



August 22, 2007

Jessica DeVivo, Esq.
Cichanowicz, Callan, Keane *et al*, LLP
61 Broadway, Suite 3000
New York, NY 10006

Re: New York 30 Class sloop *Amorita*, owned by Jed Pearsall

Dear Ms. DeVivo:

This letter is to comment on the importance of the sailing vessel *Amorita* as a valuable and exceptional example of American yachting history, and the implications of that in connection with her repair.

I am writing out of my caring and concern that *Amorita* be repaired and restored to service properly and promptly. My professional expertise for this comes from being an industry-leading naval architect and marine engineer in the sailing yacht field. I've been inspired by classic yachts since my boyhood, and I've served in their restoration for specific clients; as a founding trustee and past Chairman of the Board of the International Yacht Restoration School; and as a past Trustee of the Museum of Yachting, also in Newport, Rhode Island. Please see my Professional Summary, attached.

Amorita in the Context of Yachting History:

Amorita was built in 1905 as part of a pioneering approach to sailing yachts. It was a dynamic time in American yachting. Large American yachts had been successful in trans-Atlantic races, and had won the America's Cup - considered the Holy Grail of yachting - three times in quick succession from 1899-1903 outside of New York Harbor in the largest yachts ever to compete for the prize.

To calculate corrected time handicaps of different types and sizes of yachts that raced in a mixed fleet, several rating formulae had been devised in the late 1800's. These were relatively primitive, and a new and improved one was introduced in 1902, subsequently called the Universal Rule. Significantly, the grand yachts for the America's Cup as well as the new rating rule were brought about by a collaboration of the New York Yacht Club and Capt. Nathanael Greene Herreshoff, also known as Capt. Nat and as "the Wizard of Bristol," referring to the town in Rhode Island where he designed and built all sorts of marine craft.

America was in its heyday of the Industrial Revolution, and the Herreshoff Manufacturing Company was a major player in the marine field. The yard was productive and prolific, designing and building sailing yachts, steam yachts and special craft for the US Navy (such as the first motor torpedo boat) at rates that are hard to fathom today. Herreshoff was both a phenomenal innovator and the most skilled and legendary master of his craft in America.

The creation of the New York 30 Class was born in this context. The New York Yacht Club (NYYC) wanted to foster competition in yachts at the small end of the Club's interest, 30 feet on the waterline and about 44 feet overall. In 1904, it decided to establish a fleet of identical yachts, which would be assigned upon completion to subscribing owners on a lottery basis. This idea of a "one-design" class of keelboats was, in itself, a fairly novel concept that paved the way for similar classes that have followed to this day.

The New York 30 was a further collaboration of the NYYC and Nathanael Herreshoff. In total, eighteen hand-built, wooden 30's were completed within just five months from the signing of the contract - itself a truly remarkable feat.¹ They raced actively from 1905 until just before the Great Depression. With design evolution advancing in other classes thereafter, there was relatively little activity among the NY 30's in the next half-century, although celebrations were held for the Class's 50th and 75th anniversaries.

The resurgence of the Class really began with *Amorita's* restoration to active use in the early 1980's and her arrival in Newport, RI, which offered Classic Yacht racing among a mixed fleet of other classic yachts. Other NY 30 restorations followed, with particular interest as the class approached its 100th anniversary in 2005. Twelve of the original eighteen NY 30's remain, most of which are well-kept and still sailed 100 years after they were built. This is especially significant, because few other American sailing yachts of this size from the early Nineteenth Century are afloat today. Fewer are being raced actively. *Amorita*, iconically, has been by far the most active, successful and recognized representative of the entire NY 30 fleet.

