

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

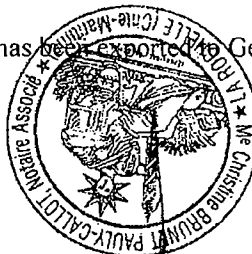
Affidavit of Jean Baptiste Le  
Vaillant

JEAN BAPTISTE LE VAILLANT hereby deposes and says:

1. I am over 18 years old and am a citizen of France. I am one of the two managers of the sailmaking company Incidences located in La Rochelle, France. We produce sails for giant multihulls such as Banque Populaire (130 '), Groupama 3 ( 115') and Orange II (140 '). We have over 100 employees in four different locations in France. I have been in the sailmaking business for the past 24 (twenty four) years. We specialize in racing yachts and build many multihull sails.

2. In my *experience*, there are several alternatives to building North 3DL sails for a large America's Cup multihull. The alternatives include laminated sails which do not infringe on the North patent (for example D4 sails, which could be manufactured in Switzerland if planned ahead of time), or paneled sails.

3. We are currently using D4 laminate sail technology on 100 foot multihulls. The D4 laminate process is public and has been used in Germany and the



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USA, with no legal restraints. The D4 process and machinery can be imported where ever we need to. It would not be difficult to set up the machinery and technical aspects in Switzerland, merely a matter of financial investment.

4. Another alternative, which we use for yachts which race around the world, is traditional paneled sails using Cuben Fiber fabric, which is a flat sailcloth, and shape is introduced to the sail by the assembly of the panels. Most of our giant offshore multihull clients (i.e. in the 90 – 130 feet region) use paneled sails. This fabric is available to all sailmakers in a generic form (i.e. a flat sailcloth which is not custom engineered). Paneled sails may also be made out of Kevlar, Carbon or Spectra fabric such as Dimension Polyant made in Germany.

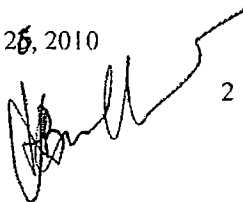
5. With some lead time, we could manufacture either laminate or paneled sails in Switzerland as the technology for both is available there. It would take 3 (three) weeks to set up a laminate sail facility of the appropriate size in Switzerland, and then it would take another 3 (three) weeks approximately to complete a set of laminate sails for Alinghi's multihull.

6. It would take approximately 1 (one) week to set up an appropriately sized facility in Switzerland for paneled sails, and then another 3 (three) weeks to complete a set of sails for Alinghi's multihull.

7. I declare under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
Jean Baptiste Le Vaillant

Dated: January 26, 2010



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Signature  
certifiée  
comme  
étant  
celle de  
J. Le Vaillant.

