

**Echanges communications  
laboratoire / L. Armstrong**

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COPIE

August 4, 2006

Mark. S. Levinstein, Esq.  
Law Offices WILLIAMS & CONNOLLY LLP  
725 Twelfth Street, N.W.  
WASHINGTON, D.C. 20005-5901  
UNITED STATES OF AMERICA

**Our Ref.: 2351**

**Re: Tour de France 1999 EPO testing / response to letter dated July 25, 2006**

Dear Mr. Levinstein:

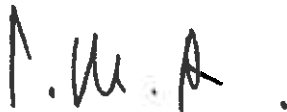
I refer to your letter of July 25, 2006.

We confirm that our client does not recognize any valid grounds upon which it can grant your request for the documents and other information set forth in your letter of June 5, 2006.

The laboratory disputes your contention that it was or is under any obligation to provide such information to your client.

It is neither the policy nor the practice of the laboratory to comply with unauthorized requests for information from private individuals. The laboratory will only provide such information if required pursuant to the official request of an administrative or judicial body.

Very truly yours,



Pierre-Charles Ranouil  
Associé

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EDWARD BENNETT WILLIAMS (1920-1988)  
PAUL R. CONNOLLY (1922-1978)

July 25, 2006

**VIA FAX AND FIRST-CLASS MAIL**

Pierre-Charles Ranouil  
Isabelle Vedrines  
August & Debouzy Avocats  
6-8 avenue de Messine  
75008 Paris - France

**Re: Recherche EPO Tour de France 1999**

Dear Mr. Ranouil and Ms. Vedrines:

Yesterday I received your letter dated July 17, 2006. It certainly took you a very long time to write to say that your client refuses to produce any documents or to provide any information.

I am writing to clarify the record, in order that there is no confusion when the conduct of your client is addressed by the Union Cycliste Internationale, other international sports federations, the International Olympic Committee, the Court of Arbitration for Sports, and other judicial and arbitral tribunals. Despite your client's public statements about its research and the fact that we have not requested any confidential information about the research, on behalf of the French laboratory you are refusing to answer any of the questions I have asked and you are refusing to produce copies of any documents that relate to the research that the laboratory conducted. For example, the French laboratory is refusing to provide information about how many urine samples were tested or to provide the research protocol, the reports concerning the overall research project, or any of the laboratory's correspondence with the World Anti-Doping Agency about the research or about the disclosure of research information to the media. Even though much of the information that we have requested is information that the French laboratory was required to provide to Mr. Armstrong before it asked him to authorize the use of his urine samples for research, the French laboratory is even now refusing to produce any documents or any other information. If the research had been

WILLIAMS & CONNOLLY LLP  
Pierre-Charles Ranouil  
Isabelle Vedrines  
July 25, 2006  
Page 2 of 2

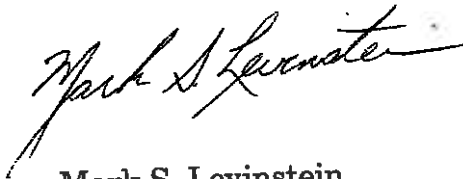
conducted properly, there would be no valid reason to withhold the information that has been requested.

To avoid any question, we are willing to discuss the possibility of reasonable restrictions on the use of any documents or information shown to us by the French laboratory, but there is absolutely no reasonable basis for the French laboratory's refusal to provide to Lance Armstrong the information and documents that we have requested on his behalf.

In light of the French laboratory's refusal to produce documents that it is obligated to make public and generally available, your self-serving statements that the procedures followed by the Laboratory "are in full compliance with internal rules, legal regulations and established scientific and deontological practices" cannot be taken seriously.

We again reiterate our prior requests for the documents and information that we have detailed and ask that your client reconsider its position before these matters are submitted to sports organizations and/or tribunals for adjudication.

Very truly yours,



Mark S. Levinstein

July 12, 2006

Mark. S. Levinstein, Esq.  
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725 Twelfth Street, N.W.  
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UNITED STATES OF AMERICA

**Our Ref.: 2351**

**Re: Tour de France 1999 EPO testing / response to letter dated June 30, 2006**

Dear Mr. Levinstein:

We refer to your letter of June 30, 2006.

In our letter of June 21, we explained to you the manner in which your client's urine samples could be identified (through DNA testing) and retesting thereof could be sought (through judicial process). Your comments on the perceived reliability of the identification procedures described are noted.

