

**SUMMARY STATEMENT ON APPLICATION FOR EXPEDITED SERVICE AND/OR INTERIM RELIEF**

(SUBMITTED BY MOVING PARTY)

Date **November 4, 2009**

Title of Matter: **Golden Gate Yacht Club ("GGYC") v. Societe Nautique de Geneve ("SNG")** Index/Indict # **602446/07**

Appeal by **SNG** from **order judgment of Supreme Surrogate's Family** County **New York** Court entered on **Oct. 30/Nov. 4, 2009**

Name of Judge **Shirley Kornreich** Notice of Appeal filed on **Nov. 4, 2009**

If from administrative determination, state agency **[ ]**

Nature of action or proceeding **Action for breach of the terms of the Deed of Gift governing the America's Cup**

Provisions of **order judgment appealed from** **(1) Granting GGYC's motion to invalidate venue for 33rd America's Cup; (2) Granting GGYC's motion to exclude the rudder from measurement**

This application by **appellant respondent** is for **(1) Expedited relief; (2) Stay of venue order pending appeal; (3) Consolidation of appeals; and (4) Oral argument on non-enumerated appeal.**

If applying for a stay, state reason why requested **A stay is necessary to ensure that the venue will continue to prepare for the race so that the facilities will be ready in the event the order is reversed by this Court.**

Has any undertaking been posted **No** If "yes", state amount and type **[ ]**

Has application been made to court below for this relief **No** If yes, state Disposition **[ ]**  
Has there been any prior application herein in this court **No** If "yes", state dates and nature **[ ]**

Has adversary been advised of this application **Yes** Does he/she consent **GGYC consents to all relief sought except for the stay**

Name Simpson Thacher & Bartlett

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Appearing by Jonathan Youngwood

Also present:  
Cleary Gottlieb Steen & Hamilton  
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212-225-2000  
Jennifer Gorskie  
Counsel for Amicus Ras al Khaimah

Boies Schiller & Flexner  
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Phillip Bowman

(Do not write below this line)

DISPOSITION

*Expedited appeal of Hon. Shirley Kornreich's rulings & decisions granted. Clerk shall note importance of early date - preferably before No stay of her order. Thursday*

*Amicus brief may be filed by ~~United~~ Ras Al Khaimah*

App 11/4

Resp 11/12

App Reply 11/13

*HEF*  
Justice *HEF*

*11/4/09*  
Date

Motion Date \_\_\_\_\_ Opposition \_\_\_\_\_ Reply \_\_\_\_\_

EXPEDITE \_\_\_\_\_ PHONE ATTORNEYS \_\_\_\_\_ DECISION BY \_\_\_\_\_

ALL PAPERS TO BE SERVED PERSONALLY.

*EUH*  
\_\_\_\_\_  
Court Attorney