

Case: **ARMSTRONG V. SCA**

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Search Results Context

Andreu, Elizabeth (10/25/05)

11 -----/
 12 DEPONENT: VIDEOTAPED DEPOSITION OF Pg 1 - Ln 13
 13 ELIZABETH "BETSY" MARIE ANDREU
 14 DATE: Tuesday, October 25, 2005
 15 TIME: 10:15 a.m.

3 WITNESS PAGE
 4 Pg 4 - Ln 5
 5 ELIZABETH MARIE ANDREU
 6
 7 Examination by Mr. Tillotson 5

5 (Record begun without video record.)
 6 * * * Pg 5 - Ln 7
 7 ELIZABETH MARIE ANDREU ,
 8 having been first duly sworn, was examined and testified
 9 as follows:

11 BY MR. TILLOTSON:
 12 Q. If you will state your name for us, please? Pg 5 - Ln 13
 13 A. Elizabeth Marie **Andreu** , also known as Betsy.
 14 Q. Ms. **Andreu** , my name is Jeff Tillotson. I represent SCA
 15 Promotions and Hamman Insurance Specialists. I'm a

12 Q. If you will state your name for us, please?
 13 A. Elizabeth Marie **Andreu** , also known as Betsy. Pg 5 - Ln 14
 14 Q. Ms. **Andreu** , my name is Jeff Tillotson. I represent SCA
 15 Promotions and Hamman Insurance Specialists. I'm a
 16 lawyer for them in connection with an arbitration. We're
 17 here to take your deposition.
 18 Have you ever had your deposition taken before?
 19 A. No.

23 Q. Okay. Let me just go over a couple of ground rules that
 24 will hopefully make the process a little easier. Pg 6 - Ln 6
 25 First, you understand that although we're in a
 1. conference room in a hotel, that you've been placed under
 2. oath to tell the truth as if you were in a court of law?
 3. Do you understand that?
 4 A. Yes.
 5 Q. Second, we are making a transcript of the proceedings,
 6 and at some point in time, Ms. **Andreu** , we will have a
 7 videographer to also videotape the proceedings.
 8 Do you understand that?
 9 A. Yes.



22 Q. To whom?
 23 A. Frank- -- do you want his legal -- his birth name? His Pg 7 - Ln 25
 24 baptismal name?
 25 **Frankie Andreu** , also known as Francisco **Andreu** .
 1 Q. And how long have you been married?
 2 A. Eight and a half years.

22 Q. To whom?
23 A. Frank-- do you want his legal -- his birth name? His
24 baptismal name?
25 **Frankie Andreu** , also known as Francisco **Andreu** .
1 Q. And how long have you been married?
2 A. Eight and a half years.

Pg 7 - Ln 25

25 Q. Now, first you say when you, "went to see him," meaning
1 Mr. Armstrong at the hospital?
2 A. **Frankie** and I.
3 Q. And this was at the University of Indiana Hospital?
4 A. Yes.

Pg 11 - Ln 2

5 Q. And Mr. Armstrong was in the hospital in connection with
6 treatment for cancer?
7 A. Yes.
8 Q. What was your arrangement with your -- I'll just call him
9 **Frankie** , if that's okay?
10 A. Yeah.
11 Q. What was your relationship with **Frankie** ? Was he your
12 husband at the time? Were you Engaged?
13 A. Engaged.

Pg 11 - Ln 9

8 Q. What was your arrangement with your -- I'll just call him
9 **Frankie** , if that's okay?
10 A. Yeah.
11 Q. What was your relationship with **Frankie** ? Was he your
12 husband at the time? Were you Engaged?
13 A. Engaged.

Pg 11 - Ln 11

11 Q. What was your relationship with **Frankie** ? Was he your
12 husband at the time? Were you Engaged?
13 A. Engaged.
14 Q. What was **Frankie** 's arrangement to Mr. Armstrong at the
15 time?
16 A. Lance was one of his closest friends.

Pg 11 - Ln 14

17 Q. Okay. Now, let's talk about the conversation first.
18 Where did the conversation take place?
19 A. In a conference room at the University of Indiana; the
20 hospital.
21 Q. Who was present?
22 A. **Frankie** ; Stephanie McIlvain; Chris Carmichael; Paige, who
23 is now his wife, then his girlfriend; Lisa Shiels;
24 **Frankie** and I; and Lance.

Pg 11 - Ln 22

21 Q. Who was present?
22 A. **Frankie** ; Stephanie McIlvain; Chris Carmichael; Paige, who
23 is now his wife, then his girlfriend; Lisa Shiels;
24 **Frankie** and I; and Lance.
25 Q. Okay.
1 A. And a doctor.

Pg 11 - Ln 24

25 Q. Okay.
1 A. And a doctor.
2 Q. Okay. So, **Frankie** was there.
3 Stephanie McIlvain, who was she?
4 A. His personal rep from Oakley.

Pg 12 - Ln 2

19 Q. Okay. Now, you told us who was there and where it was.

Pg 13 - Ln 25

- 20 Tell me what was said. What took place?
 21 A. The doctor came into the room, and I said, "I think we
 22 should leave to give you your privacy." I said that to
 23 Lance.
 24 And Lance said, "That's okay. You can stay."
 25 And I turned to **Frankie** and I said, "I think we
 1 should leave."
 2 And **Frankie** said, "No. Lance said it's okay. We
 3 can stay."
 4 And so the doctor asked him a few questions, not
 5 many, and then one of the questions he asked was, "Have
 6 you ever used any performance-enhancing drugs?"
 7 And Lance said, "Yes."
 8 And the doctor asked, "What were they?"
 9 And Lance said, "Growth hormone, cortisone, EPO,
 10 steroids and testosterone."

-
- 19 Q. Okay. Now, you told us who was there and where it was.
 20 Tell me what was said. What took place?
 21 A. The doctor came into the room, and I said, "I think we
 22 should leave to give you your privacy." I said that to
 23 Lance.
 24 And Lance said, "That's okay. You can stay."
 25 And I turned to **Frankie** and I said, "I think we
 1 should leave."
 2 And **Frankie** said, "No. Lance said it's okay. We
 3 can stay."
 4 And so the doctor asked him a few questions, not
 5 many, and then one of the questions he asked was, "Have
 6 you ever used any performance-enhancing drugs?"
 7 And Lance said, "Yes."
 8 And the doctor asked, "What were they?"
 9 And Lance said, "Growth hormone, cortisone, EPO,
 10 steroids and testosterone."

Pg 14 - Ln 2

-
- 18 Q. What was your reaction?
 19 A. I freaked.
 20 **Frankie** said, "I think we should leave the room,"
 21 and we left the room.
 22 Q. Okay. Did you hear anything else after Mr. Armstrong
 23 identified, as you've said, the various
 24 performance-enhancing drugs he had used and you said you
 25 should leave?
 1 Or I guess **Frankie** said you should leave.
 2 A. At that point, no. I was in complete shock.

Pg 14 - Ln 20

-
- 22 Q. Okay. Did you hear anything else after Mr. Armstrong
 23 identified, as you've said, the various
 24 performance-enhancing drugs he had used and you said you
 25 should leave?
 1 Or I guess **Frankie** said you should leave.
 2 A. At that point, no. I was in complete shock.
 3 Q. Why did you freak or why were you in complete shock?
 4 A. Because I was afraid this would be widespread on the
 5 team. And **Frankie** and I had just gotten engaged, and I
 6 was not going to marry him if he was doing all that
 7 stuff.

Pg 15 - Ln 1

-
- 3 Q. Why did you freak or why were you in complete shock?
 4 A. Because I was afraid this would be widespread on the
 5 team. And **Frankie** and I had just gotten engaged, and I
 6 was not going to marry him if he was doing all that
 7 stuff.

Pg 15 - Ln 5

-
- 3 Q. Why did you freak or why were you in complete shock?
4 A. Because I was afraid this would be widespread on the
5 team. And **Frankie** and I had just gotten engaged, and I
6 was not going to marry him if he was doing all that
7 stuff.
8 Q. Did you leave the room at that time? You and **Frankie** ?
9 A. We left the room right after that.
10 Q. Where did you go?
11 A. We went back to our hotel room.
-

Pg 15 - Ln 8

-
- 12 Q. What hotel was that?
13 A. It was connected to the hospital.
14 Q. What happened? Did you discuss this with **Frankie** ?
15 A. Yes.
16 Q. What took places?
17 MR. PASKOFF: With respect to Lance Armstrong?
18 MR. TILLOTSON: Yes.
19 MR. PASKOFF: It's a little vague and overbroad.
20 MR. TILLOTSON: It was overbroad.
21 BY MR. TILLOTSON:
-

Pg 15 - Ln 14

-
- 22 Q. I apologize.
23 Did you discuss what you had heard from
24 Mr. Armstrong with **Frankie** during that time period?
25 A. Yes.
1 Q. Can you tell me what it is you and **Frankie** discussed?
2 A. I told -- do you want verbatim what I said?
-

Pg 15 - Ln 24

-
- 22 Q. I apologize.
23 Did you discuss what you had heard from
24 Mr. Armstrong with **Frankie** during that time period?
25 A. Yes.
1 Q. Can you tell me what it is you and **Frankie** discussed?
2 A. I told -- do you want verbatim what I said?
3 Q. As best you recall.
4 A. I said, "I'm not fucking marrying you if you're doing
5 that shit."
-

Pg 16 - Ln 1

-
- 8 Q. Anything else?
9 A. No.
10 Q. Did **Frankie** indicate -- did **Frankie** tell you anything
11 else about whether Mr. Armstrong was using
12 performance-enhancing drugs other than, "I'm not doing
13 all that shit. I promise you"?
14 A. I can't remember.
-

Pg 16 - Ln 10

-
- 8 Q. Anything else?
9 A. No.
10 Q. Did **Frankie** indicate -- did **Frankie** tell you anything
11 else about whether Mr. Armstrong was using
12 performance-enhancing drugs other than, "I'm not doing
13 all that shit. I promise you"?
14 A. I can't remember.
-

Pg 16 - Ln 10

-
- 15 Q. Did you accept what he said to you?
16 MR. PASKOFF: What are you talking about now? About
17 what Mr. Armstrong said or what Mr. **Andreu** said?
18 MR. TILLOTSON: I'll be more precise.
19 BY MR. TILLOTSON:
-

Pg 16 - Ln 17

-
- 15 Q. Did you accept what he said to you?

16 MR. PASKOFF: What are you talking about now? About
17 what Mr. Armstrong said or what Mr. **Andreu** said?
18 MR. TILLOTSON: I'll be more precise.
19 BY MR. TILLOTSON:
20 Q. Let me ask it this way: Was there any further discussion
21 between you and **Frankie** regarding this subject at that
22 time period?
23 A. Yeah.

Pg 16 - Ln 21

1 Q. Did anyone know that you had written down details about
2 that conversation in your diary other than yourself?
3 A. Yes.
4 Q. Who?
5 A. **Frankie**, Stephanie and Coco -- Angela Julich.
6 Q. Who is she?
7 A. Her husband races in Europe; cycling.

Pg 19 - Ln 5

7 Q. Okay. Are there -- is there anything written that you
8 have in your possession that relates to that conversation
9 that took place in Indiana? Any notes, correspondence or
10 other documentation in a written format?
11 MR. PASKOFF: Written by Ms. **Andreu** ?
12 MR. TILLOTSON: Yes. I'll start with that.
13 A. Not that I can recall.
14 BY MR. TILLOTSON:

Pg 22 - Ln 11

23 Q. Okay. Anything else?
24 You have other papers there, and it looks like
25 perhaps a CD or two?
1 A. Yes.
2 Q. Can you identify that?
3 A. Yes. I have a copy of a -- this is a CD that **Frankie**, my
4 husband, had taped with Bart Knaggs and Bill Stapleton
5 present, and the transcript of that conversation.

Pg 23 - Ln 3

12 Q. Were you present when the conversation took place that
13 was recorded?
14 A. No.
15 Q. But **Frankie** did record this?
16 A. Yes.
17 Q. How did he record it?
18 A. He had a tape recorder.

Pg 23 - Ln 15

21 Q. Do you know why he taped it?
22 A. Because David Walsh's book had come out. I was being
23 blamed for being the source. They wanted -- Lance and
24 Bill, et al., wanted to talk to **Frankie**, and **Frankie** was
25 going to meet up with Bill Stapleton, and **Frankie** said,
1 "Do you think I should tape it?"
2 And I said, "Hell, yes. To protect yourself."

Pg 23 - Ln 24

21 Q. Do you know why he taped it?
22 A. Because David Walsh's book had come out. I was being
23 blamed for being the source. They wanted -- Lance and
24 Bill, et al., wanted to talk to **Frankie**, and **Frankie** was
25 going to meet up with Bill Stapleton, and **Frankie** said,
1 "Do you think I should tape it?"
2 And I said, "Hell, yes. To protect yourself."

Pg 23 - Ln 24

21 Q. Do you know why he taped it?
22 A. Because David Walsh's book had come out. I was being
23 blamed for being the source. They wanted -- Lance and

Pg 23 - Ln 25

24 Bill, et al., wanted to talk to **Frankie** , and **Frankie** was
 25 going to meet up with Bill Stapleton, and **Frankie** said,
 1 "Do you think I should tape it?"
 2 And I said, "Hell, yes. To protect yourself."

21 Q. Do you know why he taped it?
 22 A. Because David Walsh's book had come out. I was being Pg 24 - Ln 3
 23 blamed for being the source. They wanted -- Lance and
 24 Bill, et al., wanted to talk to **Frankie** , and **Frankie** was
 25 going to meet up with Bill Stapleton, and **Frankie** said,
 1 "Do you think I should tape it?"
 2 And I said, "Hell, yes. To protect yourself."
 3 Q. Before today, did anyone other than **Frankie** and yourself
 4 know that that conversation had been taped? Other
 5 than -- well, let me ask you this: Have you told anyone
 6 outside of this room that that conversation was taped?
 7 A. Yes.

11 Q. I'm sorry. Go ahead.
 12 A. No. It was -- yeah. I was just thinking of the day. Pg 25 - Ln 13
 13 It was July 5th, because that's when **Frankie** had
 14 sent it to me via e-mail.
 15 Q. And on the CD, is this the actual -- would I be able to
 16 hear the voices?
 17 A. Yes.

17 Q. Yes.
 18 A statement or a sworn statement that those events Pg 26 - Ln 20
 19 did not take place?
 20 A. Oh, Bill wanted me, via **Frankie** , to sign a statement.
 21 Q. That's Mr. Stapleton?
 22 A. Yes.

21 Q. That's Mr. Stapleton?
 22 A. Yes. Pg 26 - Ln 24
 23 Q. When did that take place? When did Mr. Stapleton
 24 approach **Frankie** about that?
 25 A. That was July 5th, 2004, and then again in September of
 1 2004.

2 Q. What is it that Mr. Stapleton wanted you to sign or say
 3 in this affidavit? Pg 27 - Ln 10
 4 A. They wanted me to come out and say David Walsh is lying.
 5 First he said he wants me to sign an affidavit or
 6 something saying that I would not testify against Lance.
 7 He says -- basically that I support Lance. That's what
 8 he wanted me to do.
 9 Q. What was your response or reaction to that?
 10 A. I told **Frankie** , "There's no way in hell I'm going to
 11 lie."
 12 Q. Now, since then, since that time period in July and
 13 September 2004, have you been contacted by anyone, either
 14 Mr. Stapleton --
 15 (Outside interruption; discussion
 16 held off the record.)
 17 BY MR. TILLOTSON:

18 Q. Let me start again.
 19 Since September 2004, have you been contacted by Pg 27 - Ln 24
 20 anyone, either Mr. Stapleton or a representative of
 21 Mr. Stapleton, regarding signing an affidavit or a
 22 statement that the events at the Indiana hospital did not

- 23 take place or were not true?
24 A. Was I contacted or was **Frankie** ?
25 Q. Let's first start with you, and then I'll ask you --
1 A. No. I was not.
-

- 25 Q. Let's first start with you, and then I'll ask you --
1 A. No. I was not. Pg 28 - Ln 2
2 Q. How about **Frankie** ? Has he been contacted regarding that?
3 A. Yes. Lance called him up on Saturday and said it didn't
4 happen.
-

- 9 Q. Okay. Where were you when this was taking place?
10 A. Neiman Marcus. Pg 28 - Ln 11
11 Q. So, how did you hear about it? From **Frankie** ?
12 A. **Frankie** called me up.
13 Q. Okay. Ms. **Andreu** , we're going to take a short break so
14 we can set up the videographer, if that's okay.
15 A. Okay.
16 MR. TILLOTSON: Before we do that, let me mark
17 the --
18 MR. COMPTON: These are the copies.
19 MR. TILLOTSON: I would prefer to mark the original,
20 if that's all right with you. She may retain that, and
21 then we can replace that with a copy.
22 MR. PASKOFF: That's fine.
23 MR. TILLOTSON: We'll mark this as Exhibit 1 and
24 this as Exhibit 2.
25 (Deposition Exhibit Nos. 1 and
1 2 marked for identification.)
2 MR. TILLOTSON: Okay. Now we're going to set up.
3 We'll take a short break. We'll take about five minutes
4 to set up, and then we'll reconvene.
5 A. Do you need --
6 BY MR. TILLOTSON:
-

- 9 Q. Okay. Where were you when this was taking place?
10 A. Neiman Marcus. Pg 28 - Ln 12
11 Q. So, how did you hear about it? From **Frankie** ?
12 A. **Frankie** called me up.
13 Q. Okay. Ms. **Andreu** , we're going to take a short break so
14 we can set up the videographer, if that's okay.
15 A. Okay.
16 MR. TILLOTSON: Before we do that, let me mark
17 the --
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4 to set up, and then we'll reconvene.
5 A. Do you need --
6 BY MR. TILLOTSON:
-

- 11 Q. So, how did you hear about it? From **Frankie** ?
12 A. **Frankie** called me up. Pg 28 - Ln 13
13 Q. Okay. Ms. **Andreu** , we're going to take a short break so
14 we can set up the videographer, if that's okay.

15 A. Okay.
16 MR. TILLOTSON: Before we do that, let me mark
17 the --
18 MR. COMPTON: These are the copies.
19 MR. TILLOTSON: I would prefer to mark the original,
20 if that's all right with you. She may retain that, and
21 then we can replace that with a copy.
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24 this as Exhibit 2.
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1 2 marked for identification.)
2 MR. TILLOTSON: Okay. Now we're going to set up.
3 We'll take a short break. We'll take about five minutes
4 to set up, and then we'll reconvene.
5 A. Do you need --
6 BY MR. TILLOTSON:

7 Q. Yes. I'm going to ask for that as well. We'll make
8 copies of that as well. Pg 30 - Ln 3
9 A. There are --
10 THE REPORTER: I'm sorry. Are we on the record or
11 off?
12 MR. TILLOTSON: No. We can go off the record now.
13 (Short recess at 10:40 a.m.)
14 * * *
15 (Record continued with videotape.)
16 VIDEOGRAPHER: Time is 10:54:20. We are on the
17 record.
18 MR. TILLOTSON: We are here at the deposition. We
19 have begun a portion of it not on videotape, and now
20 we're videotaping it.
21 For purposes of the record, I'll just ask everyone
22 to introduce themselves so that we know who's here
23 present for the videotape.
24 I'm Jeff Tillotson, along with Chris Compton, for
25 the Respondents in the arbitration.
1 MR. PASKOFF: Representing the Witness, Adam Paskoff
2 with Paskoff and Tamber.
3 THE WITNESS: Betsy **Andreu** . Elizabeth Marie
4 **Andreu** .
5 MR. HERMAN: Tim Herman of Herman, Howry and Breen
6 representing the Claimants, Tailwind and Lance Armstrong.
7 MR. TILLOTSON: Yeah. Or, Tim, you can identify, if
8 you want to --
9 MR. HERMAN: Along with Lance Armstrong and Bart
10 Knaggs of Tailwind Sports.
11 BY MR. TILLOTSON:

7 Q. Yes. I'm going to ask for that as well. We'll make
8 copies of that as well. Pg 30 - Ln 4
9 A. There are --
10 THE REPORTER: I'm sorry. Are we on the record or
11 off?
12 MR. TILLOTSON: No. We can go off the record now.
13 (Short recess at 10:40 a.m.)
14 * * *
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16 VIDEOGRAPHER: Time is 10:54:20. We are on the
17 record.
18 MR. TILLOTSON: We are here at the deposition. We
19 have begun a portion of it not on videotape, and now
20 we're videotaping it.

21 For purposes of the record, I'll just ask everyone
 22 to introduce themselves so that we know who's here
 23 present for the videotape.
 24 I'm Jeff Tillotson, along with Chris Compton, for
 25 the Respondents in the arbitration.
 1 MR. PASKOFF: Representing the Witness, Adam Paskoff
 2 with Paskoff and Tamber.
 3 THE WITNESS: Betsy **Andreu** . Elizabeth Marie
 4 **Andreu** .
 5 MR. HERMAN: Tim Herman of Herman, Howry and Breen
 6 representing the Claimants, Tailwind and Lance Armstrong.
 7 MR. TILLOTSON: Yeah. Or, Tim, you can identify, if
 8 you want to --
 9 MR. HERMAN: Along with Lance Armstrong and Bart
 10 Knaggs of Tailwind Sports.
 11 BY MR. TILLOTSON:

16 Q. Okay.
 17 A. And Bart Knaggs was there also, but sometimes I don't
 18 know when he was talking. Pg 30 - Ln 19
 19 Q. And "F" is **Frankie** ?
 20 A. Yes.
 21 Q. And this is the -- we're looking at what we've marked as
 22 Exhibit 1?
 23 A. Right.

6 Q. Okay. It looks like the subject matter of this
 7 conversation, as you described earlier, was conversations Pg 32 - Ln 8
 8 with **Frankie** regarding having you deny or claim Mr. Walsh
 9 was lying in his book?
 10 A. Yes.

24 Q. All right. Now, there's discussion here about whether or
 25 not you would come out and describe or say that Pg 33 - Ln 3
 1 Mr. Walsh was lying.
 2 Is it your understanding that that's what you were
 3 being asked to do through **Frankie** ?
 4 MR. HERMAN: Objection. Form.
 5 BY MR. TILLOTSON:

10 Q. Okay.
 11 A. Why don't they -- why doesn't he come out and say it Pg 34 - Ln 13
 12 never happened?
 13 And then when **Frankie** said:
 14 "Bill, it did happen."
 15 Bill's response was.
 16 "Yeah."

19 Q. Okay. Can you -- can you --
 20 A. It's the first -- the seventh line, maybe. Right after, Pg 34 - Ln 23
 21 "B.," Bill says:
 22 "Right."
 23 **Frankie** says -- and there's some inaudibles in here,
 24 which maybe if you took it to Quantico, you could have it
 25 out filtered a little bit better.
 1 **Frankie** says:
 2 "I mean, cuz hospital, and you know, I
 3 don't know..."
 4 I think he says:
 5 "I don't know about you, but the hospital
 6 room happened, but I've never told anybody because

7 I know if David Walsh's book -- for me, what does
 8 this shit accomplish? It accomplishes nothing."
 9 And Bill says:
 10 "Yeah."

19 Q. Okay. Can you -- can you --
 20 A. It's the first -- the seventh line, maybe. Right after,
 21 "B.," Bill says:
 22 "Right."
 23 **Frankie** says -- and there's some inaudibles in here,
 24 which maybe if you took it to Quantico, you could have it
 25 out filtered a little bit better.
 1 **Frankie** says:
 2 "I mean, cuz hospital, and you know, I
 3 don't know..."
 4 I think he says:
 5 "I don't know about you, but the hospital
 6 room happened, but I've never told anybody because
 7 I know if David Walsh's book -- for me, what does
 8 this shit accomplish? It accomplishes nothing."
 9 And Bill says:
 10 "Yeah."

Pg 35 - Ln 1

16 Q. When did that take place?
 17 A. I don't know. They were on a ride and it happened. When
 18 Lance was able to get on the bike again, but I don't know
 19 when.
 20 And I know he talked about it with Chris Carmichael.
 21 MR. HERMAN: When you say he, who are you --
 22 A. **Frankie . Frankie .**
 23 BY MR. TILLOTSON:
 24 Q. Okay. Anything else?
 25 Or anyone else, I should say?
 1 A. Stephanie. He talked about it with Stephanie and --

Pg 35 - Ln 22

16 Q. When did that take place?
 17 A. I don't know. They were on a ride and it happened. When
 18 Lance was able to get on the bike again, but I don't know
 19 when.
 20 And I know he talked about it with Chris Carmichael.
 21 MR. HERMAN: When you say he, who are you --
 22 A. **Frankie . Frankie .**
 23 BY MR. TILLOTSON:
 24 Q. Okay. Anything else?
 25 Or anyone else, I should say?
 1 A. Stephanie. He talked about it with Stephanie and --

Pg 35 - Ln 22

7 Q. Not involved in cycling?
 8 A. No. Nothing to do with cycling.
 9 Q. And to your knowledge, has Stephanie McIlvain or Chris
 10 Carmichael to **Frankie** denied that the events at the
 11 Indiana University hospital didn't take place?
 12 A. Not at all.

Pg 36 - Ln 10

19 Q. That was taped?
 20 You mentioned one in September as well when you were
 21 asked regarding the Indiana University hospital?
 22 A. There were some e-mail exchanges between Bill and
 23 **Frankie** , and it was after this whole SCA thing came out
 24 in the public and they said they weren't going to pay
 25 Lance. And he tried getting a hold of **Frankie** , and
 1 **Frankie** said, "Look, you said you would prepare --" at

Pg 36 - Ln 23

2 first he told Bill, "I don't want to get involved."
3 And Bill said, "You are involved, regardless."
4 And **Frankie** said, "Well, you said you would prepare
5 a statement. Let me see what you have." But it ended
6 there.

19 Q. That was taped?

20 You mentioned one in September as well when you were
21 asked regarding the Indiana University hospital?

Pg 36 - Ln 25

22 A. There were some e-mail exchanges between Bill and
23 **Frankie**, and it was after this whole SCA thing came out
24 in the public and they said they weren't going to pay
25 Lance. And he tried getting a hold of **Frankie**, and
1 **Frankie** said, "Look, you said you would prepare --" at
2 first he told Bill, "I don't want to get involved."

3 And Bill said, "You are involved, regardless."

4 And **Frankie** said, "Well, you said you would prepare
5 a statement. Let me see what you have." But it ended
6 there.