As you are no doubt aware, the Laboratory is a French public institution engaged in a public service mission strictly defined by its charter and implementing regulations. It is the policy of the Laboratory to provide information to private parties only in furtherance of that mission. Accordingly, the Laboratory may only provide its information or cooperation in connection with a valid request from an official source.

We reiterate that all procedures followed by the Laboratory for analysis, handling and storage of samples, and use or treatment of all information and results are in full compliance with internal rules, legal regulations and established scientific and deontological practices.

We hope the above is responsive to your inquiries.

Very truly yours,

Pierre-Charles Ranouil / Isabelle Vedrines

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June 30, 2006

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**VIA FAX AND FIRST CLASS MAIL**

Pierre-Charles Ranouil  
 Isabelle Vedrines  
 August & Debouzy Avocats  
 6-8 avenue de Messine  
 75008 Paris - France

**Re: Recherche EPO Tour de France 1999**

Dear Mr. Ranouil and Ms. Vedrines:

We are writing in response to your letter date June 21, 2006. Your letter, while purporting to be a response to my letter to Professor De Ceaurriz dated June 5, 2006, does not respond at all to that letter.

We have been told by WADA that the French laboratory conducted research on urine samples that may have been given by Lance Armstrong during the 1999 Tour de France. Therefore, we sent the Director of the laboratory a letter, asking him to provide us with all documents about that research and answers to questions concerning that research. It has been a month and he has not responded to those requests and your letter does not respond to those requests.

Our request does not in any way depend on the report of the Independent Investigator. We are not concerned about your legal opinions about whether Mr. Vrijman's findings are binding on Dr. Ceaurriz's laboratory. Mr. Armstrong is an athlete whose urine samples were utilized by the laboratory for research purposes. We are seeking a wide variety of information about that research.

Your letter then states that the urine samples in the possession of the laboratory could be reanalyzed and "identification is possible, for instance, through

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Pierre-Charles Ranouil  
Isabelle Vedrines  
June 30, 2006  
Page 2

a DNA check." Unfortunately, however, given the absence of chain of custody documentation and all the other problems associated with the manner in which the samples were stored and the research was conducted, even if it could be determined that a bottle contains some of an individual's urine, there would be no way to determine what happened to the urine or what was added to the urine over the past seven years and it does not appear that there would be any purpose in such testing. In addition, such testing has not been authorized.

Your letter asks that I direct questions to you. Therefore, I am writing to ask you to provide the documents and information requested in my letter dated June 5, 2006. After we have received the documents and information that we have requested, we would like to arrange a time to discuss the issues with Professor De Ceaurriz and Dr. Lasne, or perhaps you can answer whatever questions we may have.

Very truly yours,



Mark S. Levinstein

MSL:tbs

June 20, 2006

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725 Twelfth Street, N.W.  
WASHINGTON, D.C. 20005-5901  
UNITED STATES OF AMERICA

**Our Ref.: 2351**

**Re: Tour de France 1999 EPO testing / response to letter dated June 5, 2006**

Dear Mr. Levinstein,

We write in connection with your letter of June 5, 2006 to Professor Jacques De Ceaurriz requesting him to produce a certain number of documents and communicate certain information concerning the urine sample analyses of Mr. Lance Armstrong carried out since 1999 by the Laboratoire National de Dépistage du Dopage.

Your letter calls for a certain number of observations which, as counsel to the Laboratoire National de Dépistage du Dopage, we deem essential to bring to your knowledge.

- First, it should be noted that your letter relies on the report prepared by Mr. Emile Vrijman (attorney licensed by the Bar of The Hague) concerning the conditions in which Mr. Armstrong's urine samples were analyzed post-1999.

You indicate that the Professor Jacques De Ceaurriz's assistance would seem to be necessary in view of Mr. Vrijman's questions and of the consequences, for your client, of the responses that could be provided to the various questions he raises.

We would, however, remind you that Mr. Vrijman was expressly hired by the International Cycling Union (UCI), whom he represents and that he can therefore in no way be considered an independent investigator with the result that his report cannot be relied upon in any way to support your request. Indeed, inasmuch as he was not appointed by any judicial or arbitral authority, his findings are not binding upon the Laboratoire National De

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Dépistage du Dopage, which is under no duty whatsoever to cooperate with any of the parties concerned so as, *inter alia*, to guide Mr. Vrijman's opinion.

