



Via Facsimile and Electronic Mail

October 18, 2006

Carmen Frobos
 American Arbitration Association
 2200 Century Parkway, Suite 300
 Atlanta, GA 03045-3203

Board of Directors

Ralph W. Hale, MD
 Chair

Richard W. Cohen, MD
 Vice Chair

Barry Axelrod
 Treasurer

Kate Hendrickson Borg, CHMM
 Secretary

Evelyn Ashford

Lawrence Brown, Jr., MD, MPH

Jean Fourcroy, MD, PhD, MPH

Andrew Mecca, Dr PH, MPH

Annette Salmeen, DPhil

Re: AAA 30 190 00847 06
 USADA and Floyd Landis

Dear Ms. Frobos:

I am in receipt of Mr. Jacobs' letter of October 17, 2006 responding to your letter of October 10, 2006 as you requested, but also responding in substance to my letter of October 17, 2006. Your letter was clear that both parties were to simultaneously respond to your letter and not wait on the other parties' response and then respond in substance to the other party. In future correspondence from the AAA, we request that responses be due at a specific time of day in order to prevent Mr. Jacobs from altering his response to address our submission.

With that said, Mr. Jacobs' response is inaccurate. He mischaracterizes our response to state that the "parties have already agreed to a public hearing." This is not the case. While USADA has not objected to a public hearing at this time, we have also not agreed to a public hearing because as indicated in my letter of October 17, 2006, we simply do not have enough detail on his proposal to determine if we agree or object. Mr. Jacobs, in his letter, also acknowledges that many of the details of a public hearing will need to be considered and possibly decided by the arbitrators.

I will not waste your time or ours at this juncture addressing all the substantive points raised by Mr. Jacobs' letter. Suffice it to say, despite Mr. Jacobs' attempt to mischaracterize our letter and our position, it is too premature to address the issues until the arbitration panel has been formed and we all are provided the specifics of the proposal.

United States Anti-Doping Agency

1330 Quail Lake Loop, Suite 260, Colorado Springs, CO 80906 ■ Tel: 719.785.2000 ■ Fax: 719.785.2001

usada@usantidoping.org ■ www.usantidoping.org

Please forward this response to the arbitration panel once it is formed.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Tygart', with a long horizontal line extending to the right.

Travis T. Tygart
General Counsel

cc: Howard Jacobs, Esq.