19 Q. That was taped?

20 You mentioned one in September as well when you were
21 asked regarding the Indiana University hospital?

Pg 37 - Ln 1

22 A. There were some e-mail exchanges between Bill and
23 **Frankie**, and it was after this whole SCA thing came out
24 in the public and they said they weren't going to pay
25 Lance. And he tried getting a hold of **Frankie**, and
1 **Frankie** said, "Look, you said you would prepare --" at
2 first he told Bill, "I don't want to get involved."

3 And Bill said, "You are involved, regardless."

4 And **Frankie** said, "Well, you said you would prepare
5 a statement. Let me see what you have." But it ended
6 there.

19 Q. That was taped?

20 You mentioned one in September as well when you were
21 asked regarding the Indiana University hospital?

Pg 37 - Ln 4

22 A. There were some e-mail exchanges between Bill and
23 **Frankie**, and it was after this whole SCA thing came out
24 in the public and they said they weren't going to pay
25 Lance. And he tried getting a hold of **Frankie**, and
1 **Frankie** said, "Look, you said you would prepare --" at
2 first he told Bill, "I don't want to get involved."

3 And Bill said, "You are involved, regardless."

4 And **Frankie** said, "Well, you said you would prepare
5 a statement. Let me see what you have." But it ended
6 there.

9 Q. Do you know if he's spoken to Mr. Stapleton since
10 September of 2004?

Pg 37 - Ln 15

11 A. No.

12 And I don't know if he spoke with him in 2004 or if
13 it was e-mail exchanges. He seen him at the tour and
14 said, "Hi." That's about it.

15 Q. Do you know if **Frankie** saved those e-mails?

16 A. Yes.

17 Q. Okay. Do you have copies of them with you?

18 MR. PASKOFF: Well, I have copies in my file, but I
19 don't think she's in a position to authenticate them.

20 MR. TILLOTSON: Okay.

21 BY MR. TILLOTSON:

22 Q. And then most recently you've described for us a
23 conversation that took place over this past weekend
24 between Mr. Armstrong and **Frankie** ?

Pg 37 - Ln 24

25 A. Yes.

1 Q. Regarding this subject matter?

2 A. Yes.

1 Q. Regarding this subject matter?

2 A. Yes.

Pg 38 - Ln 3

3 Q. And you weren't present, but **Frankie** has recounted for
4 you that conversation; is that right?

5 A. Yes.

6 Q. Was it recorded in any way?

7 A. No.

Pg 38 - Ln 12

8 MR. TILLOTSON: Now, I'm going to -- Adam, I don't
9 know, necessarily, the marital privilege in Michigan, but
10 I'm going to ask her -- will you permit me to ask her
11 what he told her regarding that conversation? What
12 **Frankie** has told her regarding that conversation with Mr.
13 Armstrong? Or I'll save it and wait to ask him.

14 MR. PASKOFF: Only as it relates to this case.

15 MR. TILLOTSON: Fair enough. Fair enough.

16 BY MR. TILLOTSON:

6 Q. Was it recorded in any way?

7 A. No.

Pg 38 - Ln 17

8 MR. TILLOTSON: Now, I'm going to -- Adam, I don't
9 know, necessarily, the marital privilege in Michigan, but
10 I'm going to ask her -- will you permit me to ask her
11 what he told her regarding that conversation? What
12 **Frankie** has told her regarding that conversation with Mr.
13 Armstrong? Or I'll save it and wait to ask him.

14 MR. PASKOFF: Only as it relates to this case.

15 MR. TILLOTSON: Fair enough. Fair enough.

16 BY MR. TILLOTSON:

17 Q. What is it that **Frankie** told you that he and
18 Mr. Armstrong discussed regarding this case?

19 MR. HERMAN: Objection. Form.

20 A. That **Frankie** said that Lance said he didn't remember the
21 hospital room happening, and he was going to get his
22 doctors and other people signing affidavits saying that
23 it never occurred. And it didn't make sense, because
24 some of Lance's key people, such as Bill Stapleton and
25 Och, Jim Ochowicz, were not present when this took place.

1 And then he said, "**Frankie** , I'm warning you that's
2 what's going to happen. I just want to warn you."

3 And he also recounted some of Kathy LeMond's
4 deposition; her testimony.

5 BY MR. TILLOTSON:

17 Q. What is it that **Frankie** told you that he and
18 Mr. Armstrong discussed regarding this case?

Pg 38 - Ln 20

19 MR. HERMAN: Objection. Form.

20 A. That **Frankie** said that Lance said he didn't remember the
21 hospital room happening, and he was going to get his
22 doctors and other people signing affidavits saying that
23 it never occurred. And it didn't make sense, because
24 some of Lance's key people, such as Bill Stapleton and
25 Och, Jim Ochowicz, were not present when this took place.

1 And then he said, "**Frankie** , I'm warning you that's
2 what's going to happen. I just want to warn you."

3 And he also recounted some of Kathy LeMond's

4 deposition; her testimony.
5 BY MR. TILLOTSON:

17 Q. What is it that **Frankie** told you that he and
18 Mr. Armstrong discussed regarding this case?
19 MR. HERMAN: Objection. Form.
20 A. That **Frankie** said that Lance said he didn't remember the
21 hospital room happening, and he was going to get his
22 doctors and other people signing affidavits saying that
23 it never occurred. And it didn't make sense, because
24 some of Lance's key people, such as Bill Stapleton and
25 Och, Jim Ochowicz, were not present when this took place.
1 And then he said, "**Frankie** , I'm warning you that's
2 what's going to happen. I just want to warn you."
3 And he also recounted some of Kathy LeMond's
4 deposition; her testimony.
5 BY MR. TILLOTSON:

Pg 39 - Ln 1

6 Q. What portions do you recall being recounted?
7 A. That Kathy had tapes of me; that -- this is what Lance
8 told **Frankie** .
9 Q. Right.
10 A. That Kathy said I saw Lance inject himself; something
11 about me and a doctor, my endocrinologist, I assume, at
12 the University of Michigan; that I called off the
13 engagement.
14 What else was there?
15 Oh, Lance called looking for EPO.

Pg 39 - Ln 8

6 Q. And did you have some understanding of why he was doing
7 this? Why would he call and talk to your husband
8 regarding this?
9 MR. HERMAN: Objection. Form.
10 A. Because **Frankie** likes Lance and because **Frankie** is a good
11 guy, that Lance could probably get -- maybe Lance could
12 get to him.
13 MR. HERMAN: Objection. Nonresponsive.
14 BY MR. TILLOTSON:

Pg 40 - Ln 10

6 Q. And did you have some understanding of why he was doing
7 this? Why would he call and talk to your husband
8 regarding this?
9 MR. HERMAN: Objection. Form.
10 A. Because **Frankie** likes Lance and because **Frankie** is a good
11 guy, that Lance could probably get -- maybe Lance could
12 get to him.
13 MR. HERMAN: Objection. Nonresponsive.
14 BY MR. TILLOTSON:

Pg 40 - Ln 10

18 Q. I'm going to ask you about those, but I want to run
19 through a couple of the things that Mr. Armstrong told
20 **Frankie** regarding Ms. LeMond.
21 A. Okay.
22 Q. There was some discussion or description that perhaps you
23 saw Mr. Armstrong inject himself with a
24 performance-enhancing drug.
25 Is that true? Did you ever see that?
1 A. No. Never.

Pg 41 - Ln 20

12 Q. Has your husband ever mentioned that? That Mr. Armstrong
13 called him or someone at your house looking for EPO?
14 MR. HERMAN: Objection. Form.

Pg 42 - Ln 15

- 15 A. You'd have to ask **Frankie** . I don't know.
16 BY MR. TILLOTSON:
17 Q. Okay. I will.
18 Now, I want to discuss -- I want to ask you a couple
19 of things about your conversation with Ms. LeMond,
20 because there's some other subject matters I want to ask
21 you about.
22 First, you referenced a dinner that you had, you and
23 **Frankie** , with Mr. Armstrong and his wife at the time,
24 Kristin Armstrong, in July of 2001?
25 A. Yes.

-
- 17 Q. Okay. I will.
18 Now, I want to discuss -- I want to ask you a couple
19 of things about your conversation with Ms. LeMond,
20 because there's some other subject matters I want to ask
21 you about.
22 First, you referenced a dinner that you had, you and
23 **Frankie** , with Mr. Armstrong and his wife at the time,
24 Kristin Armstrong, in July of 2001?
25 A. Yes.

Pg 42 - Ln 23

-
- 20 Q. Okay. So, what transpired -- what transpired at the
21 dinner that you were at with Mr. Armstrong there?
22 A. Well, in that conversation, there was -- in this article,
23 there was a Motorola rider who had given information
24 about doping and Lance, and Lance came right out and
25 asked **Frankie** if he was the guy. And **Frankie** said, "No
1 way."
2 And then Lance had said -- it led into the, "Can you
3 believe fucking LeMond?" That's -- he said, "How dare he
4 question -- say what he said with Ferrari when he opened
5 the flood gates to EPO usage." And he said, "I'm going
6 to fucking get him back," or something of the sort.

Pg 43 - Ln 25

-
- 20 Q. Okay. So, what transpired -- what transpired at the
21 dinner that you were at with Mr. Armstrong there?
22 A. Well, in that conversation, there was -- in this article,
23 there was a Motorola rider who had given information
24 about doping and Lance, and Lance came right out and
25 asked **Frankie** if he was the guy. And **Frankie** said, "No
1 way."
2 And then Lance had said -- it led into the, "Can you
3 believe fucking LeMond?" That's -- he said, "How dare he
4 question -- say what he said with Ferrari when he opened
5 the flood gates to EPO usage." And he said, "I'm going
6 to fucking get him back," or something of the sort.

Pg 43 - Ln 25

-
- 4 Q. Let me -- let me be a little bit more pointed.
5 You say it's common knowledge. I don't know it.
6 The public doesn't seem to know it.
7 Tell me, you being there, seeing these things, why
8 do you say it was common knowledge?
9 MR. HERMAN: Objection. Form.
10 A. Because of my conversations with **Frankie** and -- can I
11 take a break?
12 MR. TILLOTSON: Of course. Of course.
13 VIDEOGRAPHER: The time is 11:14:56. We're off the
14 record.
15 (Short recess.)
16 * * *
17 (Deposition Exhibit Nos. 3 and
18 4 marked for identification.)

Pg 46 - Ln 10

19

* * *

20 VIDEOGRAPHER: We're on the record at 11:30:14.

21 BY MR. TILLOTSON:

18 Q. Have you ever spoken to Kristin Armstrong about
19 Mr. Armstrong's use of performance-enhancing drugs?

Pg 51 - Ln 21

20 A. There was an incident in 1999 in March on the way home.
21 **Frankie** and Lance were racing from Milano to San Remo in
22 Italy, and Kristin and I drove the route. We followed
23 them to the finish line. And in that conversation, I had
24 asked her something about EPO, and it was to the context
25 of, "What is your feeling about this EPO stuff?"

1 And she -- I can't really remember verbatim, but her
2 comment was, "Yeah. I'm not too happy with it, but it's
3 kind of like a necessary evil." But she didn't say, "a
4 necessary evil," but I can't remember verbatim what she
5 said.

1 Q. You had mentioned a little while ago that it was common
2 knowledge regarding Mr. Armstrong's performance-enhancing
3 drug use, and I'm going to ask you again if you can tell
4 me the basis of that? Why you say that?

Pg 55 - Ln 7

5 MR. HERMAN: Objection. Form.

6 A. Because he was with Ferrari, and Ferrari was -- had a
7 very bad representation, and that's why **Frankie** didn't
8 want to see him.

9 BY MR. TILLOTSON:

20 Q. I'm asking really for background about how you came to
21 learn who he was and his reputation.

Pg 55 - Ln 22

22 A. Because Lance wanted **Frankie** to see him, and **Frankie**
23 said, "No." Because **Frankie** -- yeah. He said, "No."

24 In Milan, San Remo in 1999, when we were going to
25 the start of the race, we had to stop outside of Milano
1 in the parking lot of a hotel so Lance could meet with
2 him, and that's when I saw him.

20 Q. I'm asking really for background about how you came to
21 learn who he was and his reputation.

Pg 55 - Ln 22

22 A. Because Lance wanted **Frankie** to see him, and **Frankie**
23 said, "No." Because **Frankie** -- yeah. He said, "No."

24 In Milan, San Remo in 1999, when we were going to
25 the start of the race, we had to stop outside of Milano
1 in the parking lot of a hotel so Lance could meet with
2 him, and that's when I saw him.

20 Q. I'm asking really for background about how you came to
21 learn who he was and his reputation.

Pg 55 - Ln 23

22 A. Because Lance wanted **Frankie** to see him, and **Frankie**
23 said, "No." Because **Frankie** -- yeah. He said, "No."

24 In Milan, San Remo in 1999, when we were going to
25 the start of the race, we had to stop outside of Milano
1 in the parking lot of a hotel so Lance could meet with
2 him, and that's when I saw him.

5 Q. Before the race, and Mr. Armstrong -- the team stops
6 outside?

Pg 56 - Ln 7

7 A. No. I'm sorry. **Frankie**, Lance, Kristin and I all drove
8 to Milano together.

9 Q. And the purpose of that trip was what?

10 A. They were doing the Milan, San Remo race; a one day
11 classics race.

19 Q. Now, you had mentioned that Mr. Armstrong wanted your
 20 husband to see Ferrari.
 21 And how do you know that?
 22 A. Because **Frankie** told me.
 23 Q. Why did Mr. Armstrong want **Frankie** to see Dr. Ferrari?
 24 A. So **Frankie** could do better in races.

Pg 57 - Ln 22

19 Q. Now, you had mentioned that Mr. Armstrong wanted your
 20 husband to see Ferrari.
 21 And how do you know that?
 22 A. Because **Frankie** told me.
 23 Q. Why did Mr. Armstrong want **Frankie** to see Dr. Ferrari?
 24 A. So **Frankie** could do better in races.
 25 Q. Okay. And why wouldn't your husband go see Dr. Ferrari?
 1 A. I remember **Frankie** telling me he, "didn't want to do that
 2 shit," and he didn't want to spend the money.

Pg 57 - Ln 23

19 Q. Now, you had mentioned that Mr. Armstrong wanted your
 20 husband to see Ferrari.
 21 And how do you know that?
 22 A. Because **Frankie** told me.
 23 Q. Why did Mr. Armstrong want **Frankie** to see Dr. Ferrari?
 24 A. So **Frankie** could do better in races.
 25 Q. Okay. And why wouldn't your husband go see Dr. Ferrari?
 1 A. I remember **Frankie** telling me he, "didn't want to do that
 2 shit," and he didn't want to spend the money.

Pg 57 - Ln 24

25 Q. Okay. And why wouldn't your husband go see Dr. Ferrari?
 1 A. I remember **Frankie** telling me he, "didn't want to do that
 2 shit," and he didn't want to spend the money.
 3 Q. Okay. When you say, "didn't want to do that shit," what
 4 was he referring to as you understood it?
 5 MR. HERMAN: Objection. Form.
 6 A. Performance-enhancing drugs.
 7 BY MR. TILLOTSON:

Pg 58 - Ln 1

10 Q. Okay. And that was in connection with Mr. Armstrong's
 11 displeasure that Mr. LeMond would talk about it?
 12 A. Yes.
 13 Q. Was **Frankie** asked to talk about it publicly?
 14 Mr. Armstrong's relationship with Dr. Ferrari?
 15 MR. PASKOFF: By whom?
 16 BY MR. TILLOTSON:

Pg 61 - Ln 13

5 Q. And that I believe the words you used was that
 6 Mr. Armstrong was simply -- was calling you to warn --
 7 A. Yes.
 8 Q. -- **Frankie** ?
 9 A. Yes.
 10 Q. Warn him about what?
 11 A. You'd have to ask him.

Pg 62 - Ln 8

22 Q. Yes.
 23 A. That's not possible. So, no.
 24 **Frankie**, yes. Me, no.
 25 Q. Is your husband concerned about testifying here today?
 1 A. He doesn't want to do it.

Pg 62 - Ln 24

25 Q. Is your husband concerned about testifying here today?
 1 A. He doesn't want to do it.
 2 Q. Has Mr. Armstrong called since that weekend conversation?

Pg 63 - Ln 3

3 A. Yes. He called **Frankie** yesterday. Is it 2:19? Oh,
4 gosh.
5 He called him like twice and he e-mailed him once
6 yesterday.

7 Q. Okay. Do you know what -- did they actually speak --

8 A. No.

Pg 63 - Ln 10

9 Q. -- or just messages?

10 A. He left a message for **Frankie** to call him when he got a
11 chance, and he wrote him an e-mail asking **Frankie** to
12 contact him when **Frankie** got a chance.

9 Q. -- or just messages?

10 A. He left a message for **Frankie** to call him when he got a
11 chance, and he wrote him an e-mail asking **Frankie** to
12 contact him when **Frankie** got a chance.

Pg 63 - Ln 11

13 Q. Okay. Prior to Mr. Armstrong's call to your husband
14 Saturday, when is the last time you think they spoke?

15 A. The last time they spoke was in October of 2004.

9 Q. -- or just messages?

10 A. He left a message for **Frankie** to call him when he got a
11 chance, and he wrote him an e-mail asking **Frankie** to
12 contact him when **Frankie** got a chance.

Pg 63 - Ln 12

13 Q. Okay. Prior to Mr. Armstrong's call to your husband
14 Saturday, when is the last time you think they spoke?

15 A. The last time they spoke was in October of 2004.

16 Q. And do you know why they spoke in October of 2004?

17 A. They didn't speak. Lance was trying to get a hold of
18 **Frankie**, called him several times, and it was after this
19 whole SCA thing came to light.

Pg 63 - Ln 18

20 Q. Okay. So, is it fair to say in approximately the last
21 year, the only times Mr. Armstrong has contacted **Frankie**
22 is to discuss this particular arbitration that brings us
23 here today?

24 A. Yes.

16 Q. And do you know why they spoke in October of 2004?

17 A. They didn't speak. Lance was trying to get a hold of
18 **Frankie**, called him several times, and it was after this
19 whole SCA thing came to light.

Pg 63 - Ln 21

20 Q. Okay. So, is it fair to say in approximately the last
21 year, the only times Mr. Armstrong has contacted **Frankie**
22 is to discuss this particular arbitration that brings us
23 here today?

24 A. Yes.

8 Q. What has he told you about his recollection of what took
9 place?

Pg 64 - Ln 12

10 MR. HERMAN: Objection. Form.

11 A. That Mark Gorski, Johan Bruyneel, Kevin Livingston and
12 Lance Armstrong were very, very nervous, and **Frankie**
13 didn't know why. And there was a lot of tension.

14 BY MR. TILLOTSON:

11 Q. Now, we're on videotape. Before, we were not. I just
12 would like you to -- I'm going to ask you again to
13 recount what took place in the Indiana University
14 hospital room so that I have it on tape; all right?

Pg 69 - Ln 19

15 First, if you'll tell us -- and I apologize. I'm
16 repeating, but I'm close to finishing.

17 First, if you'll tell us who was present in the room
18 when the conversation took place?
19 A. Me; **Frankie**; Stephanie McIlvain; Chris Carmichael; his
20 then girlfriend, now wife, Paige; Lisa Shiels; and Lance;
21 and then a doctor.

22 Q. Tell us what was said during this conversation. During
23 this meeting, what took place?

Pg 70 - Ln 2

24 A. The doctor came in. I said to Lance, "I think we should
25 leave to give you your privacy."

1 And Lance said, "No. That's okay. You can stay."

2 And I said -- I turned to **Frankie** and I said, "I
3 think we better go."

4 And he said that, "Lance said we can stay. We can
5 stay."

6 And the doctor asked him a couple of questions, and
7 then came the question, "Have you ever taken any
8 performance-enhancing drugs?"

9 And Lance said, "Yes."

10 The doctor said, "What were they?"

11 And he said, "EPO, growth hormone, cortisone,
12 steroids and testosterone."

13 Q. What was said after that? Did the doctor ask any
14 follow-up questions? Was there --

Pg 70 - Ln 16

15 A. The doctor -- the doctor did, but I can't remember,
16 because **Frankie** and I left the room immediately.

17 Q. And what is it you told **Frankie** after leaving the room?

18 MR. PASKOFF: With respect to what?

19 MR. TILLOTSON: What just took place.

20 A. What did I say to **Frankie** ?

21 BY MR. TILLOTSON:

13 Q. What was said after that? Did the doctor ask any
14 follow-up questions? Was there --

Pg 70 - Ln 17

15 A. The doctor -- the doctor did, but I can't remember,
16 because **Frankie** and I left the room immediately.

17 Q. And what is it you told **Frankie** after leaving the room?

18 MR. PASKOFF: With respect to what?

19 MR. TILLOTSON: What just took place.

20 A. What did I say to **Frankie** ?

21 BY MR. TILLOTSON:

17 Q. And what is it you told **Frankie** after leaving the room?

18 MR. PASKOFF: With respect to what?

Pg 70 - Ln 20

19 MR. TILLOTSON: What just took place.

20 A. What did I say to **Frankie** ?

21 BY MR. TILLOTSON:

22 Q. Yes.

23 MR. PASKOFF: Listen to the question. With respect
24 to what just happened in the room.

25 A. I --

1 MR. PASKOFF: I'm going to object that we've covered
2 it before. It's also impinging upon marital privilege,
3 but the question was asked on the transcript on the
4 record before. So, there's no reason to repeat it at
5 this time.

6 MR. TILLOTSON: I appreciate that, Counsel. Let me
7 ask a different question.

8 BY MR. TILLOTSON:

2 Q. What knowledge do you have? Tell me what you know.
3 A. It was a million dollar race out east, and there was some
4 sort of, I think -- so he could win the -- if he won
5 three races, he got a million bucks, and had asked a
6 couple of -- I don't know the particulars. A couple
7 other racers, he told them he would pay them a large
8 amount of money if they would help him out.
9 MR. HERMAN: Objection.
10 A. From other teams.
11 MR. HERMAN: Objection. Form.
12 BY MR. TILLOTSON:
13 Q. How do you know this?
14 A. **Frankie** told me.
15 Q. How did he know it?
16 MR. HERMAN: Objection.
17 MR. PASKOFF: It's only if you know.
18 A. You'd have to ask **Frankie** .
19 BY MR. TILLOTSON:

Pg 79 - Ln 14

15 Q. How did he know it?
16 MR. HERMAN: Objection.
17 MR. PASKOFF: It's only if you know.
18 A. You'd have to ask **Frankie** .
19 BY MR. TILLOTSON:
20 Q. Okay. I will.
21 Anything else that you know about this particular
22 incident regarding fixing a race other than what you've
23 told me?
24 A. No.

Pg 79 - Ln 18

11 Q. Okay. Well, then you'll be pleased with my next
12 question, which is I'm going to pass the witness. And I
13 appreciate your testimony and answers here today.
14 The other side now has the opportunity to question
15 you, subject to a break, and I have the ability to come
16 back and ask additional questions after Mr. Herman.
17 But at this point in time, it's Mr. Herman's turn.
18 A. Okay.
19 MR. TILLOTSON: Pass the witness.
20 MR. HERMAN: I'm going to come over there.
21 MR. TILLOTSON: Yes. Please.
22 THE WITNESS: Are we going to have a lunch break?
23 MR. HERMAN: Well, I want to go ahead and go forward
24 and take a break before **Frankie** --
25 THE WITNESS: Okay.
1 MR. HERMAN: -- if that's all right with you.
2 THE WITNESS: I don't want to go another three hours
3 without having lunch, though.
4 (Discussion held off the record.)
5 VIDEOGRAPHER: The time is 12:25:39. We are off the
6 record.
7 (Short recess.)
8 VIDEOGRAPHER: The time is 12:30:29. We are on the
9 record.
10 * * *
11 EXAMINATION
12 BY MR. HERMAN:

Pg 80 - Ln 24

11 Q. Okay. Well, then you'll be pleased with my next
12 question, which is I'm going to pass the witness. And I
13 appreciate your testimony and answers here today.
14 The other side now has the opportunity to question
15 you, subject to a break, and I have the ability to come

Pg 81 - Ln 13

16 back and ask additional questions after Mr. Herman.
 17 But at this point in time, it's Mr. Herman's turn.
 18 A. Okay.
 19 MR. TILLOTSON: Pass the witness.
 20 MR. HERMAN: I'm going to come over there.
 21 MR. TILLOTSON: Yes. Please.
 22 THE WITNESS: Are we going to have a lunch break?
 23 MR. HERMAN: Well, I want to go ahead and go forward
 24 and take a break before **Frankie** --
 25 THE WITNESS: Okay.
 1 MR. HERMAN: -- if that's all right with you.
 2 THE WITNESS: I don't want to go another three hours
 3 without having lunch, though.
 4 (Discussion held off the record.)
 5 VIDEOGRAPHER: The time is 12:25:39. We are off the
 6 record.
 7 (Short recess.)
 8 VIDEOGRAPHER: The time is 12:30:29. We are on the
 9 record.
 10 * * *
 11 EXAMINATION
 12 BY MR. HERMAN:
 13 Q. Ms. **Andreu** , am I pronouncing that correctly?
 14 A. **Andreu** , yes.
 15 Q. My name is Tim Herman.
 16 We've never met before today, have we, ma'am?
 17 A. No.

11 Q. Okay. Well, then you'll be pleased with my next
 12 question, which is I'm going to pass the witness. And I
 13 appreciate your testimony and answers here today.
 14 The other side now has the opportunity to question
 15 you, subject to a break, and I have the ability to come
 16 back and ask additional questions after Mr. Herman.
 17 But at this point in time, it's Mr. Herman's turn.
 18 A. Okay.
 19 MR. TILLOTSON: Pass the witness.
 20 MR. HERMAN: I'm going to come over there.
 21 MR. TILLOTSON: Yes. Please.
 22 THE WITNESS: Are we going to have a lunch break?
 23 MR. HERMAN: Well, I want to go ahead and go forward
 24 and take a break before **Frankie** --
 25 THE WITNESS: Okay.
 1 MR. HERMAN: -- if that's all right with you.
 2 THE WITNESS: I don't want to go another three hours
 3 without having lunch, though.
 4 (Discussion held off the record.)
 5 VIDEOGRAPHER: The time is 12:25:39. We are off the
 6 record.
 7 (Short recess.)
 8 VIDEOGRAPHER: The time is 12:30:29. We are on the
 9 record.
 10 * * *
 11 EXAMINATION
 12 BY MR. HERMAN:
 13 Q. Ms. **Andreu** , am I pronouncing that correctly?
 14 A. **Andreu** , yes.
 15 Q. My name is Tim Herman.
 16 We've never met before today, have we, ma'am?
 17 A. No.

