



Dear FFF Supporter,

USADA's counsel recently requested our donor records, along with several other astonishing demands of Floyd (to read these demands for yourself, visit [pages 3 - 12](#) of this file). Of course, we have no intention of providing them any private information. Fortunately for those of us who are not subject to WADA/USADA abuses, Americans are protected from these kinds of intrusions and threats. This, and a number of other basic democratic principles, seems to be lost on USADA, an agency funded by American taxpayer dollars.

USADA's recent outrages -- including illegally retesting Floyd's already cleared B samples in France instead of at the world-class UCLA anti-doping lab -- highlight their total lack of interest in the truth or in advancing justice. It also reminds the entire FFF team of our gratitude for your support. We simply could not conduct this expanding fight for justice without you. Over \$500,000 has been raised for Floyd's defense, and our communications and lobbying efforts have succeeded in reversing public and policymaker opinion regarding Floyd's victory in the 2006 Tour de France.

Floyd needs your help again before the hearings begin May 14: It is critical that you contact your Congressional Representatives and/or key Members (to access the list, visit [pages 13 - 14](#) of this file). This is urgent because the system employed by USADA is so biased against the athlete that any and all steps need to be taken to level the playing field *before* Floyd's May 14 hearings. USADA has *never* lost an arbitration hearing. Their record is 167-0. Common sense and American justice tell us that not every single accused athlete can be guilty, but these apparently don't concern USADA in their quest for government funding. If Congressional scrutiny puts their funding at risk, they just may begin to attend to the principles that inform the government that funds them

There are specific Congressional communications guidelines in the "Get Involved" section of our web site (www.floydfairnessfund.org), but in essence, we request that you ask Congress to contact USADA to let them know that US taxpayers expect fair treatment for Floyd. We've also attached the contact details for USADA and their legal counsel in case you wish to let them know your thoughts regarding their attempts to intrude into your privacy and to intimidate a group exercising their democratic right to advocate for fairness and justice in athletic anti-doping efforts.

Floyd's legal and scientific team has prepared an exceptionally strong case proving that his Stage 17 tests were never positive in the first place. You will be able to follow the case in detail as our request for an open hearing

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was granted and each day of the two week hearing will be covered by print and broadcast media. Our "Wiki Defense" has been based on the principle that Floyd has nothing to hide and that transparency assists us both to counteract the appalling show trial media convictions handed down by WADA and the cycling "leadership," and to pressure USADA to focus on the facts and science of Floyd's faulty test, not on extending their appalling 167-0 conviction rate. Your letters, calls and emails can help advance our efforts significantly.

I've had the chance to meet many of you at our FFF Town Halls, but would like to extend my personal thanks once again for your help and support for Floyd and the cause of fair and effective anti-doping in sport. Like several of our Team Wiki members, I am working pro bono for this cause, my family and I have also committed tens of thousands of dollars to the FFF. I have no doubt we have set in motion steps to improve the ineffective and deeply conflicted anti-doping system in sport, but Floyd stands at the front of this fight and has sacrificed greatly for what he knows is right. For the sake of justice, we should take every step possible to reverse the slander and injury WADA/USADA have directed at Floyd – a letter, email or call to the persons on the attached list will help greatly in this regard.

With my personal thanks and best wishes,

A handwritten signature in blue ink that reads "Brian".

Brian Rafferty
Chairman
Floyd Fairness Fund

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FOR IMMEDIATE RELEASE

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**USADA ATTORNEYS REQUEST CONFIDENTIAL,
INNAPROPRIATE AND IRRELEVANT DATA FROM FLOYD
LANDIS**

**USADA Continues to Deny Landis Access to Key Witnesses
and Information**

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New York, April 11, 2007 – The attorneys for the United States Anti-Doping Agency (USADA) last week made a discovery request of Floyd Landis and his defense team which further highlights their disrespect for Mr. Landis' civil rights and those of his supporters. The request, designed to further burden Mr. Landis' defense against unsubstantiated doping allegations, highlights USADA's role as an unchecked prosecutor relentlessly working to limit the defendants ability to exercise his right to equal protection under the law. The letter (attached) is another example of USADA's disregard for their fundamental charter and athletes' due process rights.

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Sent via email from USADA's outside counsel, the letter asks that Mr. Landis produce documents that are irrelevant to the material aspects of the case and, in some cases, are a direct assault on his civil liberties, HIPPA regulations and to the rights that govern legal proceedings taking place in democratic societies. The letter also explicitly asks for Mr. Landis' attorneys to reveal additional defense strategies to opposing counsel.

