“CFD”).
3. On behalf of BOR, I participated in the observation of *Alinghi 5* when it was launched in Switzerland from June 29 to July 9, 2009.
4. During this period, I was able to observe that *Alinghi 5* had two engines available to it. (Refer to attached picture Exhibit A)
5. Both engines were found to be ROTAX 4-TEC type 1203 from photographic evidence and constructor information (Refer to attached picture Exhibit B). These engines are built in Austria, although parts of the engine may have been customized in Switzerland by the company Suter Racing to match Alinghi’s specific requirements.



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6. Based on a comparison of photographs taken during this period and photographs taken on January 13, 2010 when an engine was mounted on the aft beam of *Alinghi 5* in Valencia, Spain, I am confident that the engine mounted on *Alinghi 5* in Valencia is also a ROTAX 4-TEC type 1203. (Refer to attached picture Exhibit C)



Frank Albina

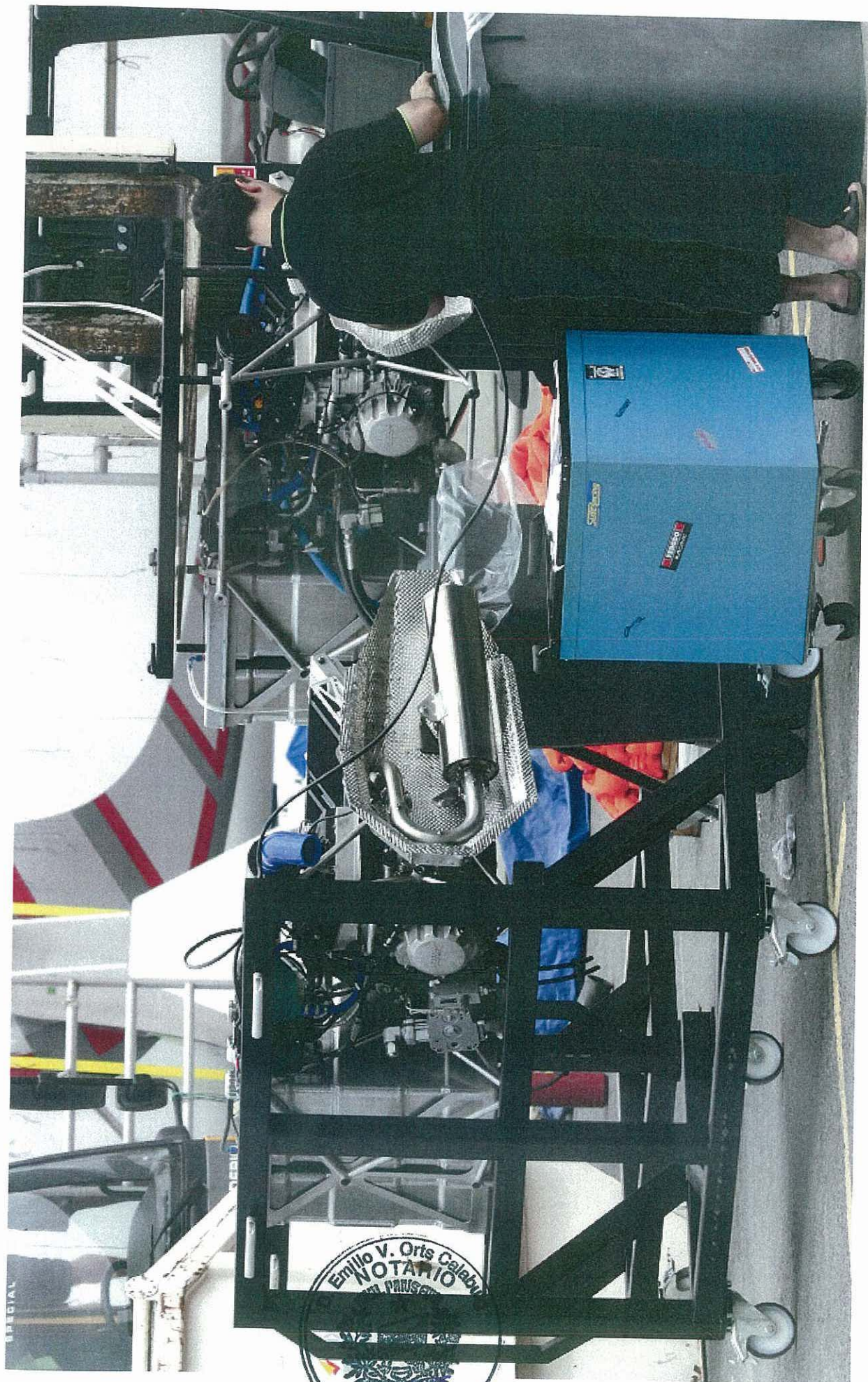
Dated: January 27, 2010



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EXHIBIT A





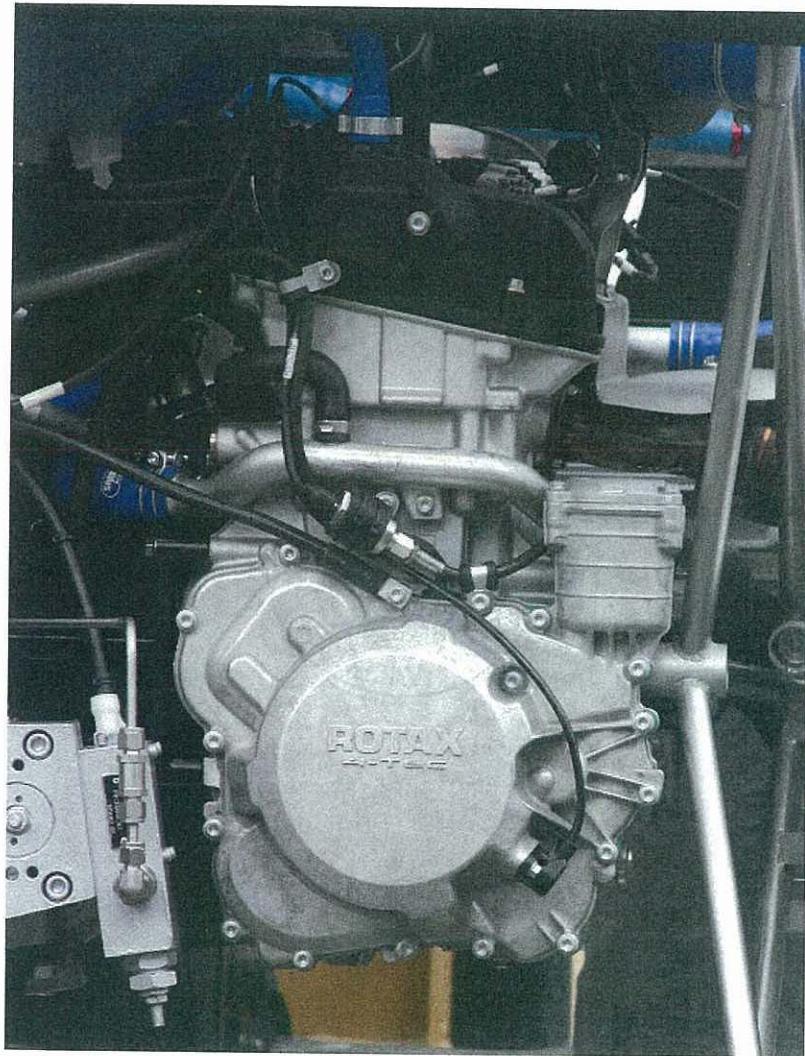