Pg 81 - Ln 14

8 Q. Okay. Well, tell me how you know him.
 9 A. He had called up, and I told him who my lawyer was and

Pg 82 - Ln 12

10 directed all calls to Adam.
 11 Q. Okay. And do you know -- to your knowledge has your
 12 wife -- husband, rather, **Frankie**, had any contact with
 13 SCA either through Mr. Bandy or otherwise?
 14 A. Bob Hamman called **Frankie**. I think it was back in
 15 December.

11 Q. Okay. And do you know -- to your knowledge has your
 12 wife -- husband, rather, **Frankie**, had any contact with
 13 SCA either through Mr. Bandy or otherwise? Pg 82 - Ln 14
 14 A. Bob Hamman called **Frankie**. I think it was back in
 15 December.
 16 Q. And what was the substance of that conversation; if you
 17 know?
 18 A. I'm not sure. He had -- it was an introductory call.

16 Q. And what was the substance of that conversation; if you
 17 know? Pg 82 - Ln 19
 18 A. I'm not sure. He had -- it was an introductory call.
 19 Q. And did **Frankie** discuss the contents of that conversation
 20 with you?
 21 A. No. It was introductory.

19 Q. And did **Frankie** discuss the contents of that conversation
 20 with you? Pg 82 - Ln 22
 21 A. No. It was introductory.
 22 Q. And was there any other contact between SCA and **Frankie**
 23 after that time?
 24 A. That I know of, no.

22 Q. And was there any other contact between SCA and **Frankie**
 23 after that time? Pg 82 - Ln 25
 24 A. That I know of, no.
 25 Q. Okay. When were you and **Frankie** -- what was the date of
 1 your marriage?
 2 A. December 31st, 1996.

16 Q. I mean how did you find out he was in Indianapolis?
 17 A. It was common knowledge. We knew he was there. Pg 83 - Ln 19
 18 Q. It was in the paper or something?
 19 A. **Frankie** told me.
 20 Q. So, do you know how long he had been in the hospital in
 21 Indianapolis prior to the time you and **Frankie** showed up?
 22 A. No, I don't.

18 Q. It was in the paper or something?
 19 A. **Frankie** told me. Pg 83 - Ln 21
 20 Q. So, do you know how long he had been in the hospital in
 21 Indianapolis prior to the time you and **Frankie** showed up?
 22 A. No, I don't.
 23 Q. It would have been some time, though, would it not, if
 24 you had been aware long enough to know that he was in the
 25 hospital in Indianapolis and then you all went down
 1 there?
 2 A. Well, you know when he was admitted into the hospital.
 3 So, you would have the records to show when he was
 4 admitted.

11 Q. Okay. Now, it's true -- well, strike that.
 12 You got -- I think this is Deposition Exhibit 1?
 13 This transcription? Pg 84 - Ln 15
 14 A. Yes.

- 15 Q. Okay. And without going through in detail, **Frankie**, on
16 several occasions in that conversation with Mr. Knaggs
17 and Mr. Stapleton, talks about how much you hate Lance
18 Armstrong, doesn't he?
19 A. No. He just says they don't like each other, but that's
20 the extent of it.
-

- 21 Q. Okay. So, is it true or untrue that you do not like
22 Mr. Armstrong? Pg 84 - Ln 25
23 A. No. I don't like him.
24 Q. And as a matter of fact, it was an e-mail from you to
25 Mr. Armstrong that set off an incident between **Frankie**
1 and Mr. Armstrong back in whenever? '99?
2 A. April of 1999 at the Amstel Gold Race.
-

- 13 Q. I just want to --
14 A. I said, "You are very disrespectful to people. You treat
15 people like shit. **Frankie** is a friend of yours. He's
16 not an employee. We don't have to put up with it. He
17 doesn't have to put up with the disrespect. If you don't
18 want him to do the tour, then he will come home with his
19 newborn." Pg 85 - Ln 15
-

- 20 Q. Okay. How long had you -- let me get back to the
21 hospital here for a minute. Pg 85 - Ln 22
22 How long had you and **Frankie** been in Indianapolis
23 before this alleged incident?
24 A. We went there specifically to see Lance.
-

- 25 Q. Okay. And you don't remember -- you don't remember any
1 of the questions before and you don't remember any
2 follow-up questions; correct? Pg 88 - Ln 6
3 A. No. There was a follow-up question, but I don't remember
4 what it was.
5 Q. So, who else left immediately when you left?
6 A. **Frankie** and I just left, and we don't know what happened
7 after.
8 Q. Did anyone else leave when you left?
9 A. No. Not when we left, no.
-

- 25 Q. On page 2 of the transcript that's -- of this phone call
1 that you have put an asterisk by, if David Walsh said
2 that you had told him something, that would not be true? Pg 94 - Ln 3
3 A. Bill wanted **Frankie** -- Bill wanted me --
4 Q. Just a second. Just --
5 A. Well, then it's -- it's in black and white.
-

- 21 Q. Okay. So that if you -- if you signed a statement to the
22 effect that you never provided information to Mr. Walsh
23 that appeared in the book, that would be true, isn't it? Pg 95 - Ln 2
24 Wouldn't it?
25 A. Yeah.
1 Q. Okay. Now, let me ask you -- let me ask you this: Did
2 **Frankie** leave the Postal team in 2000?
3 A. Yes.
4 Q. Okay. And was he -- did he stay on as a director in 2001
5 and 2002?
6 A. Yes.
-

- 4 Q. Okay. In the earshot of the children; right?
5 A. Oh, yeah. Yeah. But the kids -- we were outside. Pg 97 - Ln 6
6 **Frankie** and Luke were running around a fountain, and

7 Marta was only six months old.
8 MR. PASKOFF: "Frankie," referring to a child.
9 A. Yeah.
10 MR. PASKOFF: Not **Frankie Andreu** .
11 BY MR. HERMAN:

4 Q. Okay. In the earshot of the children; right?
5 A. Oh, yeah. Yeah. But the kids -- we were outside. Pg 97 - Ln 8
6 **Frankie** and Luke were running around a fountain, and
7 Marta was only six months old.
8 MR. PASKOFF: "Frankie," referring to a child.
9 A. Yeah.
10 MR. PASKOFF: Not **Frankie Andreu** .
11 BY MR. HERMAN:

4 Q. Okay. In the earshot of the children; right?
5 A. Oh, yeah. Yeah. But the kids -- we were outside. Pg 97 - Ln 10
6 **Frankie** and Luke were running around a fountain, and
7 Marta was only six months old.
8 MR. PASKOFF: "Frankie," referring to a child.
9 A. Yeah.
10 MR. PASKOFF: Not **Frankie Andreu** .
11 BY MR. HERMAN:
12 Q. Let me go back to this incident at the hospital.
13 Did you or did you not break off or postpone your
14 wedding to **Frankie Andreu** as a result of that?
15 A. I threatened to.

12 Q. Let me go back to this incident at the hospital.
13 Did you or did you not break off or postpone your Pg 97 - Ln 14
14 wedding to **Frankie Andreu** as a result of that?
15 A. I threatened to.
16 Q. Well, did you or didn't you?
17 A. No, I did not.

22 Q. And that never changed?
23 A. No. Pg 97 - Ln 25
24 Q. Okay. And if -- well, what if someone were to say that
25 **Frankie** confessed to using performance-enhancing drugs
1 that very night to you? Would that testimony be truthful
2 or not?
3 MR. PASKOFF: I'm going to object to this nature of
4 questioning. It has no relevancy to the action that
5 we're here for today, which she's under subpoena. This
6 is a commercial action between Lance Armstrong, Tailwind
7 Sports and SCA. So, those questions have no relevancy to
8 the action. I'm going to direct her not to answer.
9 MR. HERMAN: Well, I'll press the question.
10 BY MR. HERMAN:

24 Q. Okay. And if -- well, what if someone were to say that
25 **Frankie** confessed to using performance-enhancing drugs Pg 98 - Ln 12
1 that very night to you? Would that testimony be truthful
2 or not?
3 MR. PASKOFF: I'm going to object to this nature of
4 questioning. It has no relevancy to the action that
5 we're here for today, which she's under subpoena. This
6 is a commercial action between Lance Armstrong, Tailwind
7 Sports and SCA. So, those questions have no relevancy to
8 the action. I'm going to direct her not to answer.
9 MR. HERMAN: Well, I'll press the question.
10 BY MR. HERMAN:

- 11 Q. Didn't you in your direct testimony, didn't you say that
12 you had questioned **Frankie** about his involvement in the
13 use of performance-enhancing drugs?
14 A. I questioned if there was an involvement.
-

- 11 Q. Didn't you in your direct testimony, didn't you say that
12 you had questioned **Frankie** about his involvement in the
13 use of performance-enhancing drugs?
14 A. I questioned if there was an involvement.
15 Q. Right.
16 And you questioned **Frankie** that night, didn't you?
17 A. Right after.
18 Q. Right.
19 And?
20 A. I'm not going to answer the question.
-

Pg 98 - Ln 18

- 4 Q. And how often during the year since the year 2000 have
5 you and your husband been in the presence of
6 Mr. Armstrong?
7 A. **Frankie**, you'd have to ask him. A few times, because of
8 what he does.
9 I saw Lance in 2001, after. I saw him after 2000.
10 After the year 2000, I saw him in 2001.
-

Pg 100 - Ln 7

- 23 Q. And you're not here testifying that he has, are you?
24 A. No.
-

Pg 101 - Ln 25

- 25 Q. And incidentally, it's true, is it not, that **Frankie**,
1 when reporting to you the conversation that he had with
2 Lance on Saturday, confirmed that Lance repeatedly told
3 him that he was not doing anything to influence anybody's
4 testimony, but that Kathy LeMond had said certain things
5 and he wanted to know if those were true?
6 A. Correct. He was upset.
-

- 25 Q. And incidentally, it's true, is it not, that **Frankie**,
1 when reporting to you the conversation that he had with
2 Lance on Saturday, confirmed that Lance repeatedly told
3 him that he was not doing anything to influence anybody's
4 testimony, but that Kathy LeMond had said certain things
5 and he wanted to know if those were true?
-

Pg 102 - Ln 8

- 6 A. Correct. He was upset.
7 Q. Right.
8 A. And he called. **Frankie** said he was as nice as could be.
9 He was the good old Lance we know.
10 Q. Okay. So, if you left the impression that --
11 (Outside interruption.)
12 A. Sorry.
13 BY MR. HERMAN:
-

- 10 Q. Okay. So, if you left the impression that --
11 (Outside interruption.)
-

Pg 102 - Ln 14

- 12 A. Sorry.
13 BY MR. HERMAN:
14 Q. That Mr. Armstrong called **Frankie** and threatened him,
15 that wouldn't be a correct impression?
16 A. No. Lance told **Frankie** it was not a threatening phone
17 call right off the bat, and after **Frankie** talked to him,
18 and after he said, "I'm just warning you, **Frankie**,"
19 **Frankie** took that as a little bit of intimidation.
-

- 14 Q. That Mr. Armstrong called **Frankie** and threatened him,
15 that wouldn't be a correct impression?
-

Pg 102 - Ln 16

16 A. No. Lance told **Frankie** it was not a threatening phone
 17 call right off the bat, and after **Frankie** talked to him,
 18 and after he said, "I'm just warning you, **Frankie** ,"
 19 **Frankie** took that as a little bit of intimidation.

14 Q. That Mr. Armstrong called **Frankie** and threatened him,
 15 that wouldn't be a correct impression?

Pg 102 - Ln 17

16 A. No. Lance told **Frankie** it was not a threatening phone
 17 call right off the bat, and after **Frankie** talked to him,
 18 and after he said, "I'm just warning you, **Frankie** ,"
 19 **Frankie** took that as a little bit of intimidation.

14 Q. That Mr. Armstrong called **Frankie** and threatened him,
 15 that wouldn't be a correct impression?

Pg 102 - Ln 18

16 A. No. Lance told **Frankie** it was not a threatening phone
 17 call right off the bat, and after **Frankie** talked to him,
 18 and after he said, "I'm just warning you, **Frankie** ,"
 19 **Frankie** took that as a little bit of intimidation.

20 Q. And what Mr. Armstrong said was, "I'm just warning you,
 21 **Frankie** , that the doctors have no recollection of that --

22 A. No. He said that --

14 Q. That Mr. Armstrong called **Frankie** and threatened him,
 15 that wouldn't be a correct impression?

Pg 102 - Ln 19

16 A. No. Lance told **Frankie** it was not a threatening phone
 17 call right off the bat, and after **Frankie** talked to him,
 18 and after he said, "I'm just warning you, **Frankie** ,"
 19 **Frankie** took that as a little bit of intimidation.

20 Q. And what Mr. Armstrong said was, "I'm just warning you,
 21 **Frankie** , that the doctors have no recollection of that --

22 A. No. He said that --

14 Q. That Mr. Armstrong called **Frankie** and threatened him,
 15 that wouldn't be a correct impression?

Pg 102 - Ln 21

16 A. No. Lance told **Frankie** it was not a threatening phone
 17 call right off the bat, and after **Frankie** talked to him,
 18 and after he said, "I'm just warning you, **Frankie** ,"
 19 **Frankie** took that as a little bit of intimidation.

20 Q. And what Mr. Armstrong said was, "I'm just warning you,
 21 **Frankie** , that the doctors have no recollection of that --

22 A. No. He said that --

23 Q. -- incident and that they are --

24 THE REPORTER: I'm sorry.

25 BY MR. HERMAN:

20 Q. -- and Mr. Armstrong went in the RV, and did he come back
 21 and get in the car?

Pg 104 - Ln 23

22 A. He was gone about an hour. We had an hour to waste;
 23 **Frankie** , Kristin and I.

24 Q. And what did you do?

25 A. We went into the small little town, tried to find a money
 1 machine. Their dog had to go to the bathroom. We took
 2 the dog out, and we went to the hotel, ate peanuts and
 3 wasted time.

20 Q. Right. Okay.
 21 And that's the -- that fairly portrays whatever Bill
 22 and Bart were asking you to do?

Pg 107 - Ln 25

23 MR. PASKOFF: I'm going to object.

24 BY MR. HERMAN:

25 Q. Or asking **Frankie** ?

1 MR. PASKOFF: The recording will speak for itself.

2 MR. TILLOTSON: Join.
3 BY MR. HERMAN:

4 Q. Okay. But what I'm asking you is, can you point to any
5 other request other than this Exhibit 1 that was made by Pg 108 - Ln 6
6 Bill Stapleton or Bart Knaggs to you or **Frankie** for you
7 to sign some statement?
8 A. This is what I have.

4 Q. Okay. But what I'm asking you is, can you point to any
5 other request other than this Exhibit 1 that was made by Pg 108 - Ln 10
6 Bill Stapleton or Bart Knaggs to you or **Frankie** for you
7 to sign some statement?
8 A. This is what I have.
9 Q. Okay. And this is all that you know of?
10 A. Well, there were e-mails between **Frankie** and Bill, but I
11 can't remember exactly if Bill said he had a statement or
12 another attorney was going to write one, but I know when
13 the other attorney contacted **Frankie**, **Frankie** said, "Bill
14 said he would prepare a statement. Can you please send
15 it to me?"
16 And he said, "I have to talk to you first."

9 Q. Okay. And this is all that you know of?
10 A. Well, there were e-mails between **Frankie** and Bill, but I Pg 108 - Ln 13
11 can't remember exactly if Bill said he had a statement or
12 another attorney was going to write one, but I know when
13 the other attorney contacted **Frankie**, **Frankie** said, "Bill
14 said he would prepare a statement. Can you please send
15 it to me?"
16 And he said, "I have to talk to you first."

9 Q. Okay. And this is all that you know of?
10 A. Well, there were e-mails between **Frankie** and Bill, but I Pg 108 - Ln 13
11 can't remember exactly if Bill said he had a statement or
12 another attorney was going to write one, but I know when
13 the other attorney contacted **Frankie**, **Frankie** said, "Bill
14 said he would prepare a statement. Can you please send
15 it to me?"
16 And he said, "I have to talk to you first."

21 Q. And the last line of that, I think that's a quote
22 attributable to Stapleton? Pg 108 - Ln 23
23 A. "Bill: Nobody wants that, **Frankie**?"
24 I think when it's, "B or B," it's Bill or Bart,
25 right.

8 Q. All right. Now, let me see if -- let me read the last
9 sentence of that paragraph. Pg 109 - Ln 13
10 "So, maybe we can draft something that
11 she's comfortable with --"
12 A. Yes.
13 Q. And **Frankie** said:
14 "That's fine"?
15 A. Yes.

16 Q. Okay. But as I understand it, no one ever submitted a
17 written statement to you for you to sign? Pg 109 - Ln 18
18 A. No. And I told **Frankie**, "There's no way in hell I'm
19 signing anything."
20 Q. Okay.
21 A. So, he said that without my knowledge.

1 Q. Okay. And how long has that -- have you had that kind of
2 relationship with Stephanie McIlvain?
3 A. Since 1999, when Dillon was a baby.
4 Wait, wait, wait. No, no, no. **Frankie** was born in
5 '99.
6 I started to get really close with Stephanie in the
7 year 2000 after Dillon was born, her son.

Pg 111 - Ln 4

1 Q. Okay. And how long has that -- have you had that kind of
2 relationship with Stephanie McIlvain?
3 A. Since 1999, when Dillon was a baby.
4 Wait, wait, wait. No, no, no. **Frankie** was born in
5 '99.
6 I started to get really close with Stephanie in the
7 year 2000 after Dillon was born, her son.
8 Q. Okay. It's not unusual, is it, in your experience,
9 Ms. **Andreu**, for professional bicyclists, particularly
10 elite bicyclists, to have personal trainers in addition
11 to whatever their team might provide?
12 A. Sure.

Pg 111 - Ln 9

20 Q. -- Livingston.
21 Anyone else?
22 A. That I know of, no.
23 Q. Okay. Now, you say that Mr. Armstrong tried to contact
24 **Frankie** several times after the SCA matter came to light
25 in October of 2004?
1 A. Right.

Pg 112 - Ln 24

23 Q. Okay. Now, you say that Mr. Armstrong tried to contact
24 **Frankie** several times after the SCA matter came to light
25 in October of 2004?
1 A. Right.
2 Q. And did they ever speak that you know of?
3 A. No. **Frankie** did call them back, but I believe it was
4 something -- he was either doing the Ride for the Roses
5 or the Gala, and so **Frankie** left him a message. And then
6 I know **Frankie** said, "I'll call you on Monday."
7 And Lance said, "I need to talk to you immediately.
8 Forget it. Thanks. I don't understand it, but thanks
9 for the help."

Pg 113 - Ln 3

2 Q. And did they ever speak that you know of?
3 A. No. **Frankie** did call them back, but I believe it was
4 something -- he was either doing the Ride for the Roses
5 or the Gala, and so **Frankie** left him a message. And then
6 I know **Frankie** said, "I'll call you on Monday."
7 And Lance said, "I need to talk to you immediately.
8 Forget it. Thanks. I don't understand it, but thanks
9 for the help."

Pg 113 - Ln 5

2 Q. And did they ever speak that you know of?
3 A. No. **Frankie** did call them back, but I believe it was
4 something -- he was either doing the Ride for the Roses
5 or the Gala, and so **Frankie** left him a message. And then
6 I know **Frankie** said, "I'll call you on Monday."
7 And Lance said, "I need to talk to you immediately.
8 Forget it. Thanks. I don't understand it, but thanks
9 for the help."

Pg 113 - Ln 6

- 17 Q. And you know he's in the yellow jersey at least 87 days
18 since 1999?
19 A. I believe you if you say so.
20 Q. Well, you keep up with cycling, don't you?
21 A. I don't watch the tour. I tape it to see **Frankie**, and
22 that's it. I don't watch it.
23 Q. Okay. Now, when you say Becky Livingston alluded to the
24 fact that people working with Ferrari were using
25 performance-enhancing substances, what do you mean by
1 that? What did she say to you?
2 A. She didn't say anything to me, because she swore Kevin
3 was clean. It was -- like I said, it was just a given.
4 There was really no competition for Lance. So, it was an
5 unwritten assumption.

Pg 116 - Ln 21

-
- 11 Q. Kevin Livingston was working with Ferrari?
12 A. Right.
13 (Discussion held off the record.)
14 VIDEOGRAPHER: The time is 1:23:57. We're off the
15 record.
16 (Short recess.)
17 * * *
18 VIDEOGRAPHER: We are beginning Tape Two. The time
19 is 1:36:02.
20 BY MR. HERMAN:
21 Q. Ms. **Andreu**, you just described a conversation that you
22 had with Stephanie McIlvain where you say that
23 Ms. McIlvain told you that Mr. Armstrong told her, "Come
24 on. We all use EPO"?
25 A. Some- -- yes.

Pg 117 - Ln 21

-
- 11 Q. Okay.
12 A. Because she also brought up the incident of the -- that
13 e-mail that I had sent Lance, and she said she knew that
14 Lance would be after **Frankie** because of it.
15 Q. Because of it?
16 A. Uh-huh.
17 THE REPORTER: I'm sorry. Is that --
18 A. Pardon?
19 THE REPORTER: Is that --
20 A. Yes.
21 BY MR. HERMAN:

Pg 122 - Ln 14

-
- 15 Q. Because of it?
16 A. Uh-huh.
17 THE REPORTER: I'm sorry. Is that --
18 A. Pardon?
19 THE REPORTER: Is that --
20 A. Yes.
21 BY MR. HERMAN:
22 Q. And **Frankie** was on the team at -- or with Mr. Armstrong
23 for at least two tours after that event; right?
24 A. Two tours after that e-mail, yes.

Pg 122 - Ln 22

-
- 25 Q. Correct?
1 A. Yes.
2 Q. And then it was Mr. Armstrong that got **Frankie** the
3 position as a director of the team, wasn't it?
4 A. I wouldn't say it -- I wouldn't say it was Lance, no.

Pg 123 - Ln 2

-
- 5 Q. Okay. Could he have gotten that job as a director
6 without Lance agreeing to it, do you think?

Pg 123 - Ln 9

- 7 A. No. He couldn't have.
8 Q. And when Mr. -- let me ask you this: When was it that
9 Mr. Walsh interviewed either you or **Frankie** ?
10 A. December of 2003.
11 Q. And where did that occur?
12 A. He had called on the phone, and he was in Detroit.
-

- 10 Q. So, how many times did he call you and ask you to meet
11 with him before you actually met with him? Pg 124 - Ln 14
12 A. Oh, that was it.
13 Q. That was it? He called you one time?
14 A. No. He called -- **Frankie** did not know he had called me.
15 **Frankie** didn't know of the initial conversation. I never
16 told him. **Frankie** met -- no. David had called me.
-

- 13 Q. That was it? He called you one time?
14 A. No. He called -- **Frankie** did not know he had called me. Pg 124 - Ln 15
15 **Frankie** didn't know of the initial conversation. I never
16 told him. **Frankie** met -- no. David had called me.
17 Q. When?
18 A. In May of --
-

- 13 Q. That was it? He called you one time?
14 A. No. He called -- **Frankie** did not know he had called me. Pg 124 - Ln 16
15 **Frankie** didn't know of the initial conversation. I never
16 told him. **Frankie** met -- no. David had called me.
17 Q. When?
18 A. In May of --
-

- 22 Q. And how many times did you talk to Mr. Walsh
23 substantively? Pg 126 - Ln 9
24 By that I mean, did you discuss Lance Armstrong.
25 A. It's difficult to say.
1 He would call me to tell me something, and wanted me
2 to confirm it or not, and I don't think I really could.
3 He called me about the e-mail that I had sent Lance,
4 and I confirmed it. And he knew the content of that
5 e-mail.
6 And I remember another phone call. He wanted to
7 know if I knew anything about a rider called Jean
8 Cyril-Robin, and that was -- that was it.
9 Q. So, did you ever -- did you personally, **Betsy Andreu** ,
10 ever talk to Walsh or did you ever give Walsh information
11 other than the conversation off the record about this
12 Indianapolis incident?
13 A. No.
-

- 21 Q. -- March or April of 1999?
22 A. 1999. Pg 126 - Ln 24
23 Q. Okay. Now, when you met in December 2003 in Detroit, you
24 and Mr. **Andreu** both met with him?
25 A. Yes.
1 Q. Had Mr. **Andreu** met with David Walsh before that to your
2 knowledge?
3 A. No.
-

- 23 Q. Okay. Now, when you met in December 2003 in Detroit, you
24 and Mr. **Andreu** both met with him? Pg 127 - Ln 1
25 A. Yes.
1 Q. Had Mr. **Andreu** met with David Walsh before that to your
2 knowledge?
3 A. No.

1 Q. Had Mr. **Andreu** met with David Walsh before that to your
2 knowledge?

Pg 127 - Ln 5

3 A. No.

4 Q. And tell me what the substance of the conversation was
5 between Mr. Walsh on the one hand and you and Mr. **Andreu**
6 on the other?

7 A. It was about -- it was about the hospital room.

25 Q. Okay. Well, it's true, is it not, that when you and
1 Mr. **Andreu** were having dinner with David Walsh, **Frankie**
2 **Andreu**, among other things, talked about how Lance had
3 brought **Frankie** to Cofidis with him in '97?

Pg 128 - Ln 1

4 A. Yes.

25 Q. Okay. Well, it's true, is it not, that when you and
1 Mr. **Andreu** were having dinner with David Walsh, **Frankie**
2 **Andreu**, among other things, talked about how Lance had
3 brought **Frankie** to Cofidis with him in '97?

Pg 128 - Ln 1

4 A. Yes.

25 Q. Okay. Well, it's true, is it not, that when you and
1 Mr. **Andreu** were having dinner with David Walsh, **Frankie**
2 **Andreu**, among other things, talked about how Lance had
3 brought **Frankie** to Cofidis with him in '97?

Pg 128 - Ln 3

4 A. Yes.

5 Q. And that he was, you know, grateful for that, and that in
6 2001, after **Frankie** left the team, that Lance was
7 instrumental in getting him a job as a director for 2001
8 and 2002?

9 A. It was 2001. There was no 2002.

25 Q. Okay. Well, it's true, is it not, that when you and
1 Mr. **Andreu** were having dinner with David Walsh, **Frankie**
2 **Andreu**, among other things, talked about how Lance had
3 brought **Frankie** to Cofidis with him in '97?