Further advancing their position that Landis should not have access to the resources to defend himself against a taxpayer-funded

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USADA/Landis Document Request

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agency, USADA also takes particular objection to the fundraising and political efforts of the Floyd Fairness Fund (FFF). The letter claims that Mr. Landis and the FFF are working to “coerce” those elected officials who have entrusted USADA with taxpayer dollars. It characterizes the FFF’s effort to encourage a more fair, effective and efficient anti-doping agency as interfering with the adjudication process while at the same time infringing upon Landis’ First Amendment right to petition the government.

Floyd Landis said, “In light of the fact that USADA won’t produce critical information or allow me to depose or call key witnesses in person that will help me get a fair and unbiased hearing in May, it’s outrageous that they would send a letter to my lawyers asking for things like receipts for medical visits, complete donor-records from the Floyd Fairness Fund and a history of all of the posts that I made on the Internet. That’s just harassment, and the last time I checked, it would constitute an invasion of my privacy and of the privacy of everyone who wants to see this hearing conducted in accordance with the principles of fairness and justice.”

“USADA clearly thinks that they’re above the law – and that’s precisely why we’ve been asking our elected representatives to look into USADA’s unfair and un-American tactics. The Senators and Congressmen that I have met with have expressed their support for our cause and applauded our efforts to bring USADA’s abuses to their attention. To call my conversations with our lawmakers “coercion” is an insult to them and to the foundational principles of American democracy.”

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Holme Roberts & Owen LLP
Attorneys at Law

COLORADO SPRINGS

VIA EMAIL

April 3, 2007

BOULDER

Maurice M. Suh, Esq.
Gibson, Dunn & Crutcher
333 South Grand Avenue
Los Angeles, CA 90071

DENVER

Re: *USADA and Floyd Landis,*
AAA No. 30 190 00847 06

Dear Mr. Suh:

LONDON

This correspondence constitutes the request of United States Anti-Doping Agency ("USADA") for production of documents from Floyd Landis. As you are well aware we have made numerous requests to you through previous correspondence to identify the nature of Mr. Landis' additional defenses so that we may narrow our discovery accordingly. Due to your refusal to cooperate in this effort, these discovery requests necessarily seek broad categories of documents that are necessary given the panoply of defenses, including claimed medical conditions, asserted by Mr. Landis at various points in his media campaign.

LOS ANGELES

MUNICH

We look forward to your full response to these requests and to the delivery of all responsive documents in accordance with the schedule set forth by the Panel, namely, by April 16, 2007.

SALT LAKE CITY

USADA does not believe it is necessary to import civil litigation instructions for this discovery response. Instead, USADA simply requests that you make a good-faith effort to provide all responsive documents to each request below that are in the possession of Mr. Landis or any agent of Mr. Landis or can be obtained through reasonable means by Mr. Landis. If you have any questions regarding any of the specific requests set forth below, please do not hesitate to contact me. Further, while USADA is not serving interrogatories, if it would be easier for Mr. Landis to answer any of the discovery requests below by providing a narrative response in addition to or, under appropriate circumstances, in place of providing certain documents, USADA is willing to review such a response and discuss with you whether it is sufficiently

SAN FRANCISCO

Matthew S. Barnett matthew.barnett@hro.com

90 South Cascade Avenue, Suite 1300 Colorado Springs, Colorado 80903-1615 tel 719.473.3800 fax 719.633.1518

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April 3, 2007
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responsive under the circumstances. Additionally, please indicate in your response any category of documents where there are no responsive documents.

DOCUMENT REQUESTS:

1. Provide copies of all medical records or related documentation for all medical examinations or diagnostic procedures performed on Mr. Landis (including without limitation, endocrinological examinations) for the time period beginning January 1, 2005, through September 1, 2006.
2. Provide copies of all medical records or related documentation for all medications or treatment received by Mr. Landis for the time period beginning January 1, 2005, through September 1, 2006, including without limitation any records related to any medications prescribed to Mr. Landis or taken by Mr. Landis without a prescription, records reflecting any cortisone treatments received, any transfusions received, and any use of a medicinal patch, cream or gel of any kind.
3. Identify and produce any and all evidence that supports any claim by Mr. Landis that his positive CIR was in any way related to a thyroid or related hormonal condition.
4. Identify and produce any and all evidence that supports any claim by Mr. Landis that his positive CIR was in any way related to alcohol consumption.
5. Identify and produce any and all evidence that supports any claim by Mr. Landis that his positive CIR was in any way related to cortisone treatment.
6. Identify and produce any and all evidence that supports any claim by Mr. Landis that his positive CIR was in any way related to any natural condition or natural occurrence.
7. Provide copies of all documents related to blood or urine test, including health tests or anti-doping tests performed by an agency other than USADA, including compilations of results, received from Union Cycliste Internationale

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("UCI"), Phonak or any other source, without limitation as to time period regarding results of testing performed on Mr. Landis, including, but not limited to all results of blood and urine tests.