- Also, regarding the request made to Professor Jacques De Ceaurriz to send you copies of all documents pertaining to the analyses carried out by the Laboratoire National de Dépistage du Dopage on Mr. Armstrong's urine samples and, in particular, the conditions under which such analyses were conducted and the procedures followed to arrive at the results obtained, we would simply like to bring the following to your attention:

The urine samples obtained by the Laboratoire National de Dépistage du Dopage, as well as the sample bottle code numbers present on the original glass bottles used for collecting urine samples, are strictly anonymous. However, identification is possible, for instance, through a DNA check. Similarly, a reanalysis of the urine samples obtained could very well be sought through the courts. The Laboratoire National de Dépistage du Dopage will therefore provide you with full access to the relevant urine samples in the event legal proceedings are brought in view of carrying out the identification and verification measures referred to above.

As a fellow attorney you will easily understand that any further direct contact with Professor De Ceaurriz must cease, such course of conduct being entirely improper and contrary to the French rules of ethics governing our profession. Accordingly, in the future we would kindly request you to address us any questions or clarifications you would like to obtain in connection with this matter.

Very truly yours,

Pierre-Charles Ranouil / Isabelle Vedrines

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June 5, 2006

**VIA EMAIL**

Professor Jacques De Ceaurriz  
Dr. Francoise Lasne  
Laboratoire Nationale De Depistage Du Dopage  
Chatenay-Malabry, France

Re: **Recherche EPO Tour de France 1999**

Dear Professor De Ceaurriz and Dr. Lasne:

Our firm is counsel to Mr. Lance Armstrong. This is a confidential communication on behalf of Mr. Armstrong with your laboratory. This letter is only being sent to you, and we ask that you not share the letter or its contents or the fact that we have sent it to you with (a) WADA, (b) the French Ministry, or (c) anyone else. It is our understanding that since at least 1999 your laboratory has been in possession of biologic medical material relating to Mr. Armstrong, namely urine samples taken from Mr. Armstrong during the Tour de France. It is also our understanding that in 2004 or 2005, and perhaps at other times, without Mr. Armstrong's permission, you have conducted "research" testing on urine samples given by riders who competed in the Tour de France, including Mr. Armstrong.

As a first matter, we are writing to request that you provide us the following documents and information:

1. Please send us copies of all documents relating to any research testing or any other testing conducted on urine samples taken from riders from the 1999-2005 Tours de France.

Professor Jacques De Ceaurriz  
Dr. Francoise Lasne  
Laboratoire Nationale De Depistage Du Dopage  
June 5, 2006  
Page 2 of 5

2. In particular, please send us copies of all documents describing the research and how it was to be conducted and how it was actually conducted, including but not limited to the protocols (including all draft protocols) showing the research that was to be conducted, including the purpose of the research, the procedures to be followed, the funding of the research project, and all communications with third parties (WADA, USADA, the UCI, the Tour de France, any journalist or anyone in the media, etc.)

3. We have in our possession your reports of results from the 1998 and 1999 Tours de France. Please provide us, column by column, with a detailed explanation of what the information in each column means or represents. For example, what is the "Serie Labo" number – does it correspond to the gel on which the sample was tested or does it have other meaning? Some of the samples in the 1998 Tour de France report have the same "Serie Labo" number as samples in the 1999 Tour de France report – does that mean they were included on the same gel and their results are depicted on the same electropherogram? As a nother example, please provide detailed descriptions of each of the methods being evaluated – visual inspection, the 80% BAP method, the mathematical model, etc., along with docuemtns showing the specific criteria that were to have been used for declaring a sample positive, negative, inconclusive, missing, etc.

4. Please provide us with all documents concerning the chain of custody – internal and external -- of the 1999 Tour de France urine samples.

5. Please provide us copies of all documents that relate to or concern communications about your laboratory's research testing of urine samples given by rides competing in the 1998 and/or the 1999 Tour de France between anyone representing, employed by, or associated with the LNDD and anyone associated with the media, including any L'Equipe journalist and all documents concerning statements made to the media that relate to the testing of those samples.

6. While the research testing was being conducted, how were the samples from the 1999 Tour de France labeled? Were the original doping control numbers used or were those samples assigned anonymous control numbers?

7. If the answer to question number 6, above, was that the samples were assigned anonymous control numbers, after the research was concluded how did

Professor Jacques De Ceaurriz  
Dr. Francoise Lasne  
Laboratoire Nationale De Depistage Du Dopage  
June 5, 2006  
Page 3 of 5

anyone in the laboratory or outside the laboratory come to know that the research had declared samples from the 1999 Tour de France to be positive?