Pg 128 - Ln 6

4 A. Yes.

5 Q. And that he was, you know, grateful for that, and that in
6 2001, after **Frankie** left the team, that Lance was
7 instrumental in getting him a job as a director for 2001
8 and 2002?

9 A. It was 2001. There was no 2002.

10 Q. He did not work as a director in 2002?

11 A. No.

Pg 128 - Ln 13

12 Q. Okay.

13 A. No. **Frankie** told David that he liked Lance, and the
14 relationship went to pot because Lance and I didn't like
15 each other.

12 Q. Okay.

13 A. No. **Frankie** told David that he liked Lance, and the
14 relationship went to pot because Lance and I didn't like
15 each other.

Pg 128 - Ln 16

16 Q. And certainly **Frankie** never represented to David Walsh
17 that Mr. Armstrong had ever done anything illegal, did
18 he?

19 A. You'll have to ask **Frankie**.

20 I did go --

16 Q. And certainly **Frankie** never represented to David Walsh
17 that Mr. Armstrong had ever done anything illegal, did

Pg 128 - Ln 19

18 he?
 19 A. You'll have to ask **Frankie** .
 20 I did go --
 21 Q. Well, you were there.
 22 A. Yes. But then when Kevin Livingston called screaming and
 23 yelling at me that I was going to give David Walsh a
 24 number, saying, "He'll bring everybody down" and "You
 25 can't do that," I had left to make some phone calls. So,
 1 I don't know what **Frankie** and David talked about.

21 Q. Well, you were there.
 22 A. Yes. But then when Kevin Livingston called screaming and
 23 yelling at me that I was going to give David Walsh a
 24 number, saying, "He'll bring everybody down" and "You
 25 can't do that," I had left to make some phone calls. So,
 1 I don't know what **Frankie** and David talked about.
 2 Q. So, you weren't there during the substantive part of
 3 their conversation?
 4 A. I wasn't there for some of their conversation. I don't
 5 know if it was -- what it pertained to.

Pg 129 - Ln 1

2 Q. So, you weren't there during the substantive part of
 3 their conversation?
 4 A. I wasn't there for some of their conversation. I don't
 5 know if it was -- what it pertained to.
 6 Q. Well, while you were there, certainly Mr. **Andreu** never
 7 made any assertion that Mr. Armstrong had ever done
 8 anything improper or illegal?
 9 A. Not in my presence, no.

Pg 129 - Ln 6

17 Q. Okay.
 18 A. No. Maybe it was in a -- it was in a conversation,
 19 because I was going in -- I don't -- it was after my hip
 20 replacement, I believe.
 21 But we rarely talk. When I say, "talk," communicate
 22 about Lance.
 23 Q. All right. Now, it's true that at one point or during
 24 some period of time **Frankie Andreu** and Lance Armstrong
 25 were roommates or lived together?
 1 A. In Italy, yes.

Pg 130 - Ln 24

2 Q. And when was that? When did they share a room or
 3 whatever?
 4 A. I don't -- it was in the nineties, but I'm not sure what
 5 year.
 6 Q. Okay. That was before you and **Frankie** were together?
 7 A. Yes.
 8 Q. Okay. Now, after you and **Frankie** were together, during
 9 the stage races or whatever, was there ever a time that
 10 **Frankie** and Lance roomed together?
 11 A. Yes.

Pg 131 - Ln 6

6 Q. Okay. That was before you and **Frankie** were together?
 7 A. Yes.
 8 Q. Okay. Now, after you and **Frankie** were together, during
 9 the stage races or whatever, was there ever a time that
 10 **Frankie** and Lance roomed together?
 11 A. Yes.

Pg 131 - Ln 8

8 Q. Okay. Now, after you and **Frankie** were together, during
 9 the stage races or whatever, was there ever a time that
 10 **Frankie** and Lance roomed together?

Pg 131 - Ln 10

11 A. Yes.
12 Q. When?
13 A. I think many times, because I don't know if it was
14 because their names both begin with "A" or because they
15 were friends. I remember one time right after his
16 treatment in Lille, he and **Frankie** were in the same
17 hospital(sic).
18 Sorry. Strike that.
19 Hotel. With Cofidis.

12 Q. When?
13 A. I think many times, because I don't know if it was
14 because their names both begin with "A" or because they
15 were friends. I remember one time right after his
16 treatment in Lille, he and **Frankie** were in the same
17 hospital(sic).
18 Sorry. Strike that.
19 Hotel. With Cofidis.

Pg 131 - Ln 16

20 Q. Right.
21 But it's true, is it not, that from '99 on,
22 Mr. Armstrong generally would room by himself? **Frankie**
23 did not room with him during the '99 and 2000 tours?
24 A. Correct. Yeah.

Pg 131 - Ln 22

25 Q. So, probably the latest that they would have been
1 roommates would have been in '97 or '98?
2 A. I don't know. Probably.
3 MR. HERMAN: Okay. I'll pass the witness.
4 MR. TILLOTSON: If you'll give me a minute or two?
5 MR. HERMAN: Well, wait. Let me just take a
6 minute. Why don't you --
7 MR. TILLOTSON: Sure.
8 MR. HERMAN: Because I may have one or two more
9 questions, but why don't you be figuring out what you're
10 going to do and then I'll --
11 MR. TILLOTSON: Let's go off the record.
12 VIDEOGRAPHER: We're off the record at 1:59:02.
13 (Short recess.)
14 * * *
15 VIDEOGRAPHER: We're on the record at 2:06:15.
16 BY MR. HERMAN:
17 Q. Ms. **Andreu**, I'm going to just ask you a couple of
18 questions about this transcript; okay?
19 A. Sure.

Pg 132 - Ln 17

22 Q. And go to the -- see there's "B," "F," "B," and then "F"
23 above that?
24 A. Yes.
25 Q. And that's **Frankie**; correct?
1 A. Wait.
2 Where are you?
3 Just show me on that, and I can --

Pg 132 - Ln 25

4 Q. Right down there?
5 A. Yes, yes, yes, yes.
6 Q. Okay. And **Frankie** says:
7 "I talked to my wife. No way in hell
8 David, David Walsh is lying. He does not have
9 a taped thing of Betsy saying that she would
10 do that?"
11 A. Yes.

Pg 133 - Ln 6

6 Q. Okay. And **Frankie** says:
 7 "I talked to my wife. No way in hell
 8 David, David Walsh is lying. He does not have
 9 a taped thing of Betsy saying that she would
 10 do that"?
 11 A. Yes.
 12 Q. And so when **Frankie** said that, that was true, wasn't
 13 it? When he --
 14 A. It was true in the context of David Walsh did not have a
 15 recorded tape of me saying -- a recorded tape of me
 16 saying anything.

Pg 133 - Ln 12

21 Q. "F," "B," "F," "B," and then the next F, do you see that?
 22 A. Yes.
 23 Q. **Frankie** tells Stapleton and Knaggs:
 24 "She did not tell David Walsh about the
 25 hospital room. I know that for sure."
 1 Right?
 2 A. She did -- oh, yes, yes, yes.

Pg 133 - Ln 23

23 Q. **Frankie** tells Stapleton and Knaggs:
 24 "She did not tell David Walsh about the
 25 hospital room. I know that for sure."
 1 Right?
 2 A. She did -- oh, yes, yes, yes.
 3 Q. Okay. And was Mr. **Andreu** being truthful with Knaggs and
 4 Stapleton?
 5 A. Oh, yes. **Frankie** knew that I didn't tell David about
 6 that.

Pg 134 - Ln 3

3 Q. Okay. And was Mr. **Andreu** being truthful with Knaggs and
 4 Stapleton?
 5 A. Oh, yes. **Frankie** knew that I didn't tell David about
 6 that.
 7 Q. And then down towards the bottom of the page, see right
 8 above, "Inaudible comments"?
 9 A. Yes.

Pg 134 - Ln 5

17 Q. Okay. And then over on page 5, there's other comments
 18 like this, but to confirm, one line up from the
 19 bottom --
 20 A. Yes.
 21 Q. **Frankie** in response that:
 22 "...people think that Besty's out to get
 23 Lance."
 24 Right?
 25 And **Frankie** responds:
 1 "Which is not true. They don't like each
 2 other, but then it stops, you know?"
 3 Right?
 4 A. I'm flattered, but -- with so much power, but, no, that's
 5 not true.

Pg 134 - Ln 21

21 Q. **Frankie** in response that:
 22 "...people think that Besty's out to get
 23 Lance."
 24 Right?
 25 And **Frankie** responds:
 1 "Which is not true. They don't like each
 2 other, but then it stops, you know?"
 3 Right?

Pg 134 - Ln 25

4 A. I'm flattered, but -- with so much power, but, no, that's
5 not true.

6 Q. That's not true? Okay.

7 You mean you don't like him, but it doesn't stop?

Pg 135 - Ln 10

8 A. No. I don't like him, but it stops there. I mean I
9 don't --

10 MR. PASKOFF: I think what she meant is **Frankie**'s
11 statement is true. The statement preceding that is not
12 true.

13 A. Yes. Yes. I'm sorry. Exactly.

14 BY MR. HERMAN:

2 Q. Were you ever asked or approached or floated as an idea
3 that you would agree or state that you would never
4 testify against Mr. Armstrong?

Pg 137 - Ln 5

5 A. Well, from what Bill told **Frankie**, that's what I thought,
6 but I told **Frankie** there's no way I was going to sign any
7 statement at all. None.

2 Q. Were you ever asked or approached or floated as an idea
3 that you would agree or state that you would never
4 testify against Mr. Armstrong?

Pg 137 - Ln 6

5 A. Well, from what Bill told **Frankie**, that's what I thought,
6 but I told **Frankie** there's no way I was going to sign any
7 statement at all. None.

8 Q. Okay. Thank you.

9 If you look above below the first "Inaudible
10 comments," again, there's "B" there beginning with:
11 "(Inaudible) because the best results for
12 us all..."

13 Do you see that?

14 A. Yeah.

20 Q. So, if Mr. Stapleton has testified that all he did in the
21 2000(sic) Tour de France was to say hello to your
22 husband, in your mind, based upon this taped transcript,
23 that would be untruthful?

Pg 141 - Ln 15

24 A. It would be a complete lie.

25 MR. TILLOTSON: Pass the witness.

1 MR. HERMAN: No questions.

2 VIDEOGRAPHER: The deposition is concluded. The
3 time is 2:13:45.

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FURTHER, DEPONENT SAYETH NOT:

Elizabeth Marie **Andreu**

Date

Subscribed and sworn to before me,
this ____ day of _____, 2005, A. D.

Notary Public, _____ County, Michigan
My Commission expires: _____
STATE OF MICHIGAN)
COUNTY OF OAKLAND)

CERTIFICATE OF NOTARY PUBLIC

I do hereby certify that the witness, whose
attached testimony was taken in the above matter, was
first duly sworn to tell the truth; the testimony
contained herein was reduced to writing in the presence
of the witness by means of stenography; afterwards
transcribed; and is a true and complete transcript of the
testimony given.

I further certify that I am not connected by blood
or marriage with any of the parties; their attorneys or
agents; and that I am not interested, directly or
indirectly, in the matter of controversy.

In witness whereof, I have hereunto set my hand
this day at Farmington, Michigan, County of Oakland,
State of Michigan.

John J. Slatin, CSR-5180
Certified Shorthand Reporter
Notary Public, Oakland County, Michigan
My commission expires: July 25, 2011

Andreu, Francisco (10/25/05)

11 -----/
12 DEPONENT: VIDEOTAPED DEPOSITION OF
13 FRANCISCO "FRANKIE " ANDREU
14 DATE: Tuesday, October 25, 2005
15 TIME: 3:20 p.m.

Pg 1 - Ln 13

11 -----/
12 DEPONENT: VIDEOTAPED DEPOSITION OF
13 FRANCISCO "FRANKIE " ANDREU

Pg 1 - Ln 13

14 DATE: Tuesday, October 25, 2005

15 TIME: 3:20 p.m.

3 WITNESS PAGE
4 Pg 4 - Ln 5
5 FRANCISCO "FRANKIE " ANDREU
6
7 Examination by Mr. Tillotson 6

3 WITNESS PAGE
4 Pg 4 - Ln 5
5 FRANCISCO "FRANKIE " ANDREU
6
7 Examination by Mr. Tillotson 6

4 * * *
5 VIDEOGRAPHER: We are on the record. This is the Pg 5 - Ln 6
6 videotaped deposition of Francisco **Andreu** being taken in
7 Romulus, Michigan. Today is Tuesday, October 25th, 2005.
8 The time is 3:20:50. My name is Don Handyside, notary

23 THE WITNESS: I do.
24 * * * Pg 5 - Ln 25
25 FRANCISCO "FRANKIE " ANDREU ,
1 having been first duly sworn, was examined and testified as
2 follows:

23 THE WITNESS: I do.
24 * * * Pg 5 - Ln 25
25 FRANCISCO "FRANKIE " ANDREU ,
1 having been first duly sworn, was examined and testified as
2 follows:

5 Q. If you will begin by stating your name for us on the
6 record, please? Pg 6 - Ln 7
7 A. Francisco **Andreu** .
8 Q. Mr. **Andreu** , my name is Jeff Tillotson. I'm a lawyer for
9 some parties to an arbitration proceeding, which is like a
10 lawsuit. I represent SCA Promotions, Inc., and Hamman
11 Insurance Company.
12 Are you familiar with the fact that there is an
13 arbitration involving Mr. Armstrong and SCA?
14 A. I am now.

5 Q. If you will begin by stating your name for us on the
6 record, please? Pg 6 - Ln 8
7 A. Francisco **Andreu** .
8 Q. Mr. **Andreu** , my name is Jeff Tillotson. I'm a lawyer for
9 some parties to an arbitration proceeding, which is like a
10 lawsuit. I represent SCA Promotions, Inc., and Hamman
11 Insurance Company.
12 Are you familiar with the fact that there is an
13 arbitration involving Mr. Armstrong and SCA?
14 A. I am now.

25 Q. You're married to whom?
1 A. Betsy **Andreu** . Pg 9 - Ln 1
2 Q. We took her deposition earlier today.
3 You knew that, didn't you?
4 A. Yes.

23 Q. Now, I take it in connection with this discussion you told
24 them that your wife was not the source for Mr. Walsh and
25 his book?

Pg 28 - Ln 2

1 A. Correct.

2 Q. Okay. If you'll look at the first page, Mr. **Andreu**,
3 down -- if you start at the bottom and you go up to the
4 second place where you're talking where it has an "F
5 inaudible," and then it starts off:

6 "of him saying that, and secondly, I talked
7 to my wife (inaudible) no way in hell David,
8 David Walsh is lying..."

9 A. Hold on. I want to find this.

14 Q. Other than what we've discussed or what's in Mr. Walsh's
15 book, do you have -- has anyone ever told you, "I saw him
16 do this" or "I believe he did this"?

Pg 68 - Ln 12

17 A. No.

18 (Discussion held off the record.)

19 MR. TILLOTSON: Sir, I really appreciate your time.

20 I'm going to pass the witness at this point.

21 That means I turn you over to opposing counsel. I

22 have the right to ask --

23 MR. HERMAN: There's no way I could turn you over,

24 but --

25 MR. TILLOTSON: Well, I --

1 MR. HERMAN: -- it's my turn.

2 MR. TILLOTSON: It's his turn.

3 THE WITNESS: I understand. Okay.

4 MR. TILLOTSON: I may ask additional questions after

5 he finishes --

6 THE WITNESS: Okay.

7 MR. TILLOTSON: -- but we go from there.

8 I pass the witness at this time.

9

* * *

10 EXAMINATION

11 BY MR. HERMAN:

12 Q. Mr. -- is it **Andreu**? Is that the correct --

13 A. **Andreu** is correct, but you can call me **Frankie**.

14 Q. Okay. **Frankie**, I'm Tim Herman, and I represent Tailwind

15 Sports Corp. and Lance Armstrong in this dispute over this

16 insurance issue that we've got going in this case.

17 You and I have never met before, have we?

18 A. No.

14 Q. Other than what we've discussed or what's in Mr. Walsh's
15 book, do you have -- has anyone ever told you, "I saw him
16 do this" or "I believe he did this"?

Pg 68 - Ln 13

17 A. No.

18 (Discussion held off the record.)

19 MR. TILLOTSON: Sir, I really appreciate your time.

20 I'm going to pass the witness at this point.

21 That means I turn you over to opposing counsel. I

22 have the right to ask --

23 MR. HERMAN: There's no way I could turn you over,

24 but --

25 MR. TILLOTSON: Well, I --

1 MR. HERMAN: -- it's my turn.

2 MR. TILLOTSON: It's his turn.

3 THE WITNESS: I understand. Okay.

4 MR. TILLOTSON: I may ask additional questions after

5 he finishes --

6 THE WITNESS: Okay.

7 MR. TILLOTSON: -- but we go from there.
8 I pass the witness at this time.

9 * * *
10 EXAMINATION

11 BY MR. HERMAN:

12 Q. Mr. -- is it **Andreu** ? Is that the correct --

13 A. **Andreu** is correct, but you can call me **Frankie** .

14 Q. Okay. **Frankie** , I'm Tim Herman, and I represent Tailwind
15 Sports Corp. and Lance Armstrong in this dispute over this
16 insurance issue that we've got going in this case.

17 You and I have never met before, have we?

18 A. No.

14 Q. Other than what we've discussed or what's in Mr. Walsh's
15 book, do you have -- has anyone ever told you, "I saw him
16 do this" or "I believe he did this"?

Pg 68 - Ln 13

17 A. No.

18 (Discussion held off the record.)

19 MR. TILLOTSON: Sir, I really appreciate your time.
20 I'm going to pass the witness at this point.

21 That means I turn you over to opposing counsel. I
22 have the right to ask --

23 MR. HERMAN: There's no way I could turn you over,
24 but --

25 MR. TILLOTSON: Well, I --

1 MR. HERMAN: -- it's my turn.

2 MR. TILLOTSON: It's his turn.

3 THE WITNESS: I understand. Okay.

4 MR. TILLOTSON: I may ask additional questions after
5 he finishes --

6 THE WITNESS: Okay.

7 MR. TILLOTSON: -- but we go from there.
8 I pass the witness at this time.

9 * * *
10 EXAMINATION

11 BY MR. HERMAN:

12 Q. Mr. -- is it **Andreu** ? Is that the correct --

13 A. **Andreu** is correct, but you can call me **Frankie** .

14 Q. Okay. **Frankie** , I'm Tim Herman, and I represent Tailwind
15 Sports Corp. and Lance Armstrong in this dispute over this
16 insurance issue that we've got going in this case.

17 You and I have never met before, have we?

18 A. No.

12 Q. Mr. -- is it **Andreu** ? Is that the correct --

13 A. **Andreu** is correct, but you can call me **Frankie** .

Pg 68 - Ln 14

14 Q. Okay. **Frankie** , I'm Tim Herman, and I represent Tailwind
15 Sports Corp. and Lance Armstrong in this dispute over this
16 insurance issue that we've got going in this case.

17 You and I have never met before, have we?

18 A. No.

23 Q. Okay. I just have, you know, a few questions. Hopefully
24 we'll get your lawyer back to New York City.

Pg 69 - Ln 2

25 MR. PASKOFF: Always appreciated.

1 BY MR. HERMAN:

2 Q. All right. **Frankie** , if you don't mind me calling you
3 that --

4 A. No. That's fine. I prefer that.

24 Q. I'm not trying to trick you. I'm just asking if you know.

25 A. No. '92 -- I'm thinking in '92, '96, and he did 2000. He
1 didn't do 2004.

Pg 77 - Ln 15

2 So, no, I don't have any knowledge of him failing the
 3 '92 Olympics or any Olympics.
 4 MR. TILLOTSON: Okay. I don't have anything further.
 5 So, pass the witness.
 6 THE WITNESS: Did he fail in '92?
 7 Now you've got me curious.
 8 MR. TILLOTSON: Well, you'll have to wait to see how
 9 this turns out.
 10 Let's go off the record.
 11 VIDEOGRAPHER: The time is 4:56:21. We're off the
 12 record.

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FURTHER, DEPONENT SAYETH NOT:

Francisco Andreu

Date

Subscribed and sworn to before me,
this ____ day of _____, 2005, A. D.

Notary Public, _____ County, Michigan
My Commission expires: _____

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

CERTIFICATE OF NOTARY PUBLIC

I do hereby certify that the witness, whose
attached testimony was taken in the above matter, was first
duly sworn to tell the truth; the testimony contained
herein was reduced to writing in the presence of the
witness by means of stenography; afterwards transcribed;
and is a true and complete transcript of the testimony
given.

I further certify that I am not connected by blood or
marriage with any of the parties; their attorneys or
agents; and that I am not interested, directly or
indirectly, in the matter of controversy.

In witness whereof, I have hereunto set my hand

16 this day at Farmington, Michigan, County of Oakland, State
17 of Michigan.

18

19

20

21 _____
22 John J. Slatin, CSR-5180
23 Certified Shorthand Reporter
24 Notary Public, Oakland County, Michigan
25 My commission expires: July 25, 2011

Armstrong, Lance (11/30/05)

22 Q. Okay. I want to go back and ask you some
23 questions now, moving off the 2004 Tour de France.
24 You attended the deposition of Ms. Betsy **Andreu** , did
25 you not?

Pg 17 - Ln 24

1 A. Correct.

7 Q. Okay. I'm going to ask you about those now.
8 I'm transitioning to ask you about those. First, do
9 you deny the statements that Ms. **Andreu** attributed to
10 you in the Indiana University Hospital?

Pg 18 - Ln 9

11 A. 100 percent, absolutely.

7 Q. Okay. I'm going to ask you about those now.
8 I'm transitioning to ask you about those. First, do
9 you deny the statements that Ms. **Andreu** attributed to
10 you in the Indiana University Hospital?

Pg 18 - Ln 12

11 A. 100 percent, absolutely.

12 Q. Do you also deny what Mr. **Andreu** said
13 regarding those statements?

14 A. 100 percent.

12 Q. Do you also deny what Mr. **Andreu** said
13 regarding those statements?

Pg 18 - Ln 16

14 A. 100 percent.

15 Q. Do you recall being in a conference room
16 with Mr. and Mrs. **Andreu** and the other people that she
17 described being there?

18 A. My recollection is of being in a room. I
19 don't know. Obviously, it wouldn't have been a
20 hospital room, because they're too small, and there
21 were too many people there watching a football game.
22 What's interesting about those comments were, there
23 were a lot of people missing.

15 Q. (BY MR. TILLOTSON) Okay.

16 A. Watching a football game.

Pg 19 - Ln 18

17 Q. Okay. So at least that part of the -- of
18 the testimony of Mr. and Mrs. **Andreu** , and I also
19 believe Ms. McIlvain about them remembering you being
20 in a room with a TV on, or a football game, you at
21 least remember that part?

22 A. Yeah. Oh, I think we can all remember that.

5 Q. So that just never came up. No one ever --
6 no -- as part of your treatment, no one ever asked you
7 that?

Pg 22 - Ln 10

8 A. No.

9 Q. Can you offer, or can you -- can you help
10 explain to me why Ms. **Andreu** would make that story up?

11 A. Well, she said in her deposition she hates

12 me.

16 Q. No. Do you believe that she's making -- I
17 mean, she's -- according to you, this story where she
18 said she specifically heard you say stuff --

Pg 22 - Ln 21

19 A. Yeah.

20 Q. -- and that she -- and you remember she
21 testified she took Mr. **Andreu** out and confronted him
22 regarding whether or not he was doing the same thing.
23 Do you recall that testimony?

24 A. Yeah. Vaguely. But I have no idea why she
25 did that --

3 Q. Okay. I'm -- obviously, you had a
4 relationship with them. And you knew her, and you go
5 back some time with her. And I'm asking if --

Pg 23 - Ln 7

6 A. I knew her very little, not very well.

7 Q. Why would Mr. **Andreu** say the same things, if
8 you know?

9 A. Probably to support his wife, which I don't
10 know if you're married or not, but --

11 Q. I am.

12 A. -- sometimes is required.

Pg 23 - Ln 14

13 Q. And so you think -- is it your testimony
14 that Mr. **Andreu** was also lying when he said that he
15 heard you say those things regarding your prior use?

16 A. 100 percent. But I feel for him.

17 Q. What do you mean by that?

18 A. Well, I think he's trying to back up his old
19 lady.

Pg 23 - Ln 21

20 Q. Were you able to examine the tape that
21 Mr. **Andreu** made of his conversations with

22 Mr. Stapleton and Mr. Knaggs --

23 A. No.

24 Q. -- several years later?

25 Okay. Do you remember at the
1 deposition a transcript being produced of -- of the
2 tape he says he made?

Pg 24 - Ln 5

3 A. Yes.

4 Q. Okay. If you'll turn to tab 16, which has
5 been marked as **Andreu** Exhibit 1, I'll represent to you
6 this is a copy of the transcript that was produced at
7 that deposition. Now, I believe -- I may have seen
8 you, I can't remember, I thought you had an
9 opportunity to read this transcript while at the
10 deposition. Have you -- have you had an opportunity
11 either at the deposition or since then to review this
12 transcript?

13 A. No, sir.

14 Q. Okay. I'm going to turn -- direct your
15 attention to a couple of things that are said, and if
16 you'll turn to what's been marked as page three of the
17 transcript.

Pg 24 - Ln 20

18 A. (Witness so doing.)

19 Q. All right. If you'll see there at the
20 top -- and I believe Ms. **Andreu** testified that F was
21 **Frankie**, and we've got either Mr. Stapleton or
22 Mr. Knaggs. If you'll look down, if you count down

23 one, two, three, four, five, Mr. **Andreu** was reported
24 to say, "She won't do that. I don't see -- I believe
25 she would come out with a statement saying that
1 David -- about the hospital room. She didn't -- she
2 did not tell David Walsh about the hospital room. I
3 know that for sure --" And then there's a "What,
4 what --" and then Mr. **Andreu** says, "Cuz I never told
5 anybody about the hospital room, you know." Someone
6 says, "Right."
7 "I mean, cuz --" and then it's
8 inaudible. "Hospital, and, you know, I don't know
9 about -- hospital room happened, but I've never told
10 anybody, because I -- you know -- David Walsh for me,
11 what does this shit accomplish? It accomplishes
12 nothing." Do you see that?
13 A. Uh-huh. I do. It's hard to follow, but I
14 see it.