8. In the event that Mr. Landis is pursuing any defense based on supplement usage, provide all relevant documents in support of that defense, including but not limited to all documents indicating supplements taken by Mr. Landis during the time period beginning January 1, 2006, through October 1, 2006.
9. Provide documents indicating the identity of any contributor to Mr. Landis' defense fund, including but not limited to funds directly contributed to the Floyd Fairness Fund, where such contributor contributed in excess of \$250.
10. Provide copies of all documents submitted by Mr. Landis, Mr. Henson or any other agent of Mr. Landis, including anyone connected to the Floyd Fairness Fund, to any government official in connection with Mr. Landis efforts to influence, pressure or coerce governmental officials to instigate investigations of USADA or otherwise interfere in this adjudication process.
11. Provide copies of all correspondence between Floyd Landis, or any agent or representative of Floyd Landis, and Agence française de lutte contre le dopage (AFLD) or Conseil de prévention et de lutte contre le dopage (CPLD), its predecessor agency.
12. Provide copies of all correspondence between Floyd Landis, or any agent or representative of Floyd Landis, and UCI regarding any issue related in any way to the subject matter of this proceeding.
13. Provide copies of all documents related to Floyd Landis' efforts related to the anti-doping movement prior to July 20, 2006, including, but not limited to any comments submitted by Floyd Landis to anyone regarding the USADA Protocol, the World Anti-Doping Code (the "World Code"), the World Anti-Doping Agency ("WADA") Prohibited List and any correspondence between Floyd Landis and the United States Olympic Committee ("USOC") or the

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Athlete Advisory Council ("AAC") regarding Mr. Landis' opinions and or concerns regarding doping in the sport of cycling or the anti-doping adjudication or testing system.

14. Provide documents indicating the name or names under which Floyd Landis posted on internet message boards, including, but not limited to, the Daily Peloton Forums, regarding any issue related in any way to the subject matter of this proceeding.

15. Provide documents containing all posts, messages, or other correspondence or communication by Floyd Landis (using any name, pseudonym, or other identity) on any internet message boards, including but not limited to the Daily Peloton Forums, regarding any issue related in any way to the subject matter of this proceeding.

16. Provide all financial records related to any payment made by Mr. Landis, or by any agent, including Phonak on behalf of Mr. Landis, to any medical personnel and/or trainer of any type, including but not limited to Dr. Denise Demir, Allen Lim, Dr. Brent Kay, and Luis Hernandez during the time period from January 1, 2005, through the date of this request;

17. Provide all documents on which Mr. Landis intends to rely for his defense that have not already been included in the exhibits to the discovery motion filed by Mr. Landis on February 13, 2007, or that were not provided to Mr. Landis by LNDD, USADA, or WADA.

Very truly yours,



Matthew S. Barnett

cc: Howard Jacobs, Esq.



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**USADA DENIES LANDIS REQUEST THAT SAMPLE RETESTING
TAKE PLACE AT UCLA OLYMPIC LABORATORY, LANDIS TO
SEEK SPLIT OF REMAINING "B" SAMPLES**

***USADA INSISTS ON RETESTING NEGATIVE TOUR DE FRANCE SAMPLES
IN FRANCE, VIOLATING WADA CODE***

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New York / Murietta, Ca., April 12, 2007 – Responding to an unprecedented request late last year by the United States Anti-Doping Agency (USADA), the Laboratoire National Depistage de Dopage (LNDD) has agreed to test Floyd Landis' already cleared samples from the 2006 Tour de France. The retesting is scheduled to commence on April 16, less than four weeks from the May 14 hearing date.

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Considering the history of grave testing errors committed by the LNDD, Landis has asked that USADA move the testing venue to the world-class facility at the University of California, Los Angeles (UCLA), a request rejected by USADA. Given USADA's position that the retesting take place at the LNDD, Landis will ask for a split of all of the samples that are scheduled for testing at the LNDD for independent analysis in a neutral and uncompromised facility.

