

CONFIDENTIAL MEMO
ATTORNEY WORK PRODUCT PRIVELEGE CLAIMED

Date: 20 sep 04

Re: Meeting at Embassy Suites in Southview, MI with David Walsh followed by an introduction to and meeting with Greg and Kathy LeMond.

Meeting with David Walsh

LA positive test for cortisone at '98? TDF

Apparently, the positive test would have stayed unknown except that the French lab that tested the specimen notified the French Department of Health. As a result, a French cycling/sports reporter for the French daily "le Monde" learned of it and did an article. Due to the story's volatility, le Monde editors confirmed the story by confirming the positive test on the health form. The reporter's name is Benoit Hopquin. Walsh says he is a good guy and recommends that we speak with him if we want more info on the particulars of this part of the issue. (May want to ask Hopquin for more info about the cover up)

Aside from the supposed cover up that was to have occurred, there is more evidence of UCI duplicity. According to Emma O'Reilly, the UCI acted as if they needed to test Kevin Livingston (a member of the Postal team and friend of LA) in order to get him to the testing tent/truck where he would have been accompanied by Bruyneel. There, according to the story related to Emma, the UCI reps told them that LA has tested positive that the news was out.

Later, while Emma was giving LA a massage, with Thom Weisel and Mark Gorski present, they (LA, TW and MG) were frantic about what to do about the positive test. They came up with the idea of a back dated medical cert (i.e. prescription) for an ointment/creme with cortisone that LA had used for a saddle sore/rash (in one version) or abrasion (in another version).

According to the story related to Emma by Lance (see book), he had taken the cortisone during the Route du Sud a few weeks earlier and thought it would be out of his system by the Tour. According to Walsh, the test for cortisone in the TDF was new that year. Walsh also says that an unidentified source of Ballester, presumably with the testing organization, says that LA tested positive in the Route du Sud but it was covered up. (Not sure about this - ask Ballester).

Thibeault de Montbrial

Attorney for la Martiniere (the French publisher who was sued by LA). Apparently, it was known that LA would never get the book stopped under French law so all he ever

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sued for was inclusion of a statement refuting the allegations. Walsh is very impressed with Montbrial and believes he would be an excellent contact for us. He supposedly has excellent contacts within the French police who seem to be hot to get LA.

Indiana Hospital – October 1996 & Frankie Andreu

As we suspected, Frankie Andreu has witnessed an incredible amount of stuff according to Walsh. He was in the conference room with the other five people, Chris and Paige Carmichael, Lisa Shiels, Stephanie McIlvenny (Sp?), and Frankie then fiancée, Betsy Andreu. There in response to a direct request from the two unidentified doctors, LA is reported to have detailed the list of performance-enhancing substances he had used, including the big four: EPO, growth hormone, corticosteroids, and testosterone.

Walsh believes that Chris and Paige Carmichael would profess lack of memory if subpoenaed, as well as Lisa Shiels. He believes that Stephanie would tell the truth but may require that we compel her.

Frankie and Betsy are the home run. Walsh is exceptionally impressed with Betsy and believes that she is a very honest, moral woman who would be unable to tell anything other than the truth, but may require that we compel her out of fear of LA. He relates the story of her reaction on hearing LA's revelation. She immediately jerked her husband to be to the side to question whether he too was doing those drugs, to which he replied some but nothing on the scale of LA. Carmichaels is reported to have been alarmed by the revelation but comforted when he realized that the close circle was unlikely to ever reveal it.

Walsh is also impressed with Frankie but he is more conflicted since he must earn a living and support his family (including 4 kids) from the sport. He is a middle of the road commentator and covered the recent TDF for OLN. We would almost certainly need to compel Frankie though Walsh believes that he would also tell the truth. Walsh proposed the possibility of issuing subpoenas to all six of the people in the room to mute LA's rage from coming down on the Andreu's, though we would need to consider the pros and cons of that route.

According to Walsh, Frankie knows where the skeletons are buried. He and LA were close -- as close as someone can be to LA. Prior to 2001, LA was very open. Frankie was shocked when LA opened up a suitcase with his drug supply. He had pills for the first third of the race, other pills for the second third, and yet other pills for the last third. I believe that Frankie has seen him shoot up but we would need to confirm. We will need to be very sensitive to the Andreu's concerns and should consult with Walsh to ensure that we approach them correctly.

2004 – Cofidis affair

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Cedric Vasseur is one of the Cofidis riders (who used to be with Postal) that is in trouble with French police, along with David Millar and Philippe Gaumont. Walsh didn't know how much was here. He was responding to my question.

Emma

Emma gave a statement to French police re LA (approx 3-4 hours). Apparently, she felt very alone and exposed after the book came out. Walsh felt bad that they hadn't anticipated and prepared her for the onslaught. He says la Martiniere really stepped up – got her an attorney and she is better now. We will still need to tread lightly when we contact her but Walsh says she is prepared to testify. Emma is much more afraid of Weisel than LA. Consequently, Walsh left Weisel's part in the positive test cover-up out of the book since it didn't really add anything anyway. Emma has a lot more to say. This is presumably why LA hasn't been too hard on her publicly though he did sue her (I guess he had to) and has at least implied that she slept with some guys on the team. Everyone else supposedly says that is bullshit.

Miscellaneous

Walsh also says Swart is prepared to testify and is unafraid.

Marc Grinzstajn is the editor for la Martiniere and Walsh thinks he may also be a good contact. (I don't remember his exact reasons).