Quotations by Others:

On the New York 30's 75th anniversary in 1980, David Kiremidjian wrote the following about the specialness of this class, and their significance by continuing to be used.²

"Herreshoff, and the other designers of the day, had no need to create for posterity. They produced boats of extraordinary excellence in materials and craftsmanship simply because that was part of the tradition they belonged to, a self-perpetuating tradition of quality for its own sake, and not for the purpose of braving time. . . . But here we are, very definitely 'posterity,' having barely survived the near exhaustion of certain traditions in skilled arts of craftsmanship, and the absolute extinction of certain materials. Being very much tuned to survival, any boat or object which has been well preserved or well restored becomes a powerful talisman of our own vital expectations.

. . . what emerges today is not just the story of yet another symbol about to enter a museum, but a record of men who still perceive the life and utility of a creation whose value is intrinsic and enduring, and who possess the sensitivity and will to insist regardless of conditions that these values be affirmed and reinstated. They represent a form of experience which is indeed privileged, but for no other reason than the fact that they do offer a way of life, as they did not only for their owners, but for many who touched the boats in some fashion."

In 2004, at a symposium on the 75th anniversary of the 1929 founding of the yacht design firm of Sparkman & Stephens, then-96-year-old Olin Stephens - the greatest yacht designer of the

¹ "How It All Began: An Extraordinary Chronology," compiled by Gherardi Davis, *WoodenBoat* #35, July/August 1980, pp. 22-32,

² "Then, But Mostly Now Also," by David Kiremidjian, *WoodenBoat* #35, July/August 1980, pp. 21-22,

Twentieth Century - was asked to comment about pre-1950 designs.³ He extolled not his own distinguished work including the later New York 32, but rather the New York 30 by Herreshoff.

“The 30, to me, represented an ideal, primarily as the result of honest simplicity and practicality, combined with excellent performance. The class did and still does meet the logical wishes of the class organizers in a most efficient way.”

These statements characterize the importance of preserving examples of craftsmanship and the culture of their birth era. They point, furthermore, to the significance of the New York 30's as perhaps the best surviving example of American maritime arts and sciences of a century ago.

Significance of “Original Fabric:”

The US Department of the Interior has published standards of preservation and restoration that are to be met in any historic project under the Federal Government's authority. They are often cited by local authorities and parties responsible for preservation projects, as well. A primary goal is to retain “original fabric,” meaning materials, to the greatest possible extent.

It is a tribute to *Amorita* that she has, to this point, retained most of her original fabric. Nearly all her planks are the timbers that the craftsmen of the Herreshoff Manufacturing Company hand-shaped over 100 years ago. Now, sadly, many of them are in splinters. A significant amount of new fabric will have to be used to restore *Amorita*, replacing destroyed planks, windows and interior components. That's truly unfortunate, as that aspect of *Amorita's* antiquity will be forever diminished.

Basic Principles of Yacht Restoration:

In addition to the goal of retaining original fabric, nearly all yacht restoration projects are meant to retain the vessel's original function. While a limited number of restoration and preservation projects become museum displays, sailing yachts were meant to go to sea. For most owners of yachts to be restored, the goal is to return the vessel to seaworthy sailing condition and put it back into service. To restore full structural integrity in a seriously decayed vessel, extensive replacement of hull and deck timbers may be necessary, but, in a proper restoration, every effort is made to match the species, shape and construction details of each, individual piece.⁴

Some yachts are so well loved and cared for that they continue from year to year with little removal of original fabric. However, others suffer decades of neglect or abandonment and later require substantial replacement of badly deteriorated wood and fittings. *Amorita* suffered a period of abandonment, but it was fortunately brief. Although she was perilously close to being chain-sawed into firewood in 1975, she was rescued and restored without requiring major plank replacement. She was in excellent condition at the time of the recent accident.

³ Cited from “The New York 30s: A century of one-design sailing,” by Daniel Erwin, *WoodenBoat* 184, May/June 2005, p. 86.