19 Q. All right. If you'll see there at the
20 top -- and I believe Ms. **Andreu** testified that F was
21 **Frankie**, and we've got either Mr. Stapleton or
22 Mr. Knaggs. If you'll look down, if you count down
23 one, two, three, four, five, Mr. **Andreu** was reported
24 to say, "She won't do that. I don't see -- I believe
25 she would come out with a statement saying that
1 David -- about the hospital room. She didn't -- she
2 did not tell David Walsh about the hospital room. I
3 know that for sure --" And then there's a "What,
4 what --" and then Mr. **Andreu** says, "Cuz I never told
5 anybody about the hospital room, you know." Someone
6 says, "Right."
7 "I mean, cuz --" and then it's
8 inaudible. "Hospital, and, you know, I don't know
9 about -- hospital room happened, but I've never told
10 anybody, because I -- you know -- David Walsh for me,
11 what does this shit accomplish? It accomplishes
12 nothing." Do you see that?
13 A. Uh-huh. I do. It's hard to follow, but I
14 see it.

Pg 24 - Ln 21

19 Q. All right. If you'll see there at the
20 top -- and I believe Ms. **Andreu** testified that F was
21 **Frankie**, and we've got either Mr. Stapleton or
22 Mr. Knaggs. If you'll look down, if you count down
23 one, two, three, four, five, Mr. **Andreu** was reported
24 to say, "She won't do that. I don't see -- I believe
25 she would come out with a statement saying that
1 David -- about the hospital room. She didn't -- she
2 did not tell David Walsh about the hospital room. I
3 know that for sure --" And then there's a "What,
4 what --" and then Mr. **Andreu** says, "Cuz I never told
5 anybody about the hospital room, you know." Someone
6 says, "Right."
7 "I mean, cuz --" and then it's
8 inaudible. "Hospital, and, you know, I don't know
9 about -- hospital room happened, but I've never told
10 anybody, because I -- you know -- David Walsh for me,
11 what does this shit accomplish? It accomplishes
12 nothing." Do you see that?
13 A. Uh-huh. I do. It's hard to follow, but I
14 see it.

Pg 24 - Ln 23

19 Q. All right. If you'll see there at the

20 top -- and I believe Ms. **Andreu** testified that F was
21 **Frankie**, and we've got either Mr. Stapleton or
22 Mr. Knaggs. If you'll look down, if you count down
23 one, two, three, four, five, Mr. **Andreu** was reported
24 to say, "She won't do that. I don't see -- I believe
25 she would come out with a statement saying that
1 David -- about the hospital room. She didn't -- she
2 did not tell David Walsh about the hospital room. I
3 know that for sure --" And then there's a "What,
4 what --" and then Mr. **Andreu** says, "Cuz I never told
5 anybody about the hospital room, you know." Someone
6 says, "Right."
7 "I mean, cuz --" and then it's
8 inaudible. "Hospital, and, you know, I don't know
9 about -- hospital room happened, but I've never told
10 anybody, because I -- you know -- David Walsh for me,
11 what does this shit accomplish? It accomplishes
12 nothing." Do you see that?
13 A. Uh-huh. I do. It's hard to follow, but I
14 see it.

Pg 25 - Ln 4

15 Q. Okay. If Mr. Stapleton was at the hospital
16 room watching the game, and knew that the hospital
17 room incident had never happened --

Pg 25 - Ln 20

18 A. Uh-huh.

19 Q. -- do you have any reason why he wouldn't
20 tell Mr. **Andreu** what the heck are you talking about,
21 what do you mean you never told anyone about something
22 that never happened?

23 A. Well, I don't think he was there to take him
24 on, but I have no idea why he wouldn't say that.

25 Q. If you'll turn to page five of this
1 transcript. Let me ask you this before I ask another
2 question about some actual comments. Did you know
3 that Mr. Stapleton and Mr. Knaggs were going to go
4 meet with Mr. **Andreu** to discuss the possibility of --
5 of obtaining an affidavit or a statement from
6 Ms. **Andreu** regarding Mr. Walsh's book?

Pg 26 - Ln 4

7 A. No. Not that I remember.

25 Q. If you'll turn to page five of this
1 transcript. Let me ask you this before I ask another
2 question about some actual comments. Did you know
3 that Mr. Stapleton and Mr. Knaggs were going to go
4 meet with Mr. **Andreu** to discuss the possibility of --
5 of obtaining an affidavit or a statement from
6 Ms. **Andreu** regarding Mr. Walsh's book?

Pg 26 - Ln 6

7 A. No. Not that I remember.

8 Q. So you didn't authorize them to go do it, or
9 tell them to go do it. They just went and did it?

10 A. Not to my recollection.

8 Q. So you didn't authorize them to go do it, or
9 tell them to go do it. They just went and did it?

Pg 26 - Ln 12

10 A. Not to my recollection.

11 Q. Did they report back to you that they had
12 met with Mr. **Andreu** at the 2004 Tour de France and had
13 talked to him about the book?

14 A. Not to my recollection.

11 Q. Did they report back to you that they had

Pg 26 - Ln 16

12 met with Mr. **Andreu** at the 2004 Tour de France and had
13 talked to him about the book?

14 A. Not to my recollection.

15 Q. Okay. So you -- until it was revealed at
16 the deposition of Ms. **Andreu**, did you have any idea
17 that Mr. Stapleton and Mr. Knaggs had actually talked
18 to Mr. **Andreu** at the 2004 Tour de France regarding
19 Mr. Walsh's book and the possibility of getting a
20 statement from Betsy?

21 A. Oh, I think that would be unfair to say. I
22 mean, there's -- the Tour is wide open. There are
23 people everywhere. **Frankie** is somebody that was on
24 our team. I mean, people were talking about the book,
25 obviously, so -- it didn't come up like that, but --

15 Q. Okay. So you -- until it was revealed at
16 the deposition of Ms. **Andreu**, did you have any idea
17 that Mr. Stapleton and Mr. Knaggs had actually talked
18 to Mr. **Andreu** at the 2004 Tour de France regarding
19 Mr. Walsh's book and the possibility of getting a
20 statement from Betsy?

Pg 26 - Ln 18

21 A. Oh, I think that would be unfair to say. I
22 mean, there's -- the Tour is wide open. There are
23 people everywhere. **Frankie** is somebody that was on
24 our team. I mean, people were talking about the book,
25 obviously, so -- it didn't come up like that, but --

15 Q. Okay. So you -- until it was revealed at
16 the deposition of Ms. **Andreu**, did you have any idea
17 that Mr. Stapleton and Mr. Knaggs had actually talked
18 to Mr. **Andreu** at the 2004 Tour de France regarding
19 Mr. Walsh's book and the possibility of getting a
20 statement from Betsy?

Pg 26 - Ln 23

21 A. Oh, I think that would be unfair to say. I
22 mean, there's -- the Tour is wide open. There are
23 people everywhere. **Frankie** is somebody that was on
24 our team. I mean, people were talking about the book,
25 obviously, so -- it didn't come up like that, but --

15 Q. Okay. So you -- until it was revealed at
16 the deposition of Ms. **Andreu**, did you have any idea
17 that Mr. Stapleton and Mr. Knaggs had actually talked
18 to Mr. **Andreu** at the 2004 Tour de France regarding
19 Mr. Walsh's book and the possibility of getting a
20 statement from Betsy?

Pg 27 - Ln 1

21 A. Oh, I think that would be unfair to say. I
22 mean, there's -- the Tour is wide open. There are
23 people everywhere. **Frankie** is somebody that was on
24 our team. I mean, people were talking about the book,
25 obviously, so -- it didn't come up like that, but --

1 Q. Was Mr. **Andreu** on the team in '04?

2 A. No.

3 Q. Okay. So I think it was their testimony
4 that this conversation took place in 2004. It would
5 have to have been because they're talking about
6 Mr. Walsh's book which wasn't published till 2004.
7 Right?

8 A. Correct.

9 Q. Okay. And I -- I don't think I fully
10 understood what you were telling me. Do you recall if
11 Mr. Stapleton or Mr. Knaggs told you that they had
12 this conversation with Mr. **Andreu** ?

Pg 27 - Ln 12

13 A. Not this -- I mean, not this specific
14 conversation. But they could have said that they saw
15 **Frankie** in the lodge or outside the bus. I don't
16 know.

9 Q. Okay. And I -- I don't think I fully
10 understood what you were telling me. Do you recall if
11 Mr. Stapleton or Mr. Knaggs told you that they had
12 this conversation with Mr. **Andreu** ?

Pg 27 - Ln 15

13 A. Not this -- I mean, not this specific
14 conversation. But they could have said that they saw
15 **Frankie** in the lodge or outside the bus. I don't
16 know.

17 Q. Okay. Have you had a chance to review
18 Mr. Stapleton's deposition?

19 A. No.

20 Q. Do you know why Mr. Stapleton, in his
21 deposition, testified that the only conversation he'd
22 had with **Frankie Andreu** at the 2004 Tour de France was
23 to say hello to him?

Pg 27 - Ln 22

24 A. I have no idea.

25 Q. Have you and Mr. Stapleton discussed this
1 transcript since it was produced by Ms. **Andreu** ?

Pg 28 - Ln 1

2 A. Well, we were -- yeah, I mean, it was -- it
3 was interesting that she -- you know, that they
4 recorded a conversation. So we said hi, you know. I
5 asked him if he knew he was being taped.

12 Q. Did he discuss or talk to you about what he
13 had testified in his deposition about speaking to
14 **Frankie Andreu** ?

Pg 28 - Ln 14

15 A. No.

16 Q. We're looking at page five of the
17 transcript. If you'll look down, and it's the middle
18 of the page, and it's -- it's statements attributed to
19 **Frankie Andreu** that starts off with, "So -- and nobody
20 has been bothering her." If you count up from the
21 bottom, it's the eighth --

22 A. I see it.

16 Q. We're looking at page five of the
17 transcript. If you'll look down, and it's the middle
18 of the page, and it's -- it's statements attributed to
19 **Frankie Andreu** that starts off with, "So -- and nobody
20 has been bothering her." If you count up from the
21 bottom, it's the eighth --

Pg 28 - Ln 19

22 A. I see it.

22 Q. -- where you asked him how Betsy was taking
23 the revelation of the statements you said in the
24 Indiana hospital room. Did he just make that up, too?
25 Is that not true?

Pg 30 - Ln 2

1 A. Totally false.

2 Q. Now, prior to -- to Mr. **Andreu** 's deposition,
3 you did -- you did call him, did you not?

4 A. I -- yes.

22 Q. Did you talk about her upcoming deposition?

23 A. No.

Pg 33 - Ln 25

24 Q. Did you talk about any of the testimony from

25 Cathy LeMond, Greg LeMond, or the **Andreu** ?

1 A. No.

2 Q. Did anyone, to your knowledge, at your
3 direction contact Ms. McIlvain regarding her
4 deposition?

5 A. Not that I know of.

3 Q. -- to corroborate that?

4 A. I'm sure -- I'm sure we do, yeah. I don't
5 think anybody --

Pg 36 - Ln 19

6 MR. HERMAN: That's something that I --
7 that's something that I will take under advisement,
8 Jeff.

9 MR. TILLOTSON: And we would request
10 access to those under the protective order. And I'll
11 even add that we don't have to take copies of them.
12 We can review them.

13 MR. HERMAN: All right.

14 MR. TILLOTSON: Okay.

15 MR. HERMAN: Your request is duly
16 noted.

17 MR. TILLOTSON: Thank you. Thank you.

18 Q. (BY MR. TILLOTSON) Have you spoken to
19 Mr. **Andreu** since his deposition?

20 A. No.

21 Q. Has anyone at your request or at your
22 direction spoken to Mr. **Andreu** regarding his
23 deposition?

24 A. I don't know.

18 Q. (BY MR. TILLOTSON) Have you spoken to
19 Mr. **Andreu** since his deposition?

Pg 36 - Ln 22

20 A. No.

21 Q. Has anyone at your request or at your
22 direction spoken to Mr. **Andreu** regarding his
23 deposition?

24 A. I don't know.

8 Q. Were you aware of -- of -- did you believe
9 at that time when you started going to see him in the
10 mid '90s that he had a -- what would be considered a
11 bad or unpopular reputation?

Pg 43 - Ln 16

12 A. Oh, I think -- I think in those days,
13 anybody who rode fast or performed well had a
14 questionable reputation, which hasn't changed to this
15 date.

16 Q. Mr. **Andreu** testified in his deposition that
17 he -- he -- that you recommended he use
18 Doctor Ferrari. Is that true?

19 A. I recommended that **Frankie** train smarter. I
20 never specifically said you should go see Ferrari.

16 Q. Mr. **Andreu** testified in his deposition that
17 he -- he -- that you recommended he use
18 Doctor Ferrari. Is that true?

Pg 43 - Ln 19

19 A. I recommended that **Frankie** train smarter. I
20 never specifically said you should go see Ferrari.

21 Q. Okay. Did you recommend to any of your
22 teammates that they should use Doctor Ferrari?

23 A. I recommend that they all train smarter.

5 Q. Did you ever discuss what you were doing

Pg 44 - Ln 7

6 with Ferrari with your other teammates, Tyler
 7 Hamilton, **Frankie Andreu** --
 8 A. Well --
 9 Q. -- Kevin Livingston?
 10 A. -- if you're on the road, if you're on a
 11 training ride together, it's pretty obvious the types
 12 of intervals you're doing, the types of work you might
 13 be doing. But that -- that would be like saying, you
 14 know, Chris recommends this, or Johan thinks this is a
 15 good idea based on his experience, because he didn't
 16 race that long ago.

14 Q. So he never told you he was concerned about
 15 your training relationship with Doctor Ferrari that
 16 you recall? Pg 49 - Ln 19

17 A. Now, listen, not to my recollection. He
 18 could have said it, but it was a long time ago.
 19 Q. Did Mr. **Andreu** ever tell you to be careful
 20 about Doctor Ferrari?
 21 A. Not to my recollection.

25 Q. Regarding a discussion had in the '94 time
 1 period involving you, **Frankie Andreu** about the need to
 2 start a doping program. Pg 80 - Ln 1
 3 A. Uh-huh.

17 Q. So in the '94 time period, there was no
 18 discussion that you're aware of any shape or form with
 19 Mr. Swart or Mr. **Andreu** about even the need for the
 20 possibility of considering a doping program? Pg 80 - Ln 19
 21 A. I don't ever recall that happening.

17 Q. So in the '94 time period, there was no
 18 discussion that you're aware of any shape or form with
 19 Mr. Swart or Mr. **Andreu** about even the need for the
 20 possibility of considering a doping program? Pg 80 - Ln 22
 21 A. I don't ever recall that happening.
 22 Q. Are you aware of Mr. **Andreu** 's testimony
 23 regarding the subject matter?
 24 A. No.

24 Q. Okay. That never happened?
 25 A. Never. Pg 110 - Ln 1
 1 Q. Okay. Mr. -- Mr. **Andreu** testified in his
 2 deposition that he saw you taking some pills at one
 3 point in time.
 4 A. Uh-huh.

15 QUESTIONS BY MR. HERMAN:
 16 Q. Lance, you recall Mr. Tillotson asking you
 17 about some alleged testimony from **Frankie Andreu**
 18 having to do with pills, small pills that you were
 19 taking at -- or allegedly told **Frankie** you were taking
 20 at different stages of a race. Pg 134 - Ln 17
 21 A. Uh-huh.

16 Q. Lance, you recall Mr. Tillotson asking you
 17 about some alleged testimony from **Frankie Andreu**
 18 having to do with pills, small pills that you were
 19 taking at -- or allegedly told **Frankie** you were taking
 20 at different stages of a race. Pg 134 - Ln 19

21 A. Uh-huh.

22 Q. And you indicated that that was not
23 accurate. On reflection, do you have a possible
24 explanation of what that could have been at least?

Pg 135 - Ln 8

25 A. Could have been -- yeah, and I do, yes. It
1 could have been common everyday caffeine, which I have
2 to say I sometimes take on long days, or tough days.
3 But, of course, caffeine being a substance that's over
4 the counter, and detectable, and controlled, you know,
5 even gels, like a Power Gel, or something, has
6 amounts -- as advertised, has amounts of caffeine. So
7 it could have been -- I'm not trying to put words in
8 **Frankie**'s mouth, but could have been caffeine.

9 Q. All right. And if you were taking caffeine,
10 I take it that the amounts of -- while it's -- while
11 it's permissible to take caffeine, you're -- you're
12 limited in certain amounts. If you test over a
13 certain amount, that would be a banned substance.

14 A. Correct.

Hamman, Bob (08/30/05)

1 Q. Well, do your -- give it your best shot.

2 A. We have talked to Emma O'Reilly.

Pg 171 - Ln 5

3 COURT REPORTER: I'm sorry?

4 A. (CONTINUING) Emma O'Reilly, Steven Swart.
5 We spoke with Betsy **Andreu**, Greg LeMond,
6 Kathy LeMond. I spoke with **Frankie Andreu**. We have
7 spoken with -- let's see. Who else have we talked
8 to? We've talked to Prentice Steffen. We spoke
9 with --

1 Q. Well, do your -- give it your best shot.

2 A. We have talked to Emma O'Reilly.

Pg 171 - Ln 6

3 COURT REPORTER: I'm sorry?

4 A. (CONTINUING) Emma O'Reilly, Steven Swart.
5 We spoke with Betsy **Andreu**, Greg LeMond,
6 Kathy LeMond. I spoke with **Frankie Andreu**. We have
7 spoken with -- let's see. Who else have we talked
8 to? We've talked to Prentice Steffen. We spoke
9 with --

12 Q. So that would have been sometime in the
13 spring of 2005?

Pg 174 - Ln 18

14 A. Or somewhat earlier since it was determined
15 we were going to arbitration. It may have been when
16 the judge ordered it or said that that was what was
17 going to happen.

18 Q. What did Betsy **Andreu** tell you?

19 A. She told us that she could essentially
20 confirm what she said to David Walsh.

21 Q. She's quoted in the Walsh book?

22 A. She's quoted in the Walsh book as failing to
23 deny that Mr. Armstrong admitted to
24 performance-enhancing drugs in the Indiana hospital.

Pg 174 - Ln 25

25 Q. When was it that you talked to Ms. **Andreu**?

1 A. Late last year.

2 Q. Late 2004?

3 A. Yeah, I believe so, maybe early this year.

4 Q. And that was in 2000, you say?

- 5 A. I don't recall the dates.
6 Q. Okay. What did **Frankie Andreu** say?
7 A. Very little.
8 Q. Nothing --
9 A. We talked for perhaps ten minutes.

Pg 176 - Ln 6

-
- 12 Q. How about Prentice Steffen?
13 A. Prentice Steffen reiterated his, that he had
14 been approached by Tyler Hamilton and Marty Jemison
15 about a doping program and was subsequently fired
16 supposedly, but this is pretty much all in the book.
17 Q. Okay. And the conversation with **Andreu** was
18 late 2004 as well or not?
19 A. Yeah, I believe so.

Pg 176 - Ln 17

LeMond, Gregory (10/27/05)

- 1 Q Okay. Would you tell me about that,
2 please?
3 A Emma had contacted me by e-mail after this
4 book was produced. Betsy **Andreu** contacted me also
5 and --
6 Q That's Mr. Walsh's book?
7 A Yeah. And I think it was my stance and
8 being quite frank on an interview with Le Monde,
9 which was pretty much taken out of context, the
10 interview, because it was done in French and
11 translated into English, and some of the stuff is
12 not accurate to what I said, but they called me or
13 contacted me via e-mail just to say, hey, we're in
14 the same boat.

Pg 56 - Ln 4

-
- 10 Q How about Chris Carmichael?
11 A No.
12 Q Ms. **Andreu** ?
13 A Yes.
14 Q Bobby **Andreu** ?
15 A Bobby? Betsy. Betsy.

Pg 61 - Ln 12

-
- 12 Q Ms. **Andreu** ?
13 A Yes.
14 Q Bobby **Andreu** ?
15 A Bobby? Betsy. Betsy.
16 Q Betsy. I apologize.
17 A Betsy **Andreu** , yes.

Pg 61 - Ln 14

-
- 14 Q Bobby **Andreu** ?
15 A Bobby? Betsy. Betsy.
16 Q Betsy. I apologize.
17 A Betsy **Andreu** , yes.
18 Q Have you -- what discussions have you had
19 with her about Lance Armstrong?
20 A Oh, many.

Pg 61 - Ln 17

-
- 25 Q Okay. Do you remember any other
1 discussions with her about Lance Armstrong and any
2 drug use that he was using?
3 A Well, she had told me and my wife, but she
4 told me specifically that Lance had called up in a
5 panic one night where he didn't have any more EPO
6 and wondered if **Frankie** had any, and she told me
7 that **Frankie** is an -- has been an eyewitness to him
8 injecting himself with drugs.

Pg 62 - Ln 6

25 Q Okay. Do you remember any other
1 discussions with her about Lance Armstrong and any
2 drug use that he was using?

Pg 62 - Ln 7

3 A Well, she had told me and my wife, but she
4 told me specifically that Lance had called up in a
5 panic one night where he didn't have any more EPO
6 and wondered if **Frankie** had any, and she told me
7 that **Frankie** is an -- has been an eyewitness to him
8 injecting himself with drugs.

9 Q Any other -- any other statements that
10 were made -- was she present in the hospital room?

11 A Yes. Yes.

12 Q What did she say about the hospital room
13 visit?

Pg 62 - Ln 19

14 A Well, she thought Lance was convinced that
15 she was talking to me because he couldn't figure
16 out -- I had heard about the hospital incident in
17 the fall of 2000, but it came from a journalist
18 named James Startt who worked for Bicycling who was
19 **Frankie**'s best friend, and we were -- he had just
20 felt compelled to tell me that -- you know, the
21 whole story about the hospital incident.

12 Q And what -- what was the date of this
13 hospital visit, if you recollect?

Pg 63 - Ln 15

14 A This was October/November '96.

15 Q What is your opinion of Betsy **Andreu**? I
16 never can pronounce her name.

17 A "**Andreu**."

15 Q What is your opinion of Betsy **Andreu**? I
16 never can pronounce her name.

Pg 63 - Ln 17

17 A "**Andreu**."

18 Q Betsy **Andreu**. What is your opinion of
19 Betsy **Andreu**'s reputation for honesty?

20 A Oh, I think she's -- I believe she was
21 being honest with us. I mean, I have known her
22 for -- I met her in '95 or '96 but never really got
23 to know her until she contacted us last year.

24 I believe she's incredibly scared. I
25 think she's afraid of, you know, implicating her
1 husband. I think that she has expressed, you know,
2 that she is upset that really **Frankie** was let go
3 because he just wasn't willing to see Dr. Ferrari.
4 She told us about an incident on the highway from
5 Milan to San Remo, them stopping at a -- where
6 Dr. Ferrari had his minivan parked or motorhome, and
7 he came back. He was there for about an hour and a
8 half. He came back and said, "You know, you're so
9 cheap. You know, if you want to get results and you
10 want to be a winner, you've got to see Ferrari."

15 Q What is your opinion of Betsy **Andreu**? I
16 never can pronounce her name.

Pg 63 - Ln 18

17 A "**Andreu**."

18 Q Betsy **Andreu**. What is your opinion of
19 Betsy **Andreu**'s reputation for honesty?

20 A Oh, I think she's -- I believe she was
21 being honest with us. I mean, I have known her
22 for -- I met her in '95 or '96 but never really got
23 to know her until she contacted us last year.

24 I believe she's incredibly scared. I
 25 think she's afraid of, you know, implicating her
 1 husband. I think that she has expressed, you know,
 2 that she is upset that really **Frankie** was let go
 3 because he just wasn't willing to see Dr. Ferrari.
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 5 Milan to San Remo, them stopping at a -- where
 6 Dr. Ferrari had his minivan parked or motorhome, and
 7 he came back. He was there for about an hour and a
 8 half. He came back and said, "You know, you're so
 9 cheap. You know, if you want to get results and you
 10 want to be a winner, you've got to see Ferrari."

15 Q What is your opinion of Betsy **Andreu** ? I
 16 never can pronounce her name.

Pg 63 - Ln 19

17 A "**Andreu** ."

18 Q Betsy **Andreu** . What is your opinion of
 19 Betsy **Andreu** 's reputation for honesty?

20 A Oh, I think she's -- I believe she was
 21 being honest with us. I mean, I have known her
 22 for -- I met her in '95 or '96 but never really got
 23 to know her until she contacted us last year.

24 I believe she's incredibly scared. I
 25 think she's afraid of, you know, implicating her
 1 husband. I think that she has expressed, you know,
 2 that she is upset that really **Frankie** was let go
 3 because he just wasn't willing to see Dr. Ferrari.
 4 She told us about an incident on the highway from
 5 Milan to San Remo, them stopping at a -- where
 6 Dr. Ferrari had his minivan parked or motorhome, and
 7 he came back. He was there for about an hour and a
 8 half. He came back and said, "You know, you're so
 9 cheap. You know, if you want to get results and you
 10 want to be a winner, you've got to see Ferrari."

18 Q Betsy **Andreu** . What is your opinion of
 19 Betsy **Andreu** 's reputation for honesty?

Pg 64 - Ln 2

20 A Oh, I think she's -- I believe she was
 21 being honest with us. I mean, I have known her
 22 for -- I met her in '95 or '96 but never really got
 23 to know her until she contacted us last year.

24 I believe she's incredibly scared. I
 25 think she's afraid of, you know, implicating her
 1 husband. I think that she has expressed, you know,
 2 that she is upset that really **Frankie** was let go
 3 because he just wasn't willing to see Dr. Ferrari.
 4 She told us about an incident on the highway from
 5 Milan to San Remo, them stopping at a -- where
 6 Dr. Ferrari had his minivan parked or motorhome, and
 7 he came back. He was there for about an hour and a
 8 half. He came back and said, "You know, you're so
 9 cheap. You know, if you want to get results and you
 10 want to be a winner, you've got to see Ferrari."

10 Q And were there any other discussions that
 11 related to Lance Armstrong taking drugs that you
 12 can -- that Betsy **Andreu** recounted to you?

Pg 65 - Ln 12

13 A You know, it's -- it's all a blur, but
 14 just reiterating that, you know, her husband, you
 15 know, basically said EPO is just half the story, and
 16 she mentioned a rider named Marty Jamieson who --
 17 and I had heard this from James Startt, that Marty
 18 Jamieson is one of the few people who knows what

19 kind of drug he was using in 1998 that was
20 undetectable.