Keijtmann is LA's attorney in France – very high profile and well connected.

ESPN

ESPN did a TV piece (our friend Justine Goober (Sp?)) that we need to obtain. Includes footage of French TV channel 3 following Postal personnel on a 90 km trek and the improper disposal of medical waste.

Meeting with Greg and Kathy LeMond

Walsh called them as they were staying in Dearborn and they came over whereupon Walsh introduced them to us and then had to leave.

Greg & LA

They do not like LA at all. Appears to arise from threats by LA to create testimony from 10 people that Greg took EPO (even though it wasn't being used at the time) and from LA's attempts to destroy Greg's bike business with Trek as a result of Greg's statements about LA and Ferrari back in 2001.

Greg may be suing Trek as a result of Trek's breaking of his contract. Sales of Greg's bikes was bringing in about \$350k per year.

In the 2001 phone conversation, LA called Greg to complain about Greg's statements. It became heated. LA implied admitted to EPO use. Kathy also listened and took notes on her appointment book, backs of envelopes, anything handy. It was a relatively long conversation in which LA threatened Greg as stated above. Greg had an informal agreement not to discuss LA with Walsh and Ballester since Trek (read LA and Stapleton) knew they were investigating. Consequently, Kathy talked to them about it.

Trek (through head, John Burke) tells Greg he is damaging himself. Though Greg's bike line makes good money for Trek (about 20-25% on \$20 million in annual sales), they see LA has their hot property. LA makes Trek tell Greg he must make what is basically a retraction or lose the business. Under pressure he relents but never sees the statement which is supposedly prepared by Stapleton. (See USA Today)

Fast forward to July, 2004. After 3 years, Greg can't stand it anymore and wants to support Walsh who he thinks is a stand up guy. He confirms his story and permits Walsh to use his quotes in the book. Trek says Greg has damaged himself beyond repair. Doesn't hold up since stores report in August record sales of LeMond bikes.

Then Burke (Trek) says that Greg has damaged Trek property (citing the contract), namely LA.

Greg taped at least one of the conversations with Burke and has about 70 pages of transcription. Burke supposedly admitted that Lance was using (i.e. If he's still doping in 3 years ...)

Julien de Vriese

De Vriese is a Belgian bike mechanic in his 60's. He was Greg's mechanic and is LA's current (and long-time) mechanic. Greg says he was a good guy but has changed. Greg says that he doesn't like what has happened to cycling but, ultimately, money talks – and de Vriese is handsomely rewarded. He has a worthless son with a money-losing business that he supports. Greg and Kathy recounts a reunion trip to the TDF (I believe 98 or 99). De Vriese, who was Greg's mechanics, attends also. At a dinner with 10 of Greg's friends, he recounts some of the stuff going on and complains about what is happening to cycling.

Greg believed that LA's threats to come up with people who would say Greg doped would have centered around Julien de Vriese. Greg tapes a conversation with de Vriese wherein he makes a clear distinction between Greg and LA, talking about all of the "frigos" (French slang for refrigerator) that LA and Postal have that Greg never had for keeping EPO and other substances refrigerated. Greg's team never even had a doctor. If you got sick, you went to the doctor provided by the TDF.

When the French police were investigating Postal in 2000 after French channel 3 reporters followed and filmed Postal personnel dumping medical waste that was later tested, Postal supposedly represented that the Actovegin (Sp?) waste that was found was for a diabetic member of the team, presumably Julien de Vriese. Greg relates that (1) there was too much for one person, (2) that's not what it's used for, and (3) Julien was only at that TDF for the prologue and one other short period. De Vriese supposedly signed an affidavit to the effect that it was his --- and sold himself to the devil.

Julien de Vriese is almost portrayed as a good man gone bad -- lured by the money. We may be able to approach him as long as we understand that he is a long-time employee of LA/Postal. He is fairly old and may want out. Just a judgment call. Also, he and Emma were very close -- he was almost like a father to her. Greg does not believe that he would appreciate LA's implications that she slept around. This is one to ponder. He probably knows as much as Frankie Andreu and his info would be much more recent. For those reasons alone, he is probably worth contacting though he should be last due to the strong possibility that he will notify LA.

I am not sure of the timeline on all of the de Vriese stuff.

LA Foundation ("LAF")

Greg's friend was on the LAF board for 4 mos before he supposedly quit over the ultimatum -- LA or Greg. I believe that Greg believes that LA is paid by the LAF for services. LeMonds did not believe that LAF had turned over any of the money collected. Probably not true given what we've heard in the last week. Don't know if it's true but it may be worth asking about carefully if we get the opportunity.

At some point, Greg heard that LA demanded a speaking fee of a Dutch Cancer charity that asked LA to lend his name when it learned that he was going to be there anyway.

UCI

Both Walsh and the LeMond have zero respect for the UCI and Hein Verbruggen whom they believe has made a lot of money on a not too significant salary. They believe the UCI is absolutely complicit with LA and has no reason to catch him in anything.

Conversely, they appear to have a great deal of respect for Dick Pound of the World Anti-Doping Agency he appears to be making a concerted effort to clean up sports.

MISC

LA has supposedly stated that he would win the 99 TDF, that he had something no one else had -- pretty brash from someone just coming off major cancer. According to Greg what he has is Ferrari and some sort of exclusive. Ferrari is basically a scientist -- always testing and looking for the next best dope. They supposedly have secret training camps.

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