⁴ The know-how and skill to re-construct yachts in the manner of the great wooden boat and yacht craftsmen of a century ago has almost vanished. The International Yacht Restoration School (IYRS) was founded in Newport, RI in 1993 to teach and preserve the craftsmanship that is needed, in turn, to preserve the antique vessels themselves, or re-build them as necessary. Other, smaller-scale programs for yacht restoration and training by apprenticeship are provided by the Museum of Yachting in Newport and in marine trade programs in other parts of the US. Nearly all of the boats and yachts that are rescued by these programs are returned to active service in the hands of owners who appreciate the value of preservation and the joy of going to sea in a maritime antique.

Consequences of Collision with *Amorita*:

Amorita was rammed and sunk on July 7, 2007. Without comment about circumstances leading to the accident, a 90-foot sailing yacht under way at full speed “T-boned” the starboard side of *Amorita*, which had been spun in front of the large yacht’s bow at close to a 90-degree angle. Sailboats are designed to resist sideways motion, so the bow of the 90-footer plowed through the much smaller *Amorita*’s topsides dead amidships, through the deck and cabin, and partway through the port side before coming to a stop. In 1-2 seconds, *Amorita* had been pushed underneath the forebody of the 90-footer, and she immediately filled and sank. This is a case of a roughly 100-ton yacht clobbering a roughly 10-ton yacht that was fixed in its track.

I inspected *Amorita* in Jamestown, RI on August 9, 2007. There was a tarp over the damaged mid-section of the vessel, but the starboard side was accessible under the tarp. While the severity of the local damage is alarming, the wood keel structure that still connects the nearly separated bow and stern appears not to be compromised. Cosmetically, the topsides planking outside of the impact damage appeared in remarkably good shape. However, there were sprung planks in the bottom below the broken areas on both sides. The cabin top and sides from the front panel to the companionway at the after end are completely gone.

The photos below give some sense of the extensive gash in the starboard side and the lesser one to port. As one approaches the yacht on her better side, it’s deceptive how much has been destroyed on the starboard side and within the cabin. Nevertheless despite how broken *Amorita* is, she is repairable. She was raised and hauled ashore on July 10th with apparently great care to prevent further damage, and is awaiting for circumstances to be in place for her restoration.



Amorita, starboard side, showing gaping hole in topsides.
Gash extends below sag in tarp, shown in next photo.
Topsides are also broken aft of hole, where tarp angles inboard.



Amorita, starboard side, continuation of gash below waterline,
Extending about halfway from the waterline to the keel.



Amorita, port side. Hole extends from bump at sheerline in middle of tarp
to about 2/3 of sawhorse length aft, and down to near the waterline.

Comparison of Damage to Other Antiques:

Amorita is, in fact, a rare and irreplaceable antique. Although she has sisterships, there is a finite inventory of them, each of which is important to preserve. This is comparable to the characteristics of, say, a John Townsend desk. Just as Nathanael Herreshoff was as a master who established the highest standards of design and craftsmanship in the sailing yachts of America circa 1900, John Townsend gave birth to the highest standards of design and craftsmanship in Colonial American furniture. Although a reasonable number of Townsend desks are extant, each one is a treasure worth preserving to the highest standards. No one Townsend desk is a substitute for any other.

If, for example, a Townsend desk were smashed by a mighty sledge hammer blow that destroyed its top and front, but the rest of the piece survived, it's unthinkable that the piece would be scrapped. Nor would replicating it be a viable alternative. After all, it's not just a piece of furniture. It's a piece of history.

The desk would surely be repaired, retaining as much original fabric as could be salvaged. The damaged components would be replaced with meticulous selection of wood, using the finest craftsmanship that could be found, and making every effort to match the final finish as much as possible to the pre-damaged original. The cost of such a restoration would undoubtedly cost more than making an ordinary repair, and probably more than constructing a replica to the standards of materials and workmanship of 2007 instead of 1765. In a matter of restoring an exemplary antique as closely as possible to its pre-damaged condition, the least expensive path isn't relevant.