23 Q Have you ever talked to Marty Jamieson?

24 A No.

Pg 65 - Ln 25

25 Q Have you ever talked to **Frankie Andreu** ?

1 A I've talked to him a couple times.

2 Q Have you talked to him about

3 Lance Armstrong and his drug use?

4 A No. We had dinner one night and he

5 just -- you know, I think **Frankie** is, you know,

6 embarrassed, you know, embarrassed that he was part

7 of it.

2 Q Have you talked to him about

3 Lance Armstrong and his drug use?

Pg 66 - Ln 5

4 A No. We had dinner one night and he

5 just -- you know, I think **Frankie** is, you know,

6 embarrassed, you know, embarrassed that he was part

7 of it.

13 Q What did --

14 A She was present when -- she confirmed what

Pg 73 - Ln 15

15 Betsy **Andreu** told us, that he admitted to EPO use,

16 growth hormone, testosterone, other drugs.

17 Q When was this occasion where she said that

18 Kristin -- I mean that -- you used the word

19 "College."

20 A That's a -- that's a guy's nickname.

25 Q And who made those notes?

1 A My wife.

Pg 95 - Ln 3

2 Q All right. Have you reviewed transcripts
3 of conversations with Betsy **Andreu** ?

4 A I have not.

5 Q Have you reviewed the tapes of --

6 A My wife has.

2 Q You had talked with David Walsh?

3 A Yep.

Pg 128 - Ln 4

4 Q You had talked with Betsy **Andreu** ?

5 A Yeah.

6 Q With **Frankie Andreu** ?

7 A A little bit, yeah.

4 Q You had talked with Betsy **Andreu** ?

5 A Yeah.

Pg 128 - Ln 6

6 Q With **Frankie Andreu** ?

7 A A little bit, yeah.

8 Q Eddie Coyle?

9 A Yeah.

16 Q All right. Have you spoken with her more
17 than once about Mr. Armstrong?

Pg 128 - Ln 19

18 A I'm not certain. Maybe -- maybe twice.

19 Q Okay. Betsy **Andreu** , how many -- how many
20 discussions have you had about Mr. Armstrong with
21 Betsy **Andreu** ?

22 A Well, quite a few.

19 Q Okay. Betsy **Andreu** , how many -- how many
20 discussions have you had about Mr. Armstrong with

Pg 128 - Ln 21

21 Betsy **Andreu** ?

22 A Well, quite a few.

23 Q And those did not commence until the
24 summer of 2004 as well, right?

25 A She contacted me, and the same with
1 Emma O'Reilly and I'm -- you know, for whatever
2 reason, people felt like they needed to come to me.

3 Q All right.

4 MR. LYNN: Can we -- can I ask a question
5 here, if you don't mind?

Pg 139 - Ln 25

6 MR. HERMAN: Sure. Yeah.

7 MR. LYNN: Is it okay for us to send this
8 transcript to England for the litigation going
9 on over in England with Mr. Walsh?

10 MR. HERMAN: No, it's not okay with me.

11 MR. LYNN: Okay. Then we have agreement
12 that you won't send it or use it?

13 MR. HERMAN: Right, not without the
14 permission of the tribunal.

15 MR. LYNN: The arbitration tribunal?

16 MR. HERMAN: Right.

17 MR. LYNN: And without notice to us?

18 MR. HERMAN: Yeah. Right.

19 MR. LYNN: Fine.

20 MR. MADEL: Is -- is the agreement here
21 that what transpires here in the deposition is
22 only used among the parties?

23 MR. LYNN: Yes, that's my understanding.

24 MR. MADEL: Is it true then whether or not
25 Mr. Armstrong contacted Ms. **Andreu** regarding
1 Kathy LeMond's deposition?

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2 MR. HERMAN: We've been through that
3 already.

4 MR. MADEL: Well, but I think as her
5 lawyer I have standing to ask. If there is a
6 problem with that, I want to go to the tribunal
7 and complain.

8 MR. HERMAN: Okay. Go ahead.

9 MR. MADEL: Did it occur?

10 MR. HERMAN: But I don't think there is a
11 problem with it.

12 MR. LYNN: Pardon me. What was the
13 question again? I apologize.

14 MR. MADEL: Did **Andreu**, either one of
15 them, testify that Armstrong contacted them
16 regarding any substance of Kathy LeMond's
17 deposition?

18 MR. HERMAN: Yes, they did.

19 MR. MADEL: And is that, at least under
20 your understanding of the order, a violation of
21 that order?

22 MR. HERMAN: No.

23 MR. LYNN: Can I understand this again?
24 Armstrong contacted Betsy **Andreu** ?

25 MR. MADEL: Several times.

1 MR. HERMAN: Contacted **Frankie Andreu** .

2 MR. LYNN: **Frankie Andreu** ?

3 MR. HERMAN: No, he did not contact him
4 several times.

5 MR. LYNN: And he told him about what
6 Kathy said?

7 MR. MADEL: Yes.

8 MR. HERMAN: He told him about the

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9 statements that Kathy had attributed to Betsy
10 **Andreu**, yes, he did.
11 MR. LYNN: Okay. Well, that's not
12 something I knew, and we may take that up with
13 the Arbitration panel.
14 MR. HERMAN: Well, that's fine. Tillotson
15 knows all about it. We talked about it the day
16 before yesterday.
17 MR. LYNN: Yeah, but I don't think
18 Tillotson has committed on our part as to what
19 we'll do, but it sounds to me like that's a
20 serious issue that we need to address.
21 THE WITNESS: I hope it is.
22 MR. HERMAN: That's a --
23 MR. MADEL: My client has been told by
24 Betsy **Andreu** that Mr. Armstrong attempted to
25 contact her multiple times over the weekend,
1 also contacted **Frankie Andreu** as well, and
2 discussed the substance of her deposition with
3 her. I don't know. I don't know. I was not
4 there.
5 I was not in the conversation with
6 Betsy **Andreu**, but, you know, I came here with
7 Kathy LeMond's deposition in good faith
8 thinking that this wasn't going to be told to
9 anybody, and I've instructed my clients
10 accordingly, that this is a confidential
11 deposition and we're not going to -- we're
12 going to uphold that, unless of course somebody
13 wants to fight a subpoena with us in court, and
14 then we're going to have to make a decision
15 about what we submit to court, but I want to
16 know, you know, whether or not that order has
17 been violated and to the extent what -- and
18 what is being said as to what Kathy LeMond
19 stated.
20 MR. HERMAN: Okay.
21 MR. LYNN: Here's my thoughts on this and
22 my two cents. If the rule is, as you interpret
23 it, that we are permitted to go to witnesses
24 and share what other witnesses have said, then
25 state that for the record so that I know what
1 the rules are. If on the other hand you're
2 telling me that that's not permitted, then tell
3 me that, but let's all play by the same set of
4 rules.
5 MR. HERMAN: Well, I mean Mr. LeMond has
6 been furnished a copy of his wife's deposition.
7 MR. LYNN: That seems -- that's a lot
8 different.
9 MR. HERMAN: Why?
10 MR. LYNN: Well, because Mr. LeMond is
11 married to Kathy LeMond.
12 MR. HERMAN: So what?
13 MR. MADEL: They're husband and wife and
14 they have the same counsel.
15 MR. HERMAN: So what?
16 MR. MADEL: I have an ethical obligation
17 to prepare my clients for a deposition.
18 MR. HERMAN: Exactly.
19 MR. MADEL: Are so are you saying that
20 Mr. Armstrong, a party to this lawsuit, has an
21 ethical obligation to a witness of this lawsuit
22 to tell them about the conversation and the

23 deposition testimony of another party? You're
24 going to compare that to the attorney-client
25 privilege between husband and wife?

1 MR. HERMAN: Well, you know as well as I
2 do, statements attributed to Betsy **Andreu** by
3 Kathy LeMond, yes, I believe that we can
4 determine whether or not statements attributed
5 to a particular witness are true.

6 THE WITNESS: So what I say here will --

7 MR. HERMAN: I don't have a question
8 pending.

9 MR. LYNN: Well, here is the difficulty I
10 have. I don't think -- I think we're going to
11 have to consider this and go to -- back to the
12 arbitration panel and get this laid out.

13 MR. HERMAN: Well, good. I mean at the
14 same time you might tell your French lawyer to
15 stop popping off to the press while you're at
16 it.

17 MR. LYNN: Well, let's go on. Let's go
18 forward here. I understand the concern
19 Mr. LeMond and his lawyer have, but I need to
20 understand the ground rules, and so we need to
21 go back to the arbitration panel and get the
22 ground rules set, because if it is the case
23 that that was prohibited and they have talked
24 to these folks, then as far as I'm concerned,
25 Mr. Armstrong has waived that confidentiality
and we can go to the press with it.

2 MR. HERMAN: Yeah. Okay. Well --

3 THE WITNESS: That would be good.

4 MR. LYNN: You know, we can get all this
5 out in the open.

6 MR. HERMAN: Well, why don't you go to the
7 panel and find out?

8 MR. LYNN: I will.

9 MR. HERMAN: Okay. Good. That's fine.
10 It's your nickel. You do whatever you want to.

11 MR. LYNN: Thank you. Appreciate your --
12 let's go forward and try to finish the
13 deposition. I don't know whether this will
14 help speed you along or cause you to slow
15 things down, but I actually have an airplane
16 out of here at around 5:00 to Bangor, Maine.

17 MR. HERMAN: It's not going to have any
18 effect on what I do one way or the other.

19 MR. LYNN: I would certainly hope that you
20 could get finished sooner so that I can make --
21 I'm trying to get to my daughter's soccer game.

22 MR. HERMAN: Well, if I can, I will, but
23 all this, you know, discussion between us about
24 issues that we don't have any control over --

25 MR. LYNN: Okay. I apologize for that,
1 but here's the problem.

2 MR. MADEL: You do have control over your
3 client though.

4 MR. HERMAN: Let's just go on. Don't be
5 so ridiculous about this. If you've got a beef
6 about it, take it to the panel.

7 MR. MADEL: Tim, I'm not involved in the
8 panel. I don't want my client to have to pay
9 for that. It's not fair for my client to have
10 to pay for that.

11 MR. HERMAN: All right.

12 MR. MADEL: What I'm asking politely is
13 whether or not you can control your client and
14 not have him repeating what deposition
15 testimony has been said. If you want to seek
16 this stuff, that's fine. You know, I'm not
17 going to go to any arbitration panel. I'll go
18 to a court right here and make it a matter of a
19 public record if you want.

20 MR. HERMAN: Okay.

21 MR. MADEL: If that's what you want,
22 that's what you'll get, but what I would like
23 to see is that -- if you'd ask Mr. LeMond this,
24 he'll answer this under oath. He wants this
25 behind him. He wants this to be in the past,
1 and it seems to me it's in Mr. Armstrong's best
2 interest not to be repeating all this stuff
3 either.

4 MR. HERMAN: Look, if I'm -- if I'm
5 deposing Ms. **Andreu**, okay --

6 MR. MADEL: You can. Absolutely you can.

7 MR. HERMAN: Right. Exactly. And I'm
8 entitled to ask the horse's mouth. That's why
9 in most of these instances all of this
10 ridiculous second, third, fourth-hand hearsay,
11 I mean it wouldn't see the light of day anyway.

12 MR. MADEL: I'm not disagreeing with you
13 at all, Tim. You can take that transcript and
14 use it in any way you want in a deposition.
15 You got a litigation privilege on that, but it
16 was my understanding coming into that first
17 one, and I was admonished by both of you, that
18 there's a confidentiality order in the case,
19 and I then I hear that a party to it is going
20 around and, frankly, repeating untrue
21 statements third-hand that we're getting back
22 from Betsy **Andreu** --it's going from Betsy to
23 Kathy to me--about what Mr. Armstrong is saying
24 occurred during that deposition. That offends
25 me.

1 MR. HERMAN: Okay.

2 MR. MADEL: And what I'm asking is just
3 ask him just to stop. If he stops it, let's
4 stop this stuff.

5 MR. HERMAN: Let me -- let me encourage
6 you -- and which I will do is provide you a
7 copy of **Frankie Andreu**'s testimony.
8 Betsy **Andreu** never spoke to Lance Armstrong.
9 He never tried to contact her. He spoke to
10 **Frankie Andreu** one time on Saturday and
11 discussed only those issues that Kathy LeMond
12 had attributed to Betsy, and his -- and you can
13 read the transcript and that's --

14 MR. MADEL: I have no doubt that that's
15 what she testified to. All I know is I believe
16 my client and, you know, you might want to find
17 out with Betsy **Andreu**'s phone records or
18 Lance Armstrong's phone records. I don't know.

19 MR. HERMAN: It's undisputed.

20 MR. MADEL: Somebody's not telling the
21 truth.

22 MR. HERMAN: It's undisputed that there
23 was one conversation on Saturday. I mean
24 there's no dispute about that.

25 MR. MADEL: In my mind then based upon

19 and I then I hear that a party to it is going
20 around and, frankly, repeating untrue
21 statements third-hand that we're getting back
22 from Betsy **Andreu** --it's going from Betsy to
23 Kathy to me--about what Mr. Armstrong is saying
24 occurred during that deposition. That offends
25 me.

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12 had attributed to Betsy, and his -- and you can
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15 what she testified to. All I know is I believe
16 my client and, you know, you might want to find
17 out with Betsy **Andreu** 's phone records or
18 Lance Armstrong's phone records. I don't know.

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20 MR. MADEL: Somebody's not telling the
21 truth.

22 MR. HERMAN: It's undisputed that there
23 was one conversation on Saturday. I mean
24 there's no dispute about that.

25 MR. MADEL: In my mind then based upon
1 your representation, somebody is not telling
2 the truth.

3 MR. HERMAN: I agree with that, but
4 we'll -- we'll deal with that.

5 MR. MADEL: Let's move on.

6 MR. HERMAN: You can read **Frankie Andreu** 's
7 deposition about what happened. I mean --
8 okay.

9 BY MR. HERMAN:

21 Q And she testified about this incident that
22 you told Mr. Lynn about, that Mr. Armstrong in a
23 panic called the **Andreu** 's home and asked for some
24 EPO because he was out?

Pg 153 - Ln 23

25 A That's what Betsy told me.

7 Q And that's --

8 A That's what Eric Boyer told me. I mean
9 it's been something that's just been -- you know, it
10 was -- you know, I don't know how much merit it is.
11 You'd have to talk to Eric Boyer about it.

Pg 188 - Ln 12

12 Q Thank you. Did Betsy or **Frankie Andreu**
13 ever tell you that Lance sent an e-mail to one of
14 them, I don't know which, that he knew Betsy was not
15 a fan and that it is fine, but in helping bring him
16 down, that is, Lance Armstrong down, he was going to
17 help -- not help the situation of the Andreus?

18 A Well, Betsy had told us and told me that
19 they received an e-mail that "If I'm going down,
20 you're going down," and, you know, "You're part of
21 this, so why would you hurt yourself?"

22 MR. LYNN: Thank you very much.
 23 MR. HERMAN: Okay.
 24 MR. LYNN: With that, I'm going to try to
 25 make it to the airport so I can actually see my
 1 kid play soccer this weekend up at Colby
 2 College, and I appreciate the accommodation.
 3 If there is a need to object, I'm sure between
 4 the two able counsel that are on the other side
 5 that I'm sure there will be objection.
 6 MR. MADEL: Mike, if you need a cab, you
 7 can just ask the front desk.
 8 MR. LYNN: Thank you. I appreciate that.
 9 MR. HERMAN: Have a good time.
 10 MR. LYNN: I'm sure we'll meet again. It
 11 was an honor to actually be in your presence.
 12 I'm old enough to remember you winning all
 13 these things.
 14 THE WITNESS: All right. Thank you.
 15 MR. LYNN: Thanks.
 16 MR. MADEL: See ya, Mike.
 17 MR. LYNN: Thank you, Tim.
 18 MR. HERMAN: No problem.
 19 MR. LYNN: Chris, don't object very much.
 20 (Attorney Lynn exits conference room.)
 21 EXAMINATION (continued)
 22 BY MR. HERMAN:

12 Q Thank you. Did Betsy or **Frankie Andreu**
 13 ever tell you that Lance sent an e-mail to one of
 14 them, I don't know which, that he knew Betsy was not
 15 a fan and that it is fine, but in helping bring him
 16 down, that is, Lance Armstrong down, he was going to
 17 help -- not help the situation of the Andreus?
 18 A Well, Betsy had told us and told me that
 19 they received an e-mail that "If I'm going down,
 20 you're going down," and, you know, "You're part of
 21 this, so why would you hurt yourself?"
 22 MR. LYNN: Thank you very much.
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 5 that I'm sure there will be objection.
 6 MR. MADEL: Mike, if you need a cab, you
 7 can just ask the front desk.
 8 MR. LYNN: Thank you. I appreciate that.
 9 MR. HERMAN: Have a good time.
 10 MR. LYNN: I'm sure we'll meet again. It
 11 was an honor to actually be in your presence.
 12 I'm old enough to remember you winning all
 13 these things.
 14 THE WITNESS: All right. Thank you.
 15 MR. LYNN: Thanks.
 16 MR. MADEL: See ya, Mike.
 17 MR. LYNN: Thank you, Tim.
 18 MR. HERMAN: No problem.
 19 MR. LYNN: Chris, don't object very much.
 20 (Attorney Lynn exits conference room.)
 21 EXAMINATION (continued)
 22 BY MR. HERMAN:
 23 Q Speaking of Betsy **Andreu**, this

Pg 189 - Ln 23

24 conversation that you related about Armstrong
 25 calling their house on the EPO, are you aware that
 1 on page 99 of her deposition she categorically
 2 denied that that ever happened?
 3 A Well, I can't -- you know, either she lied
 4 to us or she's lying to you. I don't know.

8 Q All right. And are you aware of your wife
 9 saying that she was not positive but she was pretty
 10 sure that Betsy **Andreu** had told her that she had
 11 witnessed Mr. Armstrong injecting himself?
 12 A She told me that.

Pg 190 - Ln 10

25 Q Okay. And are you aware that your wife
 1 testified that after this alleged incident in the
 2 hospital in 1996 -- or your wife testified that
 3 Betsy had told her after this alleged incident in
 4 the Indianapolis hospital that Betsy had called off
 5 her engagement with **Frankie** ?
 6 A Well, I -- I can't comment on that. That
 7 was probably between my wife and Betsy. I don't --

Pg 191 - Ln 5

8 Q Okay. So you don't know anything about
 9 that?
 10 A No. I do know that she wanted us to be
 11 assured that -- she told me that she wanted to be
 12 assured that, you know, that **Frankie** wouldn't be
 13 part of it, and that she would have the possibility
 14 of having healthy children.

Pg 191 - Ln 12

8 Q Okay. So you don't know anything about
 9 that?
 10 A No. I do know that she wanted us to be
 11 assured that -- she told me that she wanted to be
 12 assured that, you know, that **Frankie** wouldn't be
 13 part of it, and that she would have the possibility
 14 of having healthy children.
 15 Q And do you know that Ms. **Andreu** denied
 16 that she ever called off her engagement and that she
 17 did not go see an endocrinologist before she got
 18 married?
 19 A Well, she told us that. She hasn't said
 20 she had an affidavit from the endocrinologist.

Pg 191 - Ln 15

24 Q Okay. James Startt, I wanted to make sure
 25 that I had this correct. You say that one of
 1 **Frankie Andreu** 's best friends is James Startt who is
 2 a journalist?
 3 A Yes. Yes.

Pg 214 - Ln 1

4 Q And this story about -- can we speak to
 5 you what drugs are you on, that was in the '96
 6 incident?
 7 A Yes.
 8 Q That came from Mr. Startt and not **Frankie** ?
 9 I mean that's where you heard --
 10 A Yeah, that came from James Startt.

Pg 214 - Ln 8

8 Q That came from Mr. Startt and not **Frankie** ?
 9 I mean that's where you heard --
 10 A Yeah, that came from James Startt.

Pg 214 - Ln 12

11 Q Okay.
12 A Not **Frankie** .
13 Q Mr. Lynn asked you about Betsy's
14 reputation for honesty. Did you say that you
15 believe that she is an honest person?
16 A I think she is an honest person. I think
17 she is scared to death, and I think there is a huge
18 divide in her marriage with her husband and her.

13 Q Mr. Lynn asked you about Betsy's
14 reputation for honesty. Did you say that you
15 believe that she is an honest person?

Pg 214 - Ln 20

16 A I think she is an honest person. I think
17 she is scared to death, and I think there is a huge
18 divide in her marriage with her husband and her.

19 Q What do you mean by that, a huge divide?

20 A A huge divide. **Frankie** has a lot of shame
21 and guilt off of what he's done also, and Betsy
22 would like him to come clean and, you know, I think
23 she feels he was a victim of pressure from
24 Lance Armstrong and the team to perform and take
25 performance-enhancing drugs, and, you know, when he
1 refused to see Ferrari and just wasn't willing to go
2 there he was fired or let go.

19 Q What do you mean by that, a huge divide?

20 A A huge divide. **Frankie** has a lot of shame
21 and guilt off of what he's done also, and Betsy
22 would like him to come clean and, you know, I think
23 she feels he was a victim of pressure from
24 Lance Armstrong and the team to perform and take
25 performance-enhancing drugs, and, you know, when he
1 refused to see Ferrari and just wasn't willing to go
2 there he was fired or let go.

Pg 215 - Ln 4

3 Q Now, you said in your testimony earlier
4 that you -- that **Frankie** --

5 MR. COMPTON: Go ahead. Finish the
6 answer, please.

9 Q Pardon me?

10 A Yes.

11 Q You said earlier that **Frankie** was let go
12 because he wouldn't go see Ferrari. Is that --

13 A That's what Betsy indicated to us. I
14 don't have firsthand knowledge.

Pg 215 - Ln 11

11 Q You said earlier that **Frankie** was let go
12 because he wouldn't go see Ferrari. Is that --

13 A That's what Betsy indicated to us. I
14 don't have firsthand knowledge.

Pg 215 - Ln 16

15 Q You don't know anything about how or why
16 **Frankie Andreu** was --

17 A No.

18 Q -- quit --

19 A No.

11 Q Okay. I want to return really quickly to
12 the issue of witnessing the statements that we have
13 heard about Betsy **Andreu** stating that she had
14 witnessed an injection by Lance Armstrong himself.

15 Is it possible that what happened is
16 that Betsy **Andreu** told Kathy LeMond that

Pg 224 - Ln 13

17 **Frankie Andreu** told Betsy **Andreu** that **Frankie Andreu**
 18 had witnessed it?
 19 A Yes, that's possible. That's possible,
 20 yes.
 21 MR. HERMAN: Objection.
 22 A That is possible.
 23 MR. HERMAN: I don't think I could get
 24 through the number of levels of hearsay there,
 25 but anyway, go ahead.
 1 MR. COMPTON: I'll ask it again if you
 2 need me to.
 3 MR. HERMAN: No, no. I don't want to hear
 4 that again.
 5 BY MR. COMPTON:

11 Q Okay. I want to return really quickly to
 12 the issue of witnessing the statements that we have
 13 heard about Betsy **Andreu** stating that she had
 14 witnessed an injection by Lance Armstrong himself.
 15 Is it possible that what happened is
 16 that Betsy **Andreu** told Kathy LeMond that
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 24 through the number of levels of hearsay there,
 25 but anyway, go ahead.
 1 MR. COMPTON: I'll ask it again if you
 2 need me to.
 3 MR. HERMAN: No, no. I don't want to hear
 4 that again.
 5 BY MR. COMPTON:

Pg 224 - Ln 16

11 Q Okay. I want to return really quickly to
 12 the issue of witnessing the statements that we have
 13 heard about Betsy **Andreu** stating that she had
 14 witnessed an injection by Lance Armstrong himself.
 15 Is it possible that what happened is
 16 that Betsy **Andreu** told Kathy LeMond that
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 22 A That is possible.
 23 MR. HERMAN: I don't think I could get
 24 through the number of levels of hearsay there,
 25 but anyway, go ahead.
 1 MR. COMPTON: I'll ask it again if you
 2 need me to.
 3 MR. HERMAN: No, no. I don't want to hear
 4 that again.
 5 BY MR. COMPTON:

Pg 224 - Ln 17

11 Q Okay. I want to return really quickly to
 12 the issue of witnessing the statements that we have
 13 heard about Betsy **Andreu** stating that she had
 14 witnessed an injection by Lance Armstrong himself.
 15 Is it possible that what happened is
 16 that Betsy **Andreu** told Kathy LeMond that

Pg 224 - Ln 17

17 **Frankie Andreu** told Betsy **Andreu** that **Frankie Andreu**
18 had witnessed it?
19 A Yes, that's possible. That's possible,
20 yes.
21 MR. HERMAN: Objection.
22 A That is possible.
23 MR. HERMAN: I don't think I could get
24 through the number of levels of hearsay there,
25 but anyway, go ahead.
1 MR. COMPTON: I'll ask it again if you
2 need me to.
3 MR. HERMAN: No, no. I don't want to hear
4 that again.
5 BY MR. COMPTON:

11 Q Okay. I want to return really quickly to
12 the issue of witnessing the statements that we have
13 heard about Betsy **Andreu** stating that she had
14 witnessed an injection by Lance Armstrong himself.
15 Is it possible that what happened is
16 that Betsy **Andreu** told Kathy LeMond that
17 **Frankie Andreu** told Betsy **Andreu** that **Frankie Andreu**
18 had witnessed it?
19 A Yes, that's possible. That's possible,
20 yes.
21 MR. HERMAN: Objection.
22 A That is possible.
23 MR. HERMAN: I don't think I could get
24 through the number of levels of hearsay there,
25 but anyway, go ahead.
1 MR. COMPTON: I'll ask it again if you
2 need me to.
3 MR. HERMAN: No, no. I don't want to hear
4 that again.
5 BY MR. COMPTON:

Pg 224 - Ln 17

LeMond, Kathy (10/20/05)

5 Q Anyone else?
6 A Yes. Emma O'Reilly.
7 Q Anyone else?
8 A I have a conversation with Betsy **Andreu** .
9 Q Could you spell that last name for me,
10 please?
11 A A-N-D-R-E-U.

