

- On 29 April 2009, I went back to the vineyards. At that time, I thought that I needed a private and permanent observation point. I went through a village and I saw an apartment building where there was a "for rent" sign. I took a photo, that could be interesting---
- Going back down to the Alinghi site, I noticed that this apartment would not be suitable as an observation point, because the site was hidden by vegetation-
- Then I went back behind the Alinghi site, near the tents to take more photos of the blowers, or rather the dust exhausters. These were located all along the tent that I believe is the one used for the masts, given its height---
- I specify that all of my movements on this site were recorded on GPS, all the photos on SD cards and all the voice recordings on my digital voice recorder--
- During those two days, I had telephone contacts on my Nokia brand cell phone whose number [REDACTED]

- I did all that in the context of my work, for my employer BMW Oracle Racing---
- This company is a competitor of Alinghi---
- I specify that I was officially authorized by my company to carry out this reconnaissance. In fact, I am part of the design team but the entire staff can provide useful information, particularly on opposing teams. We call that a "recon cell" for reconnaissance---
- The person who authorized me is Manolo RUIZ DE ELVIRA, who is a designer---
- All that was done verbally, in Valencia. It is a group decision-
- I specify that this type of information gathering on the competition is routine, even Alinghi does it this way---
- Furthermore, at the end of 2008 during the period of putting our own boat in the water in Anacortes in the United States (Washington) and during our training in San Diego, we had to put up with the constant, bothersome presence of the Alinghi information team---
- I also want to specify that considering the images freely available on the Internet concerning the facilities inside the tent on the Alinghi site, I did not think that my photos of the outside of the tent could be criminal in nature -
- I am referring in particular to the photos of the concrete structures put in place under the tent, which make it possible to determine certain characteristics of the boat---

- **Question: What use did you intend for the information you obtained?**
- **Answer:** I made two reports. I did not collect information critical for Alinghi, or frankly decisive for Oracle. What is circulating on the Internet is much more specific than what I was able to observe. I did not see the hulls, for example---
- These reports were intended for the Oracle design team so that they could evaluate everything that might have been there, in particular the technical characteristics of the competing project---

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