

America's Cup Defender changes jurisdiction to secure a competitive Match in 2009

The Société Nautique de Genève (SNG) has today announced that it proposes to file an immediate appeal with the New York Appellate Court in order to accelerate the current legal process to return the America's Cup to the water with a competitive race. The intransigency of Golden Gate Yacht Club (GGYC) since the day they filed their law suit has forced SNG to move the case to the next level in the New York legal system. In an attempt to obtain a swift resolution to the current uncertainty, an expedited process is being requested together with a motion to stay the case, this in order to suspend the implementation of Justice Cahn's previous order until the Appellate Court rules.

In line with standard legal practice, if the motion to stay and the expedited appeal process are granted, the Appellate Court could issue an order before the end of the June term enabling the competition to take place in accordance with the Deed of Gift, approximately 10 months later.

Lucien Masméjan, SNG's lead counsel, explains: "Our sole objective is to race in a competitive America's Cup Match. We have stated our desire for a fight on the water sometime after May 2009, but GGYC continue with the destructive strategy that has already eliminated all other challengers. They also refuse to provide the required information on their boat so in order to have a competition in 2009, worthy of the America's Cup, GGYC's obstructive tactics leave us no choice but to appeal to achieve our objective."

"We believe that the precedent set by the Mercury Bay Case in the eighties is supportive of the content of our appeal and look forward to the Appellate Court resolving matters in a timely manner."