Pg 9 - Ln 8

4 Q Have you received any communications since
5 July of 2004 with Ms. O'Reilly?
6 A I don't think so.
7 Q Okay. You mentioned a Betty **Andreu** .
8 MR. MADEL: Do you want to take a break
9 yet? Are you all right?
10 MR. HERMAN: If you don't mind, this is a
11 convenient time to take a break.
12 THE WITNESS: That's fine. That's fine.
13 THE VIDEOGRAPHER: We're off the video
14 record. The time is approximately 10:53 a.m.
15 (Break taken.)
16 THE VIDEOGRAPHER: We're back on the video
17 record. The time is approximately 11:08 a.m.
18 BY MR. LYNN:

Pg 56 - Ln 7

7 Q Okay. You mentioned a Betty **Andreu** .

8 MR. MADEL: Do you want to take a break
9 yet? Are you all right?
10 MR. HERMAN: If you don't mind, this is a
11 convenient time to take a break.
12 THE WITNESS: That's fine. That's fine.
13 THE VIDEOGRAPHER: We're off the video
14 record. The time is approximately 10:53 a.m.
15 (Break taken.)
16 THE VIDEOGRAPHER: We're back on the video
17 record. The time is approximately 11:08 a.m.
18 BY MR. LYNN:
19 Q Thank you. I think I was getting ready to
20 talk about Betty **Andreu**, and I don't know if that's
21 the correct pronunciation.
22 MR. MADEL: "**Andreu**."
23 A No. It's Betsy **Andreu**.

Pg 56 - Ln 20

19 Q Thank you. I think I was getting ready to
20 talk about Betty **Andreu**, and I don't know if that's
21 the correct pronunciation.
22 MR. MADEL: "**Andreu**."
23 A No. It's Betsy **Andreu**.
24 Q "**Andreu**."
25 A A-N-D-R-E-U.

Pg 56 - Ln 22

19 Q Thank you. I think I was getting ready to
20 talk about Betty **Andreu**, and I don't know if that's
21 the correct pronunciation.
22 MR. MADEL: "**Andreu**."
23 A No. It's Betsy **Andreu**.
24 Q "**Andreu**."
25 A A-N-D-R-E-U.

Pg 56 - Ln 23

19 Q Thank you. I think I was getting ready to
20 talk about Betty **Andreu**, and I don't know if that's
21 the correct pronunciation.
22 MR. MADEL: "**Andreu**."
23 A No. It's Betsy **Andreu**.
24 Q "**Andreu**."
25 A A-N-D-R-E-U.

Pg 56 - Ln 24

1 Q Ms. **Andreu**, what were the conversations
2 that you had with her about Lance Armstrong?
3 A This would be after -- also after the
4 publication of David Walsh's book. She had spoken
5 with David Walsh.

24 Q "**Andreu**."
25 A A-N-D-R-E-U.
1 Q Ms. **Andreu**, what were the conversations
2 that you had with her about Lance Armstrong?
3 A This would be after -- also after the
4 publication of David Walsh's book. She had spoken
5 with David Walsh.

Pg 57 - Ln 1

14 Q What else -- what was said about what
15 occurred in the hospital room in '96? What did she
16 convey to you?
17 A She said she --
18 MR. HERMAN: Objection. You may go ahead
19 though. I didn't mean to interrupt you.
20 A She said that she was one of -- I believe
21 it was six people in a hospital room, I don't know

Pg 60 - Ln 3

22 what state, all friends of Lance's, when one of his
23 doctors came in, but not Dr. Einhorn or Dr. Nichols,
24 the two that you always read about, but a doctor and
25 an intern came in and said they would like to speak
1 with him, and she said she said, "I should leave the
2 room; you can talk privately," because at that point
3 she was only engaged to **Frankie Andreu**, and Lance
4 said to the doctors, "We're all friends; you can
5 speak," and at some point they asked him what
6 performance-enhancing drugs he was on.

15 Q What else did she say about that -- that
16 disclosure by Lance Armstrong in the hospital room?

Pg 60 - Ln 18

17 A That was the first she ever knew
18 that **Frankie** was involved in it as well.

19 Q And **Frankie** was --

20 A Her fiancée.

15 Q What else did she say about that -- that
16 disclosure by Lance Armstrong in the hospital room?

Pg 60 - Ln 19

17 A That was the first she ever knew
18 that **Frankie** was involved in it as well.

19 Q And **Frankie** was --

20 A Her fiancée.

21 Q Fiancée. I don't know whether -- are they
22 married?

23 A Yes, they are.

4 Q Have they elaborated on that meeting?

5 MR. HERMAN: They?

Pg 61 - Ln 7

6 BY MR. LYNN:

7 Q Sorry. Has **Frankie** or Betty -- Betsy
8 elaborated at all on that -- that disclosure?

9 A She told me who was there. She elaborated
10 on her own feelings.

7 Q Sorry. Has **Frankie** or Betty -- Betsy
8 elaborated at all on that -- that disclosure?

Pg 61 - Ln 12

9 A She told me who was there. She elaborated
10 on her own feelings.

11 Q What did she say about her own feelings?

12 A She put her engagement to **Frankie** on hold
13 and told him how upset she was and that she didn't
14 know if she could marry anyone who was doing
15 something like that.

11 Q What did she say about her own feelings?

12 A She put her engagement to **Frankie** on hold
13 and told him how upset she was and that she didn't
14 know if she could marry anyone who was doing
15 something like that.

Pg 61 - Ln 16

16 Q Would you tell me **Frankie**'s relationship
17 with Lance Armstrong as you understood it?

18 A Teammates, and I believe at that time,
19 best friends.

16 Q Would you tell me **Frankie**'s relationship
17 with Lance Armstrong as you understood it?

Pg 61 - Ln 20

18 A Teammates, and I believe at that time,
19 best friends.

20 Q And did she understand **Frankie** was also
21 involved in taking some of the same

22 performance-enhancing drugs?
23 MR. MADEL: No foundation.
24 MR. HERMAN: The same objection.
25 BY MR. LYNN:

20 Q And did she understand **Frankie** was also
21 involved in taking some of the same
22 performance-enhancing drugs?

Pg 62 - Ln 2

23 MR. MADEL: No foundation.
24 MR. HERMAN: The same objection.
25 BY MR. LYNN:

1 Q I'm asking whether she said that.
2 A She said that **Frankie** told her he was not
3 lily.white, but he hadn't done as much as Lance had
4 done.

9 Q Did she tell you what changed? Why she
10 went forward with the wedding?

Pg 62 - Ln 16

11 A She told me she visited an endocrinologist
12 at the University of Michigan to find out if any of
13 those drugs could cause birth defects in her
14 children. She wanted to be a mother.

15 Q Did she -- did you have any discussions
16 with **Frankie** ?

17 A I've only talked to **Frankie** a couple
18 times, and I don't believe that I talked to **Frankie**
19 about that --

15 Q Did she -- did you have any discussions
16 with **Frankie** ?

Pg 62 - Ln 17

17 A I've only talked to **Frankie** a couple
18 times, and I don't believe that I talked to **Frankie**
19 about that --

15 Q Did she -- did you have any discussions
16 with **Frankie** ?

Pg 62 - Ln 18

17 A I've only talked to **Frankie** a couple
18 times, and I don't believe that I talked to **Frankie**
19 about that --

20 Q Did you talk to --

21 A -- specifically.

20 Q Did you talk to --

21 A -- specifically.

Pg 62 - Ln 23

22 Q I apologize for interrupting. Did you
23 talk to **Frankie** at all about Lance Armstrong?

24 A Yeah. Yes.

25 Q What subject matter did you go over with
1 him in substance?

2 A I don't recall exact words, but the basic
3 part of the conversation was -- let me think --
4 **Frankie** was very conflicted about his past and
5 wanted to get as far from that as he could and that
6 he and Lance were not friends anymore.

25 Q What subject matter did you go over with
1 him in substance?

Pg 63 - Ln 4

2 A I don't recall exact words, but the basic
3 part of the conversation was -- let me think --
4 **Frankie** was very conflicted about his past and
5 wanted to get as far from that as he could and that
6 he and Lance were not friends anymore.

25 Q What subject matter did you go over with
1 him in substance?

Pg 63 - Ln 7

2 A I don't recall exact words, but the basic
3 part of the conversation was -- let me think --
4 **Frankie** was very conflicted about his past and
5 wanted to get as far from that as he could and that
6 he and Lance were not friends anymore.

7 Q Did Betsy or **Frankie Andreu**, if I'm
8 pronouncing that correctly, did they ever share with
9 you whether or not Lance or any of his
10 representatives were putting them under pressure?

11 A Yes.

7 Q Did Betsy or **Frankie Andreu**, if I'm
8 pronouncing that correctly, did they ever share with
9 you whether or not Lance or any of his
10 representatives were putting them under pressure?

Pg 63 - Ln 13

11 A Yes.

12 Q Could you describe what they said?

13 MR. MADEL: What Betsy and **Frankie** said?

14 BY MR. LYNN:

15 Q What they said to you.

16 MR. MADEL: Can we --

17 BY MR. LYNN:

15 Q What they said to you.

16 MR. MADEL: Can we --

Pg 63 - Ln 19

17 BY MR. LYNN:

18 Q Could you please describe what Betsy or
19 **Frankie** said to you about the pressure that Lance
20 Armstrong or his representatives were putting on
21 them?

22 MR. HERMAN: Can you please say who said
23 what? I mean subject to --

24 BY MR. LYNN:

25 Q Well, that's a fair statement. Let me ask
1 it this way. What did Betsy say about the pressure
2 that Lance Armstrong or his representatives were
3 putting on her or her family, if any?

Pg 64 - Ln 8

4 A The only absolute, direct pressure I
5 remember is her talking about them wanting her to
6 sign a statement that the hospital room incident
7 never happened. I think Lance did send her an
8 e-mail or **Frankie** -- **Frankie**. He sent **Frankie** an
9 e-mail that said something to the effect of, "If I
10 go, you're going too; if I come down, you're coming
11 down too," something like that.

25 Q Well, that's a fair statement. Let me ask
1 it this way. What did Betsy say about the pressure
2 that Lance Armstrong or his representatives were
3 putting on her or her family, if any?

Pg 64 - Ln 8

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5 remember is her talking about them wanting her to
6 sign a statement that the hospital room incident
7 never happened. I think Lance did send her an
8 e-mail or **Frankie** -- **Frankie**. He sent **Frankie** an
9 e-mail that said something to the effect of, "If I
10 go, you're going too; if I come down, you're coming
11 down too," something like that.

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 1 it this way. What did Betsy say about the pressure
 2 that Lance Armstrong or his representatives were
 3 putting on her or her family, if any?

Pg 64 - Ln 8

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 5 remember is her talking about them wanting her to
 6 sign a statement that the hospital room incident
 7 never happened. I think Lance did send her an
 8 e-mail or **Frankie** -- **Frankie** . He sent **Frankie** an
 9 e-mail that said something to the effect of, "If I
 10 go, you're going too; if I come down, you're coming
 11 down too," something like that.

25 Q Well, that's a fair statement. Let me ask
 1 it this way. What did Betsy say about the pressure
 2 that Lance Armstrong or his representatives were
 3 putting on her or her family, if any?

Pg 64 - Ln 12

4 A The only absolute, direct pressure I
 5 remember is her talking about them wanting her to
 6 sign a statement that the hospital room incident
 7 never happened. I think Lance did send her an
 8 e-mail or **Frankie** -- **Frankie** . He sent **Frankie** an
 9 e-mail that said something to the effect of, "If I
 10 go, you're going too; if I come down, you're coming
 11 down too," something like that.

12 Q Did **Frankie** tell you that?

13 A Betsy told me that.

14 Q Betsy told you that? Were there any
 15 financial threats--and I'm not suggesting that was
 16 one of them--to **Frankie** or Betsy?

17 A Actual threats? I don't believe so.

14 Q Betsy told you that? Were there any
 15 financial threats--and I'm not suggesting that was
 16 one of them--to **Frankie** or Betsy?

Pg 64 - Ln 16

17 A Actual threats? I don't believe so.

18 Q Did you know whether or not -- did Betsy
 19 ever tell you whether or not she had tape-recorded
 20 any of the conversations with Lance Armstrong?

21 A I -- I don't have any idea of that.

18 Q Did you know whether or not -- did Betsy
 19 ever tell you whether or not she had tape-recorded
 20 any of the conversations with Lance Armstrong?

Pg 64 - Ln 23

21 A I -- I don't have any idea of that.

22 Q Have you had any other -- with respect to
 23 **Frankie** have you had discussions with him about the
 24 hospital room visit?

25 A No.

22 Q Have you had any other -- with respect to
 23 **Frankie** have you had discussions with him about the
 24 hospital room visit?

Pg 65 - Ln 1

25 A No.

1 Q Have you had any discussions with **Frankie**
 2 about the affidavit issue?

3 A No.

1 Q Have you had any discussions with **Frankie**
 2 about the affidavit issue?

Pg 65 - Ln 4

3 A No.

- 4 Q Have you had any discussions with **Frankie**
5 about anything related to Lance Armstrong?
6 A Yes.
-

- 18 Q What did you say to that?
19 A I don't recall my exact words, but I would
20 probably have said, "It looks that way."
21 Q Have you had any other discussions with
22 **Betsy** or **Frankie Andreu** about this -- about
23 Lance Armstrong other than what you've told me here
24 today?
25 A Yes.
-

Pg 65 - Ln 22

- 17 Q Okay. What has she told you?
18 A She told me about a stop on a highway
19 coming back from Italy, I believe, or Milan-San
20 Remo, which is a race, where Dr. Ferrari had his
21 little motorhome parked at a rest stop or a gas
22 station. She and **Frankie** and Kristin Armstrong who
23 used to be Lance's wife were there, and Lance went
24 and got in the motorhome, and **Frankie** was proud that
25 he never visited Dr. Ferrari as a patient and that
1 Lance made fun of **Frankie** for being so cheap, that
2 **Frankie** could be a winner too, but he's always just
3 going to be a worker because he wouldn't go to
4 Dr. Ferrari.
-

Pg 66 - Ln 22

- 17 Q Okay. What has she told you?
18 A She told me about a stop on a highway
19 coming back from Italy, I believe, or Milan-San
20 Remo, which is a race, where Dr. Ferrari had his
21 little motorhome parked at a rest stop or a gas
22 station. She and **Frankie** and Kristin Armstrong who
23 used to be Lance's wife were there, and Lance went
24 and got in the motorhome, and **Frankie** was proud that
25 he never visited Dr. Ferrari as a patient and that
1 Lance made fun of **Frankie** for being so cheap, that
2 **Frankie** could be a winner too, but he's always just
3 going to be a worker because he wouldn't go to
4 Dr. Ferrari.
-

Pg 66 - Ln 24

- 17 Q Okay. What has she told you?
18 A She told me about a stop on a highway
19 coming back from Italy, I believe, or Milan-San
20 Remo, which is a race, where Dr. Ferrari had his
21 little motorhome parked at a rest stop or a gas
22 station. She and **Frankie** and Kristin Armstrong who
23 used to be Lance's wife were there, and Lance went
24 and got in the motorhome, and **Frankie** was proud that
25 he never visited Dr. Ferrari as a patient and that
1 Lance made fun of **Frankie** for being so cheap, that
2 **Frankie** could be a winner too, but he's always just
3 going to be a worker because he wouldn't go to
4 Dr. Ferrari.
-

Pg 67 - Ln 1

- 17 Q Okay. What has she told you?
18 A She told me about a stop on a highway
19 coming back from Italy, I believe, or Milan-San
20 Remo, which is a race, where Dr. Ferrari had his
21 little motorhome parked at a rest stop or a gas
22 station. She and **Frankie** and Kristin Armstrong who

Pg 67 - Ln 2

23 used to be Lance's wife were there, and Lance went
24 and got in the motorhome, and **Frankie** was proud that
25 he never visited Dr. Ferrari as a patient and that
1 Lance made fun of **Frankie** for being so cheap, that
2 **Frankie** could be a winner too, but he's always just
3 going to be a worker because he wouldn't go to
4 Dr. Ferrari.

4 Q Okay. Now, I can't remember whether you
5 had been asked this question, but have you had
6 conversations with anyone other than your lawyer, of
7 course, and perhaps others in his firm and your
8 husband and sisters and mother, I think, about your
9 testimony here today?

Pg 100 - Ln 10

10 A Only I spoke with Betsy **Andreu** after we
11 were served the subpoena and told her that we would
12 be coming.

6 Q In your car?
7 A (Moves head up and down.)

Pg 105 - Ln 11

8 THE REPORTER: Pardon?

9 A In my car.

10 BY MR. HERMAN:

11 Q Betsy **Andreu**, can you tell me what calls
12 with Betsy **Andreu** were taped?

13 A I think maybe the first or -- first and
14 second conversation.

6 Q In your car?
7 A (Moves head up and down.)

Pg 105 - Ln 12

8 THE REPORTER: Pardon?

9 A In my car.

10 BY MR. HERMAN:

11 Q Betsy **Andreu**, can you tell me what calls
12 with Betsy **Andreu** were taped?

13 A I think maybe the first or -- first and
14 second conversation.

25 Q Okay. Now, do you have any other taped
1 conversations or any other tapes of conversations
2 other than the ones I asked you about, Burke,
3 DeVries, O'Reilly, **Andreu** and Mionske?

Pg 106 - Ln 3

4 A I don't believe so.

5 Q Now, you were interviewed by David Walsh
6 in connection with this book that he wrote, L.A.

7 Confidential?

8 A Yes.

21 Q Okay. Well, it's true, I guess,
22 Ms. LeMond, that you don't have any knowledge about
23 what Mr. Armstrong has done or not done other than
24 what you've heard secondhand from Emma O'Reilly,
25 Betsy **Andreu** and Julian DeVries? That's true, isn't
1 it?

Pg 147 - Ln 25

2 MR. LYNN: Let me object to that because
3 she's testified the entire day so I mean there
4 are a lot of other statements that she has
5 heard or talked about, so I don't think you're
6 including everything in that statement. It
7 mischaracterizes her testimony.

8 BY MR. HERMAN:

2 Q Other than this statement by -- that you
3 attribute to Julian DeVries about IVs in -- at the
4 May 2000 training camp, has anyone told you that
5 they have ever observed Mr. Armstrong ingest or be
6 administered any performance-enhancing substance?

Pg 149 - Ln 9

7 A Yes.

8 Q Who?

9 A Betsy **Andreu** .

10 Q Okay. And what did she say?

11 A I cannot remember the details, but she
12 told me that she had witnessed -- I believe she told
13 me that she had witnessed him injecting himself.

16 Q Okay.

17 A I can't say one hundred percent certain on
18 that. I believe she told me that, but I can't say a
19 hundred percent right now.

Pg 149 - Ln 21

20 Q Okay. Is it fair -- is it a fair
21 statement to say that Betsy **Andreu** may have told you
22 that, but you can't recall for certain? Is that a
23 fair --

24 MR. MADEL: Asked and answered.

25 BY MR. HERMAN:

20 Q Okay. Did you earlier tell or was it -- I
21 wrote this down, and the reason I ask is whether you
22 just misspoke or not, but do you recall testifying
23 that Emma told you that she had been disappointed
24 about what happened to Julian after 2001? Do you
25 recall that?

Pg 153 - Ln 7

1 A I think that was because the affidavit was
2 signed sometime after the Tour de France in July of
3 2000 and 2001. When Greg found out about the false
4 affidavit, that was the spring of 2001, so that's
5 probably why in my mind I thought that, but she
6 probably knew before we knew.

7 Q Okay. Did you say that Betsy **Andreu** had
8 told you that Armstrong had called her house one
9 night asking if they had any EPO?

10 A Yes.

Mcllvain, Stephanie (11/14/05)

2 Q Can you name some of them for me, please.

3 A Floyd Landis, George Hincapie, Christian Vande
4 Velde. I'm trying to think of the Europeans. That's
5 all I can come up with right now.

Pg 12 - Ln 6

6 Q Okay. Was Mr. **Frankie Andreu** ever a sponsored
7 athlete of Oakley?

8 A Yes, he was.

21 Q The same kind of responsibilities you had for
22 Mr. Armstrong?

Pg 12 - Ln 24

23 A Yes.

24 Q And did you have responsibility for **Frankie**
25 **Andreu** ?

00012

1 A Yes.

15 Q Since Mr. Armstrong's treatment, have you ever
16 spoken with any other person about whether or not Mr.
17 Armstrong told someone at the hospital that he used
18 performance enhancing drugs?

Pg 21 - Ln 21

- 19 A Yes.
20 Q Who have you spoken to?
21 A I spoke to Betsy **Andreu** and **Frankie** .
22 Q Do you remember when that was?
23 A Just probably about four years ago.
-

- 15 Q Since Mr. Armstrong's treatment, have you ever
16 spoken with any other person about whether or not Mr.
17 Armstrong told someone at the hospital that he used
18 performance enhancing drugs?
19 A Yes.
20 Q Who have you spoken to?
21 A I spoke to Betsy **Andreu** and **Frankie** .
22 Q Do you remember when that was?
23 A Just probably about four years ago.
-

Pg 21 - Ln 21

- 24 Q Tell me first what was the occasion why you
25 were talking to them and then I'm going to ask you what
00021

Pg 22 - Ln 2

- 1 you talked about?
2 A Betsy **Andreu** called up and asked if I
3 remembered an incident where two doctors came in and
4 Lance told them what drugs he had used, and I -- at
5 that point I told her no, I don't, I don't remember
6 Lance ever saying to two doctors that he used drugs.
7 I do remember being in a conference room or a
8 room with some people and Betsy and **Frankie** were in
9 there, and I came in, and the reason I remember it so
10 well is because they were watching a football game and
11 I -- sorry everybody, but I hate football, and it
12 was -- sorry, it was very, very painful for me, so I
13 went and sat down on the floor where the couch was and
14 I just sat there and watched, watched the football
15 game, and that's the main thing that I remember, but
16 when Betsy called me and talked to me about it, she
17 started telling me what she heard and what she saw in
18 that room.
-

- 24 Q Tell me first what was the occasion why you
25 were talking to them and then I'm going to ask you what
00021

Pg 22 - Ln 8

- 1 you talked about?
2 A Betsy **Andreu** called up and asked if I
3 remembered an incident where two doctors came in and
4 Lance told them what drugs he had used, and I -- at
5 that point I told her no, I don't, I don't remember
6 Lance ever saying to two doctors that he used drugs.
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8 room with some people and Betsy and **Frankie** were in
9 there, and I came in, and the reason I remember it so
10 well is because they were watching a football game and
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12 was -- sorry, it was very, very painful for me, so I
13 went and sat down on the floor where the couch was and
14 I just sat there and watched, watched the football
15 game, and that's the main thing that I remember, but
16 when Betsy called me and talked to me about it, she
17 started telling me what she heard and what she saw in
18 that room.
-

- 13 Q You were in a conference room of sorts rather
14 than a hospital room?
15 A Yes.

Pg 23 - Ln 17

16 Q And who all was in the room as you recall?
17 A Definitely **Frankie** and Betsy and Lance.
18 Q Do you remember if Chris Carmichael was there?
19 A Yes.

20 Q How about Lisa Shields, do you remember if she
21 was there?

Pg 23 - Ln 24

22 A I don't remember Lisa.

23 Q So you remember being in the conference room
24 or center with Mr. Armstrong, Betsy, **Frankie Andreu** ,
25 Chris Carmichael. Anyone else?

00023

1 A Paige.

2 Q Paige, okay.

3 A And I remember that -- I remember meeting --
4 for the first time meeting Paige and that was the first
5 time ever meeting Betsy.

Pg 24 - Ln 7

6 Q Now, at the time Betsy was not married to
7 **Frankie Andreu** , was she, or do you recall?

8 A I don't recall.

9 Q And was Paige married to Chris Carmichael at
10 the time?

11 A No.

9 Q And was Paige married to Chris Carmichael at
10 the time?

Pg 24 - Ln 13

11 A No.

12 Q All right. So it's the first time you meet
13 Betsy **Andreu** and Paige and you go and sit and watch
14 football?

15 A Yes.

21 Q Okay. So whatever they said, either you
22 didn't hear or you don't remember what it was?

Pg 25 - Ln 24

23 A Right. I don't know who, who was saying what.

24 Q Got it. Do you remember if Betsy and **Frankie**
25 left the room?

00025

1 A I don't remember.

16 Q Do you remember?

17 A I think it was -- well, it had to be in '96,
18 that's when he was sick.

Pg 26 - Ln 21

19 MR. WEEKS: Oh, okay.

20 BY MR. TILLOTSON:

21 Q Did you talk to Betsy **Andreu** after being in
22 that room and leaving that same day?

23 A No.

24 Q So you never spoke with her about that
25 particular incident until several years later?

Pg 27 - Ln 2

00026

1 A Right.

2 Q Have you ever talked to **Frankie Andreu** about
3 it?

4 A No.

9 Q And did you tell -- what did you tell him as
10 you recall?

Pg 28 - Ln 13

11 A Well, when I -- when David called me, he's --
12 he basically went into this whole thing about what

13 Betsy **Andreu** told him and he asked me if I remember,
14 and at that point I said "No." He said, "Are you
15 sure?" And I said, "No, I don't remember it, David,
16 but if, if that's what Betsy's telling you, I guess
17 that's what she's telling you," and at that point I
18 told him no, no comment, that I had no comment.

14 Q Although you don't recall what or either don't
15 recall or didn't hear all the things being said, at
16 least what you did hear and can recall, you don't
17 remember anything like that?

Pg 29 - Ln 19

18 A I don't.

19 Q Okay. What did Ms. **Andreu** tell you when you
20 talked about this four years ago when you -- did you
21 tell her that you didn't recall or didn't hear this?

22 A Yes.

1 Q What did you say in response?

2 A I told her what happened, you know, what she's
3 talking about was supposed to take place in '96, and I,
4 I didn't remember anything. I remember being in the
5 room and I remember watching football and I remember
6 meeting Betsy for the first time and meeting Paige
7 Carmichael and that was it, and she proceeded to tell
8 me what she, what she saw in the room and what she
9 heard in the room.

Pg 30 - Ln 11

10 Q And other than her -- have you talked to
11 **Frankie Andreu** about this incident?

12 A **Frankie** and I, I talked, talked about it and
13 **Frankie** couldn't remember, he couldn't, he couldn't
14 remember much. He was going off what his wife was
15 telling him.

10 Q And other than her -- have you talked to
11 **Frankie Andreu** about this incident?

Pg 30 - Ln 12

12 A **Frankie** and I, I talked, talked about it and
13 **Frankie** couldn't remember, he couldn't, he couldn't
14 remember much. He was going off what his wife was
15 telling him.

