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**Subject:** statement for ISAF

Gentlemen,

I have the following comments concerning the jury panel and decision specific to the suspension of the sailors with Oracle.

While there were several procedural errors the most offensive was the refusal of the jury to allow cross examination of the the jurors who presented hearsay evidence in the form of statements from unidentified persons. Further, the jury refused to identify those declarants who made the statements and without cross examination of the declarants the truth cannot be determined.

It is simply unconceivable that an America's Cup jury representing one of the pinnacles of yacht racing was able to suspend competitors based solely on hearsay. The statements offered to show the guilt of those accused simply are not valid in a court because the defense has had no opportunity to verify the truth of the assertions.

This type of hearing has no place in the America's Cup nor in any ISAF event.

Very Truly Yours,

John R. Caldwell  
past Chair of ISAF Constitution Committee  
past Chair of ISA Review Board