8. If the answer to question number 6, above, was that the samples were assigned anonymous control numbers, please provide a copy of the original research report(s) or any draft research reports, in which the results concerning the 1999 Tour de France samples are reported as part of the broader research study, or are reported in any way using the anonymous control numbers.

9. How did anyone associated with WADA or the French Ministry come to know that the research had declared samples from the 1999 Tour de France to be positive?

10. Who decided the form of the report of the research results concerning the 1999 Tour de France samples – what to include and what not to include, how to organize the chart, etc.? Were there any prior drafts of those reports? If there were prior drafts of the report, please send me copies of those drafts.

11. Dick Pound has confirmed to us in writing that there was an “exchange of correspondence” about these matters during the summer of 2005 before the LNDD sent the reports to WADA. Please send us copies of that correspondence.

12. Please send us copies of all documents that relate to any communications between the laboratory and either the French Ministry or WADA concerning the testing of samples from the 1999 Tour de France at the time of or before the publication of the August 23, 2005 article in L'Equipe.

13. Please send us copies of all documents that relate to any communications between the laboratory and either the French Ministry or WADA concerning the testing of samples from the 1999 Tour de France after the publication of the August 23, 2005 article in L'Equipe.

14. Please explain the basis for your belief that you were permitted to use any urine samples I may have been required to produce during competition or in out-of-competition testing for research purposes without ever contacting me to get my permission.

Professor Jacques De Ceaurriz  
Dr. Françoise Lasne  
Laboratoire Nationale De Depistage Du Dopage  
June 5, 2006  
Page 4 of 5

15. Please describe in detail all departures from or differences between the research you conducted on the 1999 Tour de France urine samples and the current requirements for testing urine samples for the presence of recombinant EPO as mandated by WADA.

16. Is it true that the only testing that you conducted on the samples from the 1999 Tour de France was a preliminary screen test, modified (to an accelerated measurement method without control samples so more samples could fit on each gel) to reduce cost and to allow the research to be conducted and completed more quickly? If not, please describe in detail the testing that was conducted by the laboratory on the 1999 Tour de France samples.

17. Please describe in detail (a) what disciplinary action the laboratory has taken to sanction those responsible for the leaks of information and the issuing of false and improper statements to the media, and (b) the procedures available (and documents describing those procedures) to an individual or organization seeking a hearing to determine if one or more persons responsible for possible laboratory misconduct should be sanctioned.

18. We have a copy of your reports concerning the 1998 and 1999 Tour de France samples. When were the tests conducted on the 1998 samples that led to the information in the 1998 Tour de France report? Why were those samples tested again if they had already been tested and the results reported in the 2000 Nature magazine article?

19. When were the tests conducted on the 1999 samples that led to the information in the 1999 Tour de France report?

20. The content of the L'Equipe article and subsequent interviews with the L'Equipe reporter make it clear that L'Equipe had access to documents that originated in your laboratory beyond the 1998 and 1999 Tour de France reports you issued. Please produce copies of all documents related to the testing of those 1999 Tour de France samples.

21. Please describe in detail all written or oral communications between, on the one hand, L'Equipe or representatives of any other news or media organization and, on the other hand, any representative or person associated with the LNDD

Professor Jacques De Ceaurriz  
Dr. Francoise Lasne  
Laboratoire Nationale De Depistage Du Dopage  
June 5, 2006  
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during the time period before August 23, 2005. In the description please include (a) the identity of the person(s) representing L'Equipe and the person(s) representing the laboratory, (b) the date and time of the communication, (c) whether the communication was a letter, a fax, an email, by telephone or in person or by some other means, and (d) the content of the communication (what was asked and said and what was asked or said in response). Please produce all documents that concern such communications, including the communications themselves in the case of emails, letters, faxes, etc.

In addition, we would like to arrange a time to discuss these issues with you. The facts disclosed in the report of the independent investigator provide Mr. Armstrong with a great many different alternatives about how to proceed and before he makes any decisions about those alternatives we would like the opportunity to discuss the situation with representatives of the LNDD, in order that decisions can be made with the benefit of as much information as possible.

Mr. Armstrong has no interest in doing anything to damage the sport of cycling, international drug testing, or the individuals who are doing a professional job working in the area of international drug testing. Under these circumstances, Mr. Armstrong is entitled to the information we seek in this letter, and we would very much prefer to receive it without the need to invoke judicial or arbitral processes or to cause anyone to incur any unnecessary expense.

We look forward to hearing from you promptly in response to this letter.

Very truly yours,



Mark S. Levinstein