The original request for retesting came from USADA general counsel Travis Tygart and proposed further testing of the "B" portion of cleared "A" samples at the LNDD in Chatenay-Malabry rather

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Landis Sample Retesting

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than at the WADA accredited lab contracted by USADA at UCLA. Additionally, USADA has taken the unusual step of transferring Landis' out-of-competition samples *from* UCLA to the LNDD laboratory.

USADA's highly irregular actions constitute an effort to further burden Landis' defense team with additional costs and distraction, as well as produce lab results which could only prove confusing and contradictory at best.

Landis: "Test the Samples at UCLA"

"Putting aside the fact that the retesting shows just how far USADA will go in breaking its own rules to support its 'win at all costs' mentality, I'm amazed that they insist on having the LNDD test these samples. Judging by their actions, USADA is on a fishing expedition, trying to elicit a result that confuses the clear scientific evidence that refutes the allegations against me by having these samples tested at a compromised and conflicted lab."

"The UCLA lab is widely regarded as the best in the world and I have full confidence that if these samples were tested there that they would come back negative, as would have my Stage 17 test from the Tour de France. This is why I've requested that they test the samples at UCLA, a request that USADA has repeatedly denied."

USADA Disregards the Rights of Athletes

By authorizing testing on "B" samples, USADA is undermining the "A" and "B" sample system that, according to the WADA Code, was

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Landis Sample Retesting

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designed to safeguard the rights of athletes against repeated errors in testing outcome and analysis. In pursuing a course of retesting, USADA is demonstrating its willingness to deny athletes' basic due process rights by violating both WADA regulations and International Standards. By violating the established procedures and rules of evidence, USADA is making an attempt to obfuscate, rather than find, truth. This attempt will cause the Landis team to expend unnecessary resources to monitor a clearly prohibited activity – resources that have already been unduly and unfairly stretched by USADA's unethical approach to their pursuit of unsubstantiated allegations against Landis.

Given USADA's consistent defiance in providing relevant discovery documentation despite the Arbitration Panel's order to do so, Landis' defense team has no expectation it would receive appropriate documentation from any proposed retesting with reasonable time to review the analysis in advance of the hearing scheduled for May 14.

LNDD Knows Samples Belong to Landis

Athlete confidentiality is essential to the integrity of the testing process. In asking the LNDD to retest "B" samples, USADA does so with full knowledge that the LNDD knows the samples belong to Landis. The sample retesting at the LNDD will be conducted:

- with total disregard to the core principle of sample blinding;
- will take place at a laboratory with a documented history of ignorance to the scientific rules and protocols designed to protect athletes;
- with full awareness of USADA's desire to obtain a positive result from additional specimens;
- and with knowledge that a second positive result would validate their own flawed results from Landis' Stage 17 sample.

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Landis Sample Retesting
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Landis: “Preserve My Rights. Split The Samples”

“I continue to be very concerned about how my Tour de France samples have been handled by the LNDD over the past six months. They got it wrong once, now they have seven opportunities to get it wrong again. If USADA refuses to test the samples at their own laboratory at UCLA, then in order to protect my rights and to preserve evidence that may be valuable to my defense – evidence that USADA is willing to destroy in order to attain a result that they desire – I will request half of the samples so that we can have them tested in a lab that is beyond reproach. The results will show that I won the Tour de France fair and square.”

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House Committee on Oversight and Government Reform

Henry Waxman, (D-CA) - Chairman
Tom Davis, (R-VA) - ranking member

U.S. House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515

Website: <http://oversight.house.gov>

House Committee on Energy and Commerce

John Dingell, (D-MI) - Chairman
Joe Barton, (R-TX) - ranking member
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

Website: <http://energycommerce.house.gov>

Senate Committee on Appropriations

Subcommittee on Financial Services and General Government

Richard Durbin, (D-IL) - Chairman
Sam Brownback, (R-KS) – ranking member

Senate Committee on Appropriations
Subcommittee on Financial Services and General Government
The Capitol, S-131
Washington, D.C. 20510

Website: http://appropriations.house.gov/Subcommittees/sub_fsdc.shtml

Senate Committee on Commerce, Science and Transportation

Daniel Inouye, (D-HI) - Chairman
Ted Stevens, (R-AK) - Vice Chairman

Senate Committee on Commerce, Science and Transportation
508 Dirksen Senate Office Bldg
Washington, D.C. 20510-6125

Website: <http://commerce.senate.gov>

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