



Timothy J. Herman

Email: [REDACTED]

Direct dial: [REDACTED]

July 27, 2012

Mr. William Bock, III
General Counsel
United States Anti-Doping Agency
5555 Tech Center Drive, Suite 200
Colorado Springs, C) 80919

Re: *Lance Armstrong v. United States Anti-Doping Agency ("USADA"), et al.*

Dear Bill:

I write to address further USADA's request for the production of Mr. Armstrong's contracts with UCI, which you made for the first time during our call on Tuesday afternoon of this week and have repeated several times over the past three days.

Mr. Armstrong's contracts with UCI consist of his cycling licenses and license applications. Copies of what we understand to be the license applications for the years 2003–2005 and 2008–2011 are attached to the affidavit of Molly Tomlonovic, submitted as Exhibit 4 to USADA's motion to dismiss. Mr. Armstrong does not possess copies of the license applications for the other years in which he competed (*i.e.* before 2003). Mr. Armstrong has a copy of his cycling license from 2010, which we have Bates labeled LA000001–2 and attached to this letter. In addition, we will authorize USA Cycling to produce to USADA and us, contemporaneously, copies of any other UCI licenses or license applications for the years in which Mr. Armstrong competed, to the extent USA Cycling has them. Finally, as to this issue, we are continuing our search for other UCI licenses and/or applications which will, if discovered, be promptly provided. I trust that this satisfies your request.

Separately, while I disagree with several of the statements and characterizations contained in your July 26th letter, which I will not attempt to list, I feel compelled to address in particular your assertion that all communications between USADA and WADA since February 1st are protected from discovery by the so-called "investigative privilege applicable to documents related to a USADA investigation." No such privilege exists here. In the *Graham* case, which you cite as the basis for your assertion of privilege, the court did not reach the question of whether a valid investigatory privilege could be asserted by USADA and granted Graham's motion to compel production of the documents over which USADA was attempting to assert the privilege. And, in any event, the facts there are distinguishable from ours. Therefore, we repeat our request that

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USADA produce to us promptly the correspondence between USADA and WADA described in our July 23rd letter.

Very truly yours,

A handwritten signature in black ink that reads "Timothy J. Herman". The signature is written in a cursive style with a long horizontal flourish at the end.

Timothy J. Herman

TJH/II
Attachments



USA Cycling
International License (UCI)
www.usacycling.org
2010

USA Cycling
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www.usacycling.org
2010

USA Cycling Member Benefits

Adventure Advocates - Accidental Injury Insurance
www.AdventureAdvocates.com/usacycling or call 1-800-211-9002
Nicholas Hill Health - Health Insurance
(medical, dental & vision) www.usacyclinghealthplans.com or 1-866-200-2135
USA Cycling branded Credit Card - Bank of America:
Call 1-800-932-2775 - code UAATKH
United - Save up to 15% - http://www.united.com/ or
Call 1-800-841-0460 code 564ED
Hilton - Save 10% - www.HamptonLovesCycling.com
For up-to-date benefits (benefits subject to change)
www.USACyclingBenefits.org

USA Cycling Member Benefits

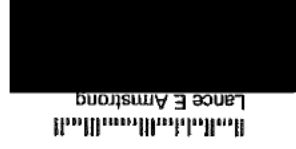
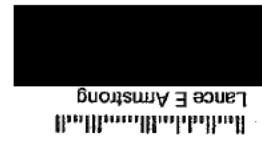
Adventure Advocates - Accidental Injury Insurance
www.AdventureAdvocates.com/usacycling or call 1-800-211-9002
Nicholas Hill Health - Health Insurance
(medical, dental & vision) www.usacyclinghealthplans.com or 1-866-200-2135
USA Cycling branded Credit Card - Bank of America:
Call 1-800-932-2775 - code UAATKH
United - Save up to 15% - http://www.united.com/ or
Call 1-800-841-0460 code 564ED
Hilton - Save 10% - www.HamptonLovesCycling.com
For up-to-date benefits (benefits subject to change)
www.USACyclingBenefits.org

Thank you for supporting USA Cycling - the only national governing body for the sport recognized by the U.S. Olympic Committee and the UCI. As a member, you are eligible to compete in all sanctioned events nationwide.

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210 USA Cycling Point
Colorado Springs, CO 80919
P: 719/434-4200 F: 719/434-4300

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Get your latest USA Cycling apparel at www.usacycling.org/shop

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RIDER SIGNATURE

DATE

NOT VALID FOR BMX

INTERNATIONAL
COMPETITION
REQUIRES
PHOTO I.D.
PLEASE ATTACH
PHOTO HERE

President, USA Cycling

This license entitles the named rider to compete in races conducted under license by all UCI affiliated federations until December 31, 2010. The holder is subject to the Regulations of the UCI and of the National Federations and accepts any drug and blood tests for which they provide as well as the exclusive competence of the CAS. This license must be signed and dated to be valid.

USA Cycling Member Resources

Excess Accident Medical Insurance at USA Cycling events (K&K Insurance) - for pre-authorization of treatment and filing claims call 800-237-2917, option #1

USADA Drug Hot Line -

1-800-233-0393 or www.usantidoping.org/dro

Membership Questions?

Email membership@usacycling.org

Call 1-719-434-4200

Please review your license and verify all information is correct. If there are errors, keep your license and return this mailer with changes indicated. We will issue a license free of charge within 30 days from the date of issue. After that time, enclose a \$15 reissue fee.

WARNING: Using any form of dietary supplement may result in a positive test for prohibited substances leading to a suspension and/or other penalties. Vitamins, minerals, herbs, amino acids and other dietary supplements may contain prohibited or illegal substances that may or may not be listed on the label. Any athlete who takes a vitamin, mineral, herb, amino acid, or other dietary supplement does so at his or her own risk of committing a doping violation.

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