

Measurement Committee

Additional report to the AC34 International Jury regarding unauthorized modification of OTUSA and BAR AC45 yachts



August 15, 2013

This report is based on follow-up investigations by the AC34 Measurement Committee into unauthorized modification of AC45 yachts owned and/or maintained by Oracle Team USA. It also provides clarification to certain parts of the Measurement Committee's original report to the Regatta Director in the matter.

On August 13th, 2013, subsequent to a meeting with Tom Ehman, Mark Turner, and Russell Coutts (all representing the interests of OTUSA), AC34 Measurement Committee members Nick Nicholson and Shaun Ritson inspected AC45 yachts 4 (generally referred to by the Measurement Committee as Oracle Racing Spithill) and 5 (generally referred to by the Measurement Committee as Oracle Racing Coutts). Also present for part of our inspections was Regatta Director Iain Murray.

The intention of this inspection was to remove confusion as to which components of which yacht or yachts might have been modified without the permission of the Measurement Committee.

Boats 4 and 5 were hauled out, and the kingposts and forward kingposts installed in each yacht were removed for inspection in our presence. The term "kingpost" refers to the short vertical compression member mounted on the underside of the spine, immediately below the wing rotation point. The forward kingpost is a similar vertical compression member mounted on the underside of the spine below the forestay attachment point. Both the forward kingpost and the main kingpost are sometimes generically referred to as the "dolphin striker", an archaic term for a spar below the bowsprit on a sailing ship.

Both the kingpost and the forward kingpost are controlled components listed in AC45 Class Rule C.1.2. These components cannot be replaced or modified without the permission of the Measurement Committee. See AC45 Class Rule C.1.5.

The Measurement Committee had previously inspected and weighed the forward kingpost that had been installed on Ben Ainslie Racing.

On August 13th, the Measurement Committee inspected and weighed components removed from the following AC45 yachts, and compared them to in-stock new components belonging to ACRM, and to other components previously weighed:

Forward kingposts:

New forward kingpost from ACRM stock (w/ upper and lower fittings):	1.867 kg
Previously-weighed unmodified forward post with lower fitting only:	1.390 kg
Oracle Coutts 5 forward kingpost with lower fitting only:	1.392 kg
BAR forward kingpost with lower fitting only (re-weigh, previously weighed on July 26)	3.720 kg
Oracle Spithill 4 forward kingpost w/ lower fitting and retaining pin only (post shows evidence of some legitimate repair)	1.638 kg

Main kingposts:

New main kingpost from ACRM stock with upper and lower fittings:	1.463 kg
Oracle Coutts 5 main kingpost with upper and lower fittings: (post shows evidence of some legitimate repair)	1.827 kg
Oracle Spithill 4 main kingpost with upper and lower fittings:	2.985 kg

The main kingpost installed in BAR was not inspected.

The upper fitting of the main kingpost on Oracle Spithill 4 was removed, and a discolored plastic bag whose top was secured with multiple cable ties was found. This had previously been reported to the Measurement Committee by ACRM chief boatbuilder Glyn Davies.

This bag was so tightly wedged into the kingpost that it could not be removed intact. The bag was punctured by the Regatta Director, and a small quantity of granular material was removed. This material was subsequently tested by the Measurement Committee and found to be ferrous in nature (i.e. it was attracted by a magnet). We made no further attempt to remove the entire contents of the plastic bag, as that could only be done using tools that were not immediately available, and by destroying the plastic bag.

The forward kingpost from Ben Ainslie Racing, listed above, has been removed from the yacht and replaced with a new forward kingpost from ACRM stock.

The main kingpost from Oracle Spithill 4, listed above, has been removed and replaced with a new main kingpost from ACRM stock.

These are the only two components installed on these three yachts that have been inspected and weighed by the Measurement Committee and found to be unambiguously out of compliance with the requirements of the AC45 Class Rule.

We wish to clarify several items in our previous report to the Regatta Director on this matter.

1. Perhaps due to confusion in nomenclature, miscommunication, and/or a misunderstanding on our part, previous statements made by ACRM boatbuilder Glyn Davies to the Measurement Committee were interpreted by us as implying that forward kingposts had been modified on multiple boats. Our understanding of those statements was contained in our original report to the Regatta Director. This report is intended to correct any misinformation in our original report in this regard.

Further to subsequent conversations with Glyn Davies, we now understand that he may have been reporting to us that "*one other kingpost was similarly heavy.*" This is consistent with the findings of our subsequent inspections.

2. Our previous report to the Regatta Director contained a reference to information conveyed by telephone to the Chairman of the Measurement Committee by Mark Turner of OTUSA on July 27. During that conversation, Mr. Turner stated that it was his belief that components had been modified on all three boats participating in the ACWS that were owned or maintained by OTUSA. The Measurement Committee's report to the Regatta Director on August 4 conveyed this information in a way we believe reflected Mr. Turner's statement.

Mark Turner has since informed us by email on August 14, 2013 that he has no evidence that either kingpost on Oracle 5 Coutts was modified. Mr. Turner included the Jury in the list of recipients of his email containing this information with regard to Oracle Racing Coutts.

3. Included herewith is an amended profile drawing of an AC45 yacht, identifying both the main kingpost and the forward kingpost.

AC34 Measurement Committee

Nick Nicholson, Chairman
Carlos De Beltran
Shaun Ritson