Emilio V. Orts Calabu
NOTARIO
VALENCIA

PAGINA 4029

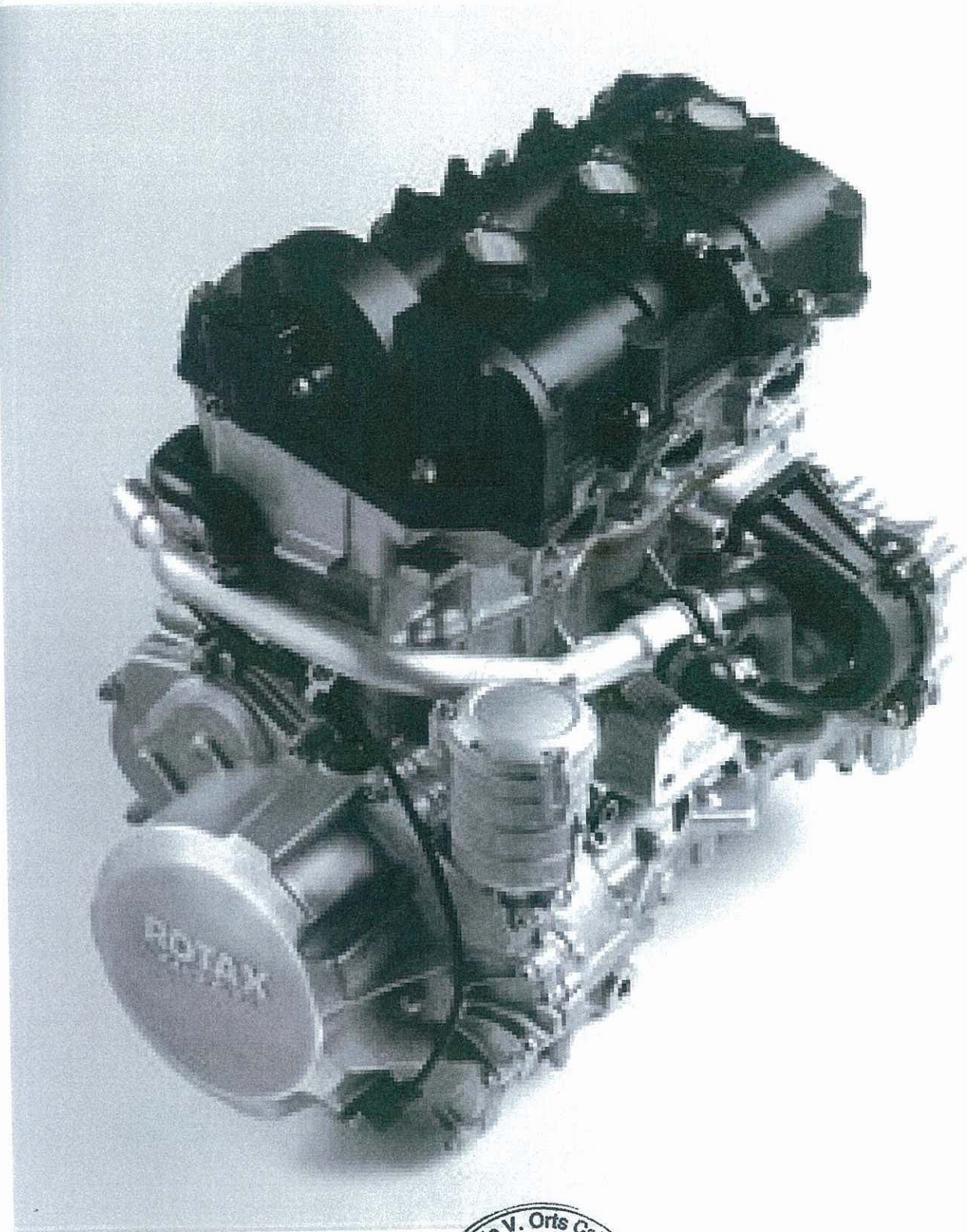
EXHIBIT B



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PAGINA 7 & 9

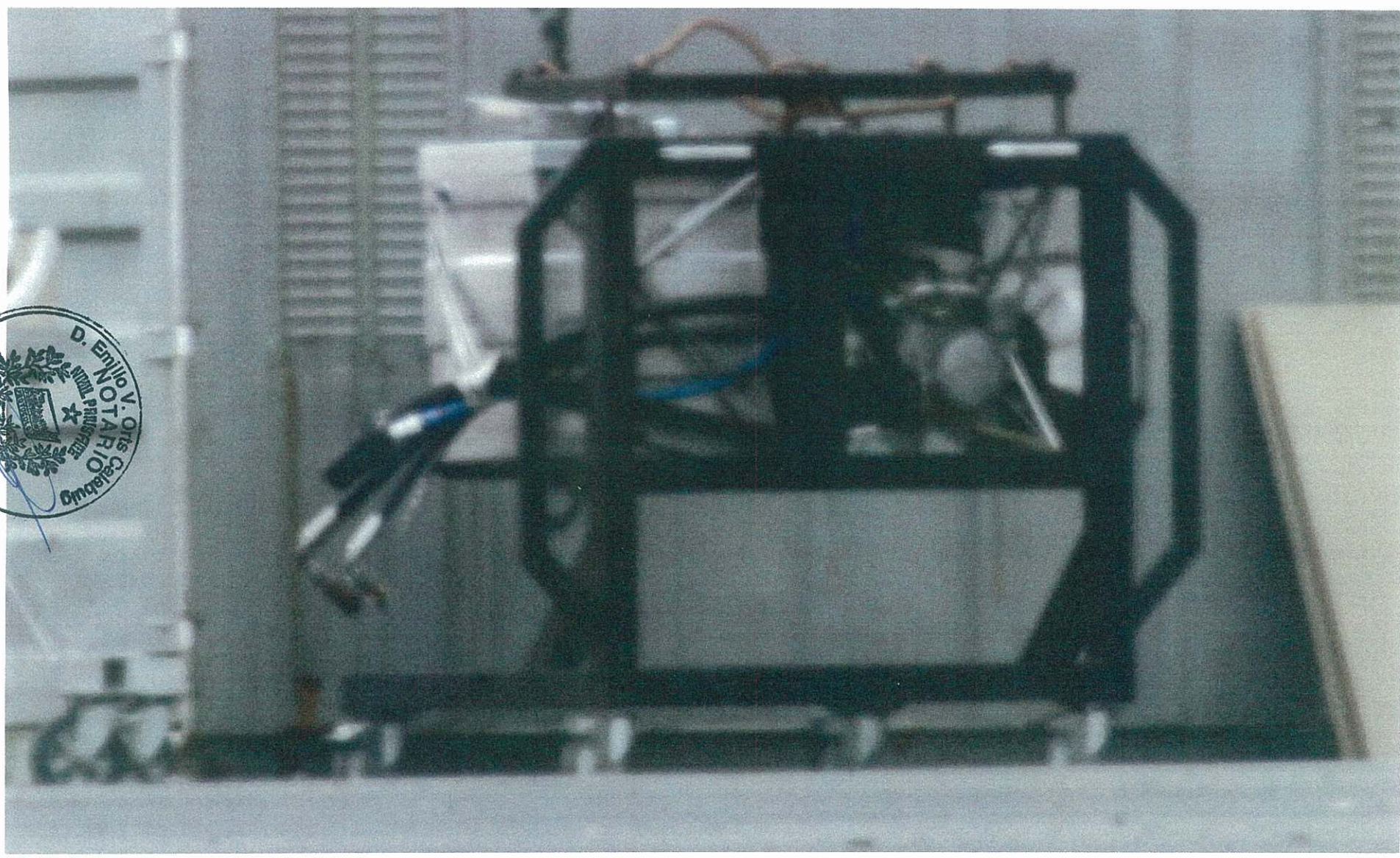
EXHIBIT C



AAWA 8029



Activa 9229



LEGITIMACION anotada al numero 47 de mi Libro Indicador:

Yo, Emilio Vicente Orts Calabuig, Notario de Ilustre Colegio de Valencia, con residencia en la Capital,

DOY FE:

Que ante me ha comparecido **DON FRANK OLIVIER ALBINA**, mayor de edad, a quien identifico por su Pasaporte frances numero O4RE76905, vigente.

Que dicho Sr. Libre y voluntariamente ha estampado a mi presencia la firma que precede y manifiesta que conoce el contenido de este documento extendido en nueve folios de papel comun escritos a una cara, y quiere que surtan los efectos que le son propios en USA.

En su virtud LEGITIMO la firma que antecede conforme el articulo 207. 2 del Reglamento Notarial y hago constar que todo lo anterior esta conforme con el Acta numero 392 de mi protocolo de esta misma fecha y que signo, rubrico y sello es diligencia, que anoto en el Libro Indicador, en Valencia a 27 de Enero de 2.010.



[Handwritten signature in blue ink]