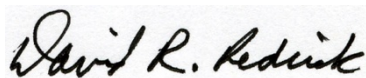
Restoration of *Amorita*:

So it is with *Amorita*. She is the most iconic, individual example of a historically important class of sailing yacht. She was in excellent condition prior to the accident on July 7th, and is one of perhaps only two NY 30's that still contain a substantial amount of original fabric from her construction more than a century ago.

Special skills are required to execute a proper restoration, beginning with careful thought and planning beforehand. The characteristics of *Amorita* as a 100-year-old, well-cared-for antique that is, furthermore, the exemplar of her type demand such an extraordinary standard of workmanship. Only a small handful of restoration boatbuilders have the required experience and talents for this. These builders tend to be reasonable in their hourly billing rates - it's just that the level of craftsmanship needed to restore *Amorita* properly to her pre-accident condition takes a lot of hours. Then, even when the best work is done, there is still the painful loss of much of her original fabric.

Amorita can sail again, structurally sound and looking as superb as she did earlier in the day on July 7th. The sooner this happens, the more complete will be the maritime heritage that she represents.

Respectfully submitted,



David Pedrick
President
Pedrick Yacht Designs, Inc.



PROFESSIONAL SUMMARY

David Pedrick

President, Pedrick Yacht Designs, Inc., Newport, RI

Professional occupation:

1970 - present Yacht designer, naval architect & marine engineer
1971-74 Stevens Institute of Technology, graduate courses in Ocean Engineering
1970 Webb Institute of Naval Architecture, B.S. in NA & ME

Positions held:

1977 - present President, Pedrick Yacht Designs, Newport, RI
1970-77 Chief, Scientific Section, Sparkman & Stephens, New York

Notable projects, Pedrick Yacht Designs:

2007 Naval Academy 44-ft Sail Training Craft, fleet of 24 vessels
2004-06 12M Class yachts *KZ-3* & *KZ-5*, NA & World division champions; research & new keels
2004 MIT *seaAH*, 156-ft, 23-knot, revolutionary motorsailer
2003 *Alana*, restoration of 1930 Fife Six Meter Class yacht
2002-03 *Courageous*, 12M US26, various upgrades, NA & World division champion 2003-06
2000 *Shanakee II*, Pedrick 75 raised salon cruiser, 2001 Transpac line honors winner
1997 *Savannah*, 90-ft neo-classic, "Superyacht-of-the-Year Award" double winner
1995 *Stars & Stripes 95*, IACC yacht, winner of Citizen Cup for Defender's Trials
1989 *Drumbeat*, Maxi racer for Alan Bond
1987 *Stars & Stripes 87*, America's Cup winner in Fremantle, Australia
1986 *Sovereign*, Maxi racer, 1988 World Maxi Champion
1982 *Nirvana*, Maxi cruiser/racer, 10-year record holder of Bermuda & Fastnet Races

Various other custom projects, production yachts and re-fits. World leader in upgrades to Twelve Metre Class yachts. Production builders have included Camper & Nicholsons, Freedom Yachts, Bristol Yachts and Cheoy Lee. Various consultations including performance, engineering and expert witness.

Notable projects for Sparkman & Stephens:

1972-74 Chief designer, *Kialoa III*, maxi racer, World Ocean Racing Champion 1975-77
1972-74 Chief designer, *Courageous*, America's Cup winner 1974 and 1977

Principal Volunteer Service:

2007-present Woods Hole Oceanographic Institution, Corporation Member
1993-2006 International Yacht Restoration School; Founding Trustee; Chairman, 2003-05
1994-2002 Offshore Racing Council; Chairman, International Technical Committee 1996-2002
1986-1997 Sail Newport Board of Directors; President, 1996-97

Professional Memberships:

1966-present Society of Naval Architects & Marine Engineers, Fellow since 2006
1978-present The American Boat & Yacht Council
1992-present The Superyacht Society
1972-present Various other related organizations, yacht clubs and museums

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