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June 8, 2012

Robert D. Luskin  
[REDACTED]  
[REDACTED]**VIA FAX**William Bock, III  
General Counsel  
United States Anti-Doping Agency  
5555 Tech Center Drive  
Suite 200  
Colorado Spring, CO 80919

Dear Bill:

I am writing on behalf of Tim Herman, John Keeker, and myself to respond to your letter to Tim Herman of June 4, 2012, and our telephone conversation on Tuesday, June 5. You have offered what you describe as an "opportunity" for Lance to talk with you about drug use in cycling. Your letter and our call, however, leave no doubt that the "opportunity" is really a demand wrapped in a threat: Lance must appear no later than June 8 or you will launch disciplinary proceedings against him. You have made equally clear that you are not in fact interested in his testimony but in his confession; and that anything short of an admission of persistent drug use would not be deemed "truthful."

Despite our repeated requests, you were unwilling or unable to address three straightforward questions: First, although Lance is no longer actively involved in cycling, the allegations of drug use are at least eight years old and are not supported by any positive drug test or any physical evidence, and the US Attorney abandoned its investigation nearly five months ago, you refused to explain why Lance needed to meet with you on less than a week's notice, particularly, since you are well aware, Lance left the country shortly before you made your demand. Instead, you repeated platitudes about the need to "move forward to clean up cycling" and for Lance to "come clean." Neither of these considerations – even if they were apt – explains the bum's rush. Second, you refused to discuss our concern that your investigation has been advanced through the unlawful disclosure of grand jury information. You flatly denied that you have relied on grand jury information, but then professed not to be familiar with the fact that Travis Tygart participated in witness interviews with Jeff Novitzky, the principal case agent in the criminal investigation, and offered inducements to witnesses to furnish damaging testimony against Lance in the criminal case. Finally, you refused to explain or even to discuss your resistance to an open and open-minded inquiry; you were unwilling to consider anything short of a confession from

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Lance to allegations from witnesses who have lied before about this very subject and whose contrary testimony USADA has recently procured through unlawful and unsanctioned promises of absolution.

We asked for the opportunity to meet with you to explore these and other issues. We sought nothing more or less than a constructive dialogue. You refused. We understand your position to be simply this: Without a confession from Lance, there is nothing to discuss.

Taking all of this into account – the obscene haste; your willful disregard for whether your investigation itself is the product of unlawful conduct; and your blind embrace of witnesses whom every other responsible person has found unworthy of belief – leads us to the inevitable conclusion that this is not, in fact, an investigation, as any fair-minded person would understand the term. It is a vendetta, which has nothing to do with learning the truth and everything to do with settling a score and garnering publicity at Lance's expense.

We will not be a party to this charade. Lance has publicly and repeatedly made clear that he never doped; and his avowals – unlike the word of the witnesses whose testimony USADA has bought and paid for – are supported by an unblemished, decades-long record of more than 500 drug-free test results. Your refusal to appreciate that distinction says far more about USADA, its methods, and your sense of fair play than it does about Lance's guilt or innocence.

But neither will we be spectators to a lynching. USADA should understand that, if you persist in your effort to vilify Lance Armstrong, we will not hesitate to expose your motives and your methods and to hold you accountable for your conduct. At a minimum, we ask that the concerns that we have raised be shared with the Chair of USADA's Audit & Ethics Committee for its consideration; we ask the opportunity to be heard before that body.

This investigation is a disgrace; far from cleaning up cycling or discouraging the use of performance enhancing drugs, your conduct will undermine USADA's legitimacy and sabotage its mission.

We ask that you reconsider your position and agree to meet with us at your earliest convenience. We continue to seek a constructive dialogue, but otherwise categorically reject your demands, your methods, and your conclusions.

Yours sincerely,



Robert D. Luskin