

PRESS RELEASE

Cheating Allegation Charge against Americas Cup Winner

Luna Rossa's Simeon Tienpont (ex Oracle Team USA race crew) has had an allegation of cheating laid against him via the International Sailing Federation (ISAF) by Kiwi yachtsman Matt Mitchell, who himself was given the "all clear" from the International controlling body last week.

Despite confessing his part in the boat tampering to the AC International Jury when they were conducting their investigations, incredibly Simeon was not required to face the Americas Cup cheating hearings. Oracle's internal investigator expressed surprise that Simeon was not charged at the time of the revelations - this from a secret memo that surfaced at the recent CAS re-examination of a related case. The charges against Tienpont also include an allegation of lying during the hearing.

Yachting New Zealand in their report stated that they were "troubled by the fact that the Americas Cup International Jury failed to include an allegation of gross misconduct against Simeon Tienpont" (33b YNZ report), *"we struggle to understand how a senior sailing member of OTUSA who admitted in an interview with ACIJ members filling a kingpost on Boat BAR with resin should not have faced an allegation of serious misconduct under Rule 69....."*

Yachting New Zealand's decision concluded that out of 18 witnesses, Simeon was the only person to give evidence at the ACIJ hearing that implicated Mitchell (YNZ report (63)).

Mitchell is looking forward to ISAF investigating both the allegation of "lying to a hearing" and "deliberately breaking a racing rule" against Simeon and the reasons that allowed Tienpont to go without penalty. Tienpont was a crucial member aboard USA17. Tienpont's responsibility on the boat was considered integral in that he controlled the dagger boards, nick-named "Herbie", the performance of which also created controversy. Observers questioned its compliance to the rules, and it has been the matter of much discussion since.

The ISAF Rules of Sailing require that all competitors must be treated equally, and in this case they have not been implemented with an even hand. One of the ISAF's stated objectives is "To represent and protect the interests of any member of the Federation" Mitchell says that the time has now come for ISAF to front up and apply the rules fairly without politics or prejudice.

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