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African Diaspora Maritime Takes America's Cup Trustee to NY Supreme Court

AFRICAN DIASPORA MARITIME, Plaintiff

v.

GOLDEN GATE YACHT CLUB, Defendant

Supreme Court of the State of New York, County of New York

Oral Arguments Scheduled June 27, 2012

(On Defendant's motion to dismiss)

Index No. 653419/2011

(Raleigh, NC/June 11, 2012) In what is being compared to a “David vs. Goliath” battle, one man’s two-year attempt to integrate the upcoming 34th America’s Cup (2013 San Francisco) will now be heard in oral arguments before the Supreme Court of the State of New York on June 27, 2012.

The “David” of this reality story is [Charles M. Kithcart](#), Executive Director of [African Diaspora Maritime \(ADM\)](#) who has filed suit against The Golden Gate Yacht Club (GGYC), current trustee of the America’s Cup. ADM is being represented by international law firm, [McDermott Will & Emery](#), LLP, New York.

“The America’s Cup is the premiere sailing competition in the world and what we will do is crew a predominantly African American/African heritage team of experienced, international sailors to compete in an upcoming Defender Selection Series,” says Kithcart a veteran mariner.

The “Cup” is governed by a deed (Deed of Gift) dating back to 1887 that call for friendly competition between foreign countries. ADM sought to participate by (manifold, involute and diligent preparation in spite of being excluded from the competitor’s forum) timely filing the required application with the trustee.

“GGYC was obligated to do two things: review and accept applicants that have the necessary resources and experience to have a reasonable chance of winning,” the lawsuit alleges “They breached those obligations by rejecting ADM’s application for purely pretextual and ever-shifting reasons.”

ADM sought to compete in a Defender Selection Series against GGYC's clearly preferred representative; Team Oracle Racing led by Larry Ellison, billionaire CEO/Founder Oracle Corp. ADM is the only team from the United States who applied to compete against Team Oracle Racing for the right to become Defender.

About African Diaspora Maritime (ADM)

African Diaspora Maritime is a non-profit corporation, created to compete in various sailing regattas (namely the America's Cup) with a mission to motivate, inspire, and teach problem solving and cooperation by introducing early disciplines of maritime knowledge. Exploring and teaching this great subject which includes mathematics, physics, science, engineering, languages, and competition. "We have a mission to make history and teach history by introducing the extraordinary yet unheralded legacy of the black mariner as well as the complex math and science behind hi-tech America's Cup sailing." Charles M. Kithcart, Executive Director.

Background Data

Editor's Note: (*Reference*)

- [ADM complaint filed before the Supreme Court of the State of New York](#)
- [Memorandum of Law in Opposition to Defendant Golden Gate Yacht Club's Motion to Dismiss the Amended Complaint.](#))
- [About McDermott Will & Emery, LLP, New York](#)

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