10 Q And other than her -- have you talked to
11 **Frankie Andreu** about this incident?

Pg 30 - Ln 13

12 A **Frankie** and I, I talked, talked about it and
13 **Frankie** couldn't remember, he couldn't, he couldn't
14 remember much. He was going off what his wife was
15 telling him.

24 Q Do you remember where, was it a race or an
25 event?

Pg 31 - Ln 3

00030

1 A No. It was on the phone.

2 Q And why would you be discussing with Mr.
3 **Andreu** on the phone what took place or didn't take
4 place at the Indiana hospital?

5 A Probably -- it just probably came up.

2 Q And why would you be discussing with Mr.
3 **Andreu** on the phone what took place or didn't take
4 place at the Indiana hospital?

Pg 31 - Ln 6

5 A Probably -- it just probably came up.

6 Q Would you speak to Mr. **Andreu** a lot?

7 A Yes.

8 Q Was he under a contract with Oakley at the
9 time you had this conversation?
10 A I don't recall if he was.

8 Q Was he under a contract with Oakley at the
9 time you had this conversation?
10 A I don't recall if he was.
11 Q Do you speak with Betsy **Andreu** frequently?
12 A Yes. She's my friend.
13 MR. WEEKS: What was that?
14 THE WITNESS: I said she's my friend. She --
15 MR. WEEKS: Oh, okay.
16 THE WITNESS: She's been a friend for, for a
17 while.
18 BY MR. TILLOTSON:

Pg 31 - Ln 11

19 Q Do you consider her a reliable and honest
20 person?
21 A Yes.
22 Q Okay. Now, we've talked about you spoke with
23 Ms. **Andreu**, Mr. **Andreu**. Anyone else you talked to
24 about the Indiana hospital room incident, other than
25 your lawyer, of course?
00031
1 A No.

Pg 31 - Ln 23

19 Q Do you consider her a reliable and honest
20 person?
21 A Yes.
22 Q Okay. Now, we've talked about you spoke with
23 Ms. **Andreu**, Mr. **Andreu**. Anyone else you talked to
24 about the Indiana hospital room incident, other than
25 your lawyer, of course?
00031
1 A No.

Pg 31 - Ln 23

8 Q Okay. Did -- I want to go back to the Indiana
9 hospital when you said you visited I think you said
10 maybe four times Mr. Armstrong. Did you ever see Betsy
11 **Andreu** at any other visit when you were there?
12 A No.
13 Q Are you aware of a person whose nickname is
14 College?
15 A Yes.

Pg 34 - Ln 11

23 Q Do you know how Mr. LeMond would know of
24 College?
25 A From Betsy **Andreu**.
00043
1 Q Okay. He also says at Page 73 that, this is
2 in response to things he talked about with you, she,
3 being you, was present when she confirmed what Betsy
4 **Andreu** told us that he, Mr. Armstrong, admitted to EPO
5 use, growth hormone, testosterone and other drugs. Did
6 that in fact take place?
7 A No.

Pg 43 - Ln 25

1 Q Okay. He also says at Page 73 that, this is
2 in response to things he talked about with you, she,
3 being you, was present when she confirmed what Betsy
4 **Andreu** told us that he, Mr. Armstrong, admitted to EPO
5 use, growth hormone, testosterone and other drugs. Did

Pg 44 - Ln 4

6 that in fact take place?

7 A No.

7 Q Is there no truth to the statements that you
8 told Mr. Greg LeMond that you were present at the
9 Indiana hospital room and confirmed what Betsy **Andreu**
10 told us which is that Mr. Armstrong admitted to EPO
11 use, growth hormone, testosterone and other drugs?
12 A No. I, I told Greg LeMond I remember being in
13 a room and I remember watching a football game and
14 first meeting Betsy and Paige Carmichael.

Pg 45 - Ln 9

20 Q And your response to Mr. LeMond was?

21 A No. I remember being in a room.

Pg 45 - Ln 22

22 Q Okay. Ms. **Andreu** testified in your, in your,
23 in your -- in her deposition that she told you she was
24 going to be deposed. Do you remember that taking
25 place?

00045

1 A Yes.

5 Q Did she -- did you express to her any fear or
6 concern that you might be deposed?

Pg 46 - Ln 8

7 A I knew I was going to be deposed.

8 Q She -- Ms. **Andreu** testified in her deposition
9 that you had said to her that it's all so stupid, he,
10 being Mr. Armstrong, will never get caught?

11 A No. I said this is all so stupid, it needs to
12 go away.

21 Q Okay.

22 A Only the one that Betsy always talks to.

Pg 49 - Ln 24

23 Q Okay. And so this is -- the Justine you're
24 referring to is the Justine that Betsy **Andreu** talked to
25 that she tells you about?

00049

1 A Yes.

1 Q What, what have you talked about with
2 Mr. Lindsey as you recall?

Pg 51 - Ln 17

3 A He was doing a piece on Outside magazine and
4 he wanted to know our relationship with Oakley, and I
5 told him I'm not going to talk -- if it's like a bad
6 thing of trying to uncover anything, that I wasn't
7 going to speak with him, and he told me it was a feel
8 good maga -- feel good article that he was going to do,
9 so he asked me what, what impact does Lance have on the
10 public who have -- has had cancer, and so I told him
11 the story about an autograph signing that we had at one
12 of our stores and about this one lady when she got up
13 to Lance, she started crying and I've never ever seen
14 that before. It was like he was God like to these
15 people.

16 Q Have you corresponded by e-mail with Betsy
17 **Andreu** ?

18 A Yes.

19 Q Have -- do you remember if you sent any
20 e-mails that have discussed the Indiana hospital room
21 matter?

22 A No.

5 Q Now, I'm going to just kind of go through some

6 questions here that I will tell you I've drawn from the
7 depositions of either Greg LeMond, Kathy LeMond or
8 Betsy **Andreu** and ask you if, if -- just have you
9 describe whether it's accurate or not. Okay?
10 A Okay.

Pg 60 - Ln 8

5 Q Now, I'm going to just kind of go through some
6 questions here that I will tell you I've drawn from the
7 depositions of either Greg LeMond, Kathy LeMond or
8 Betsy **Andreu** and ask you if, if -- just have you
9 describe whether it's accurate or not. Okay?

Pg 60 - Ln 11

10 A Okay.

11 Q Okay. Now, did you tell Betsy **Andreu** that
12 while Lance was in Santa Barbara doing a commercial,
13 you overheard Lance call John Koriath, College, and ask
14 him to remove EPO from his house refrigerator because
15 Lance was afraid Kristin would freak out?

16 A No.

17 Q I think you talked to Mr. Tillotson in some
18 detail about that alleged incident, but did anything
19 like that to your recollection ever occur?

Pg 60 - Ln 21

20 A No.

21 Q Did you ever tell Betsy **Andreu** that Lance had
22 told you that, quote, "we all use EPO," close quote, in
23 professional cycling?

24 A No.

7 Q Okay. Do you recall what time of the year in
8 2005?

Pg 61 - Ln 10

9 A No.

10 Q Did you ask Betsy **Andreu** to have Greg LeMond
11 call you?

12 A No.

10 Q Did you ask Betsy **Andreu** to have Greg LeMond
11 call you?

Pg 61 - Ln 14

12 A No.

13 Q Would there be any reason why you would have
14 asked Betsy **Andreu** to have Greg LeMond call you?

15 A No. She called me and told me that she gave
16 Greg my number.

2 Q And last, Mr. Herman asked you some questions
3 regarding the Indiana hospital incident, and I want to
4 make sure I understand, I know we keep asking about
5 this, I want to make sure I understand what you're
6 saying.

Pg 67 - Ln 8

7 You're not suggesting that it's not possible
8 that Ms. **Andreu** heard what she heard, you're just
9 saying that whatever it is you heard or recall, you
10 don't remember anything about that?

11 A Right.

2 Q And last, Mr. Herman asked you some questions
3 regarding the Indiana hospital incident, and I want to
4 make sure I understand, I know we keep asking about
5 this, I want to make sure I understand what you're
6 saying.

Pg 67 - Ln 13

7 You're not suggesting that it's not possible
8 that Ms. **Andreu** heard what she heard, you're just
9 saying that whatever it is you heard or recall, you

10 don't remember anything about that?

11 A Right.

12 Q You're not stating that you remember
13 everything said and Ms. **Andreu** just has it wrong, you
14 just don't recall or didn't hear anything like that, is
15 that fair?

16 A Yes.

17 MR. TILLOTSON: Okay. Thank you for your
18 time.

19 Counselor, thank you for your time and for
20 lunch.

21 MR. WEEKS: No problem. How do you handle
22 this? I think it would be good if Mrs. McIlvain had
23 the opportunity to just review her deposition, make
24 corrections in there if she wants to.

25 MR. TILLOTSON: Sure. Why don't we go off the

00067

1 record.

2 MR. HERMAN: Can we go off the record?

3 MR. WEEKS: Yeah, good.

4 MR. TILLOTSON: We'll do it off the record and
5 we'll set some procedures.

6 MR. WEEKS: Thank you.

7 THE VIDEOGRAPHER: Going off the record at
8 12:44 p.m.

9 (Discussion off the record.)

10 THE VIDEOGRAPHER: This concludes volume one
11 of the deposition of Stephanie McIlvain. There was one
12 videotape used in this volume. We're now off the
13 record for the day at 12:48 p.m.

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9 I, STEPHANIE ANN McILVAIN, do hereby declare
10 under penalty of perjury that I have read the foregoing
11 transcript; that I have made such corrections as noted
12 herein, in ink, initialed by me, or attached hereto;
13 that my testimony as contained herein, as corrected, is
14 true and correct.

15 EXECUTED this _____ day of _____,

16 20____, at _____,
(City) (State)

17

18

19

20

STEPHANIE ANN McILVAIN

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CONFIDENTIAL TRANSCRIPT - FOR ATTORNEYS' EYES ONLY69

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I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify: That the foregoing proceedings were taken before me at the time and place herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were placed under oath; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date subscribed my name.

21
22
23

Dated: _____

24
25

KATHY P. PABICH
CSR No. 5021

CONFIDENTIAL TRANSCRIPT - FOR ATTORNEYS' EYES ONLY70

Stapleton, Bill (09/01/05)

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Q. Cathy LeMond?
A. No.
Q. Betsy Andrew ?
A. No.
Q. Frankie Andrew ?
A. No.

Pg 124 - Ln 6

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11

Q. Betsy Andrew ?
A. No.
Q. Frankie Andrew ?
A. No.
Q. Okay. Chris Carmichael about this case?
A. No.

Pg 124 - Ln 8

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11

Q. Betsy Andrew ?
A. No.
Q. Frankie Andrew ?
A. No.
Q. Okay. Chris Carmichael about this case?
A. No.

Pg 124 - Ln 8

12
13

Q. Have you spoken to any of those five individuals at all over the last year?

Pg 124 - Ln 16

14 A. Carmichael.
15 Q. Okay.
16 A. The rest -- I saw **Frankie** at the Tour, you
17 know, on and off outside the bus, say hello. The
18 other three, no.

4 Q. Okay. Put Mr. Carmichael aside, because I
5 would expect you would speak to him frequently. Pg 125 - Ln 7
6 But -- but the Andrews or the LeMonds, other than
7 saying hello to **Frankie Andrew** at the Tour --
8 A. Yeah, that would be it.
9 Q. -- you've not had any discussions with them?
10 A. No.

4 Q. Okay. Put Mr. Carmichael aside, because I
5 would expect you would speak to him frequently. Pg 125 - Ln 7
6 But -- but the Andrews or the LeMonds, other than
7 saying hello to **Frankie Andrew** at the Tour --
8 A. Yeah, that would be it.
9 Q. -- you've not had any discussions with them?
10 A. No.

6 Q. I'm not reading anything into it.
7 A. I'm just educating. Pg 169 - Ln 9
8 Q. Thank you.
9 Has **Frankie Andrew** ever told you
10 that -- that he believes Mr. Armstrong used
11 performance-enhancing substances?
12 A. No.

6 Q. I'm not reading anything into it.
7 A. I'm just educating. Pg 169 - Ln 9
8 Q. Thank you.
9 Has **Frankie Andrew** ever told you
10 that -- that he believes Mr. Armstrong used
11 performance-enhancing substances?
12 A. No.

Case: **ARMSTRONG V. SCA**

Search Result for: **betsy \ andreu \ betsy andreu \ andrew**

Total of hits: 269

December 6, 2005

Search Results Context

Andreu, Elizabeth (10/25/05)

11 -----/
 12 DEPONENT: VIDEOTAPED DEPOSITION OF Pg 1 - Ln 13
 13 ELIZABETH "BETSY " MARIE ANDREU
 14 DATE: Tuesday, October 25, 2005
 15 TIME: 10:15 a.m.

11 -----/
 12 DEPONENT: VIDEOTAPED DEPOSITION OF Pg 1 - Ln 13
 13 ELIZABETH "BETSY " MARIE ANDREU
 14 DATE: Tuesday, October 25, 2005
 15 TIME: 10:15 a.m.

3 WITNESS PAGE
 4 Pg 4 - Ln 5
 5 ELIZABETH MARIE ANDREU
 6
 7 Examination by Mr. Tillotson 5

5 (Record begun without video record.)
 6 * * * Pg 5 - Ln 7
 7 ELIZABETH MARIE ANDREU ,
 8 having been first duly sworn, was examined and testified
 9 as follows:

11 BY MR. TILLOTSON:
 12 Q. If you will state your name for us, please? Pg 5 - Ln 13
 13 A. Elizabeth Marie **Andreu** , also known as **Betsy** .
 14 Q. Ms. **Andreu** , my name is Jeff Tillotson. I represent SCA
 15 Promotions and Hamman Insurance Specialists. I'm a

11 BY MR. TILLOTSON:
 12 Q. If you will state your name for us, please? Pg 5 - Ln 13
 13 A. Elizabeth Marie **Andreu** , also known as **Betsy** .
 14 Q. Ms. **Andreu** , my name is Jeff Tillotson. I represent SCA
 15 Promotions and Hamman Insurance Specialists. I'm a

12 Q. If you will state your name for us, please?
 13 A. Elizabeth Marie **Andreu** , also known as **Betsy** . Pg 5 - Ln 14
 14 Q. Ms. **Andreu** , my name is Jeff Tillotson. I represent SCA
 15 Promotions and Hamman Insurance Specialists. I'm a
 16 lawyer for them in connection with an arbitration. We're
 17 here to take your deposition.
 18 Have you ever had your deposition taken before?
 19 A. No.

23 Q. Okay. Let me just go over a couple of ground rules that
 24 will hopefully make the process a little easier. Pg 6 - Ln 6
 25 First, you understand that although we're in a
 1 conference room in a hotel, that you've been placed under
 2 oath to tell the truth as if you were in a court of law?
 3 Do you understand that?
 4 A. Yes.

- 5 Q. Second, we are making a transcript of the proceedings,
6 and at some point in time, Ms. **Andreu**, we will have a
7 videographer to also videotape the proceedings.
8 Do you understand that?
9 A. Yes.
-

- 22 Q. To whom?
23 A. Frank- -- do you want his legal -- his birth name? His
24 baptismal name? Pg 7 - Ln 25
25 Frankie **Andreu**, also known as Francisco **Andreu**.
1 Q. And how long have you been married?
2 A. Eight and a half years.
-

- 22 Q. To whom?
23 A. Frank- -- do you want his legal -- his birth name? His
24 baptismal name? Pg 7 - Ln 25
25 Frankie **Andreu**, also known as Francisco **Andreu**.
1 Q. And how long have you been married?
2 A. Eight and a half years.
-

- 15 Q. Did you accept what he said to you?
16 MR. PASKOFF: What are you talking about now? About
17 what Mr. Armstrong said or what Mr. **Andreu** said? Pg 16 - Ln 17
18 MR. TILLOTSON: I'll be more precise.
19 BY MR. TILLOTSON:
-

- 7 Q. Okay. Are there -- is there anything written that you
8 have in your possession that relates to that conversation
9 that took place in Indiana? Any notes, correspondence or
10 other documentation in a written format? Pg 22 - Ln 11
11 MR. PASKOFF: Written by Ms. **Andreu**?
12 MR. TILLOTSON: Yes. I'll start with that.
13 A. Not that I can recall.
14 BY MR. TILLOTSON:
-

- 21 Q. What was it?
22 A. They wanted to -- Bill Stapleton wanted me to make a
23 statement supporting Lance to say that David Walsh was
24 lying. Pg 26 - Ln 2
25 Basically, that's it.
1 Q. What did your husband tell Mr. Stapleton and Mr. Knaggs?
2 A. He said that **Betsy** was not the source for David Walsh's
3 book. Basically that she's not the source for David
4 Walsh's book, and they kept -- it was going back and
5 forth about me making a statement supporting Lance. And
6 Bill Stapleton -- I mean it's in the transcript.
7 Can we just look at the transcript?
-

- 11 Q. So, how did you hear about it? From Frankie?
12 A. Frankie called me up. Pg 28 - Ln 13
13 Q. Okay. Ms. **Andreu**, we're going to take a short break so
14 we can set up the videographer, if that's okay.
15 A. Okay.
16 MR. TILLOTSON: Before we do that, let me mark
17 the --
18 MR. COMPTON: These are the copies.
19 MR. TILLOTSON: I would prefer to mark the original,
20 if that's all right with you. She may retain that, and
21 then we can replace that with a copy.
22 MR. PASKOFF: That's fine.
23 MR. TILLOTSON: We'll mark this as Exhibit 1 and
24 this as Exhibit 2.

25 (Deposition Exhibit Nos. 1 and
 1 2 marked for identification.)
 2 MR. TILLOTSON: Okay. Now we're going to set up.
 3 We'll take a short break. We'll take about five minutes
 4 to set up, and then we'll reconvene.
 5 A. Do you need --
 6 BY MR. TILLOTSON:

7 Q. Yes. I'm going to ask for that as well. We'll make
 8 copies of that as well. Pg 30 - Ln 3
 9 A. There are --
 10 THE REPORTER: I'm sorry. Are we on the record or
 11 off?
 12 MR. TILLOTSON: No. We can go off the record now.
 13 (Short recess at 10:40 a.m.)
 14 * * *
 15 (Record continued with videotape.)
 16 VIDEOGRAPHER: Time is 10:54:20. We are on the
 17 record.
 18 MR. TILLOTSON: We are here at the deposition. We
 19 have begun a portion of it not on videotape, and now
 20 we're videotaping it.
 21 For purposes of the record, I'll just ask everyone
 22 to introduce themselves so that we know who's here
 23 present for the videotape.
 24 I'm Jeff Tillotson, along with Chris Compton, for
 25 the Respondents in the arbitration.
 1 MR. PASKOFF: Representing the Witness, Adam Paskoff
 2 with Paskoff and Tamber.
 3 THE WITNESS: **Betsy Andreu** . Elizabeth Marie
 4 **Andreu** .
 5 MR. HERMAN: Tim Herman of Herman, Howry and Breen
 6 representing the Claimants, Tailwind and Lance Armstrong.
 7 MR. TILLOTSON: Yeah. Or, Tim, you can identify, if
 8 you want to --
 9 MR. HERMAN: Along with Lance Armstrong and Bart
 10 Knaggs of Tailwind Sports.
 11 BY MR. TILLOTSON:

7 Q. Yes. I'm going to ask for that as well. We'll make
 8 copies of that as well. Pg 30 - Ln 4
 9 A. There are --
 10 THE REPORTER: I'm sorry. Are we on the record or
 11 off?
 12 MR. TILLOTSON: No. We can go off the record now.
 13 (Short recess at 10:40 a.m.)
 14 * * *
 15 (Record continued with videotape.)
 16 VIDEOGRAPHER: Time is 10:54:20. We are on the
 17 record.
 18 MR. TILLOTSON: We are here at the deposition. We
 19 have begun a portion of it not on videotape, and now
 20 we're videotaping it.
 21 For purposes of the record, I'll just ask everyone
 22 to introduce themselves so that we know who's here
 23 present for the videotape.
 24 I'm Jeff Tillotson, along with Chris Compton, for
 25 the Respondents in the arbitration.
 1 MR. PASKOFF: Representing the Witness, Adam Paskoff
 2 with Paskoff and Tamber.
 3 THE WITNESS: **Betsy Andreu** . Elizabeth Marie
 4 **Andreu** .
 5 MR. HERMAN: Tim Herman of Herman, Howry and Breen

6 representing the Claimants, Tailwind and Lance Armstrong.
7 MR. TILLOTSON: Yeah. Or, Tim, you can identify, if
8 you want to --
9 MR. HERMAN: Along with Lance Armstrong and Bart
10 Knaggs of Tailwind Sports.
11 BY MR. TILLOTSON:

11 Q. Okay. Well, then you'll be pleased with my next
12 question, which is I'm going to pass the witness. And I
13 appreciate your testimony and answers here today. Pg 81 - Ln 13
14 The other side now has the opportunity to question
15 you, subject to a break, and I have the ability to come
16 back and ask additional questions after Mr. Herman.
17 But at this point in time, it's Mr. Herman's turn.
18 A. Okay.
19 MR. TILLOTSON: Pass the witness.
20 MR. HERMAN: I'm going to come over there.
21 MR. TILLOTSON: Yes. Please.
22 THE WITNESS: Are we going to have a lunch break?
23 MR. HERMAN: Well, I want to go ahead and go forward
24 and take a break before Frankie --
25 THE WITNESS: Okay.
1 MR. HERMAN: -- if that's all right with you.
2 THE WITNESS: I don't want to go another three hours
3 without having lunch, though.
4 (Discussion held off the record.)
5 VIDEOGRAPHER: The time is 12:25:39. We are off the
6 record.
7 (Short recess.)
8 VIDEOGRAPHER: The time is 12:30:29. We are on the
9 record.
10 * * *
11 EXAMINATION
12 BY MR. HERMAN:
13 Q. Ms. **Andreu** , am I pronouncing that correctly?
14 A. **Andreu** , yes.
15 Q. My name is Tim Herman.
16 We've never met before today, have we, ma'am?
17 A. No.

11 Q. Okay. Well, then you'll be pleased with my next
12 question, which is I'm going to pass the witness. And I
13 appreciate your testimony and answers here today. Pg 81 - Ln 14
14 The other side now has the opportunity to question
15 you, subject to a break, and I have the ability to come
16 back and ask additional questions after Mr. Herman.
17 But at this point in time, it's Mr. Herman's turn.
18 A. Okay.
19 MR. TILLOTSON: Pass the witness.
20 MR. HERMAN: I'm going to come over there.
21 MR. TILLOTSON: Yes. Please.
22 THE WITNESS: Are we going to have a lunch break?
23 MR. HERMAN: Well, I want to go ahead and go forward
24 and take a break before Frankie --
25 THE WITNESS: Okay.
1 MR. HERMAN: -- if that's all right with you.
2 THE WITNESS: I don't want to go another three hours
3 without having lunch, though.
4 (Discussion held off the record.)
5 VIDEOGRAPHER: The time is 12:25:39. We are off the
6 record.
7 (Short recess.)
8 VIDEOGRAPHER: The time is 12:30:29. We are on the

9 record.
10 * * *
11 EXAMINATION
12 BY MR. HERMAN:
13 Q. Ms. **Andreu** , am I pronouncing that correctly?
14 A. **Andreu** , yes.
15 Q. My name is Tim Herman.
16 We've never met before today, have we, ma'am?
17 A. No.

4 Q. Okay. In the earshot of the children; right?
5 A. Oh, yeah. Yeah. But the kids -- we were outside. Pg 97 - Ln 10
6 Frankie and Luke were running around a fountain, and
7 Marta was only six months old.
8 MR. PASKOFF: "Frankie," referring to a child.
9 A. Yeah.
10 MR. PASKOFF: Not Frankie **Andreu** .
11 BY MR. HERMAN:
12 Q. Let me go back to this incident at the hospital.
13 Did you or did you not break off or postpone your
14 wedding to Frankie **Andreu** as a result of that?
15 A. I threatened to.

12 Q. Let me go back to this incident at the hospital.
13 Did you or did you not break off or postpone your Pg 97 - Ln 14
14 wedding to Frankie **Andreu** as a result of that?
15 A. I threatened to.
16 Q. Well, did you or didn't you?
17 A. No, I did not.

1 Q. Okay. And how long has that -- have you had that kind of
2 relationship with Stephanie McIlvain? Pg 111 - Ln 9
3 A. Since 1999, when Dillon was a baby.
4 Wait, wait, wait. No, no, no. Frankie was born in
5 '99.
6 I started to get really close with Stephanie in the
7 year 2000 after Dillon was born, her son.
8 Q. Okay. It's not unusual, is it, in your experience,
9 Ms. **Andreu** , for professional bicyclists, particularly
10 elite bicyclists, to have personal trainers in addition
11 to whatever their team might provide?
12 A. Sure.

11 Q. Kevin Livingston was working with Ferrari?
12 A. Right. Pg 117 - Ln 21
13 (Discussion held off the record.)
14 VIDEOGRAPHER: The time is 1:23:57. We're off the
15 record.
16 (Short recess.)
17 * * *
18 VIDEOGRAPHER: We are beginning Tape Two. The time
19 is 1:36:02.
20 BY MR. HERMAN:
21 Q. Ms. **Andreu** , you just described a conversation that you
22 had with Stephanie McIlvain where you say that
23 Ms. McIlvain told you that Mr. Armstrong told her, "Come
24 on: We all use EPO"?
25 A. Some- -- yes.

22 Q. And how many times did you talk to Mr. Walsh
23 substantively? Pg 126 - Ln 9
24 By that I mean, did you discuss Lance Armstrong.

- 25 A. It's difficult to say.
 1 He would call me to tell me something, and wanted me
 2 to confirm it or not, and I don't think I really could.
 3 He called me about the e-mail that I had sent Lance,
 4 and I confirmed it. And he knew the content of that
 5 e-mail.
 6 And I remember another phone call. He wanted to
 7 know if I knew anything about a rider called Jean
 8 Cyril-Robin, and that was -- that was it.
 9 Q. So, did you ever -- did you personally, **Betsy Andreu**,
 10 ever talk to Walsh or did you ever give Walsh information
 11 other than the conversation off the record about this
 12 Indianapolis incident?
 13 A. No.

-
- 21 Q. -- March or April of 1999?
 22 A. 1999. Pg 126 - Ln 24
 23 Q. Okay. Now, when you met in December 2003 in Detroit, you
 24 and Mr. **Andreu** both met with him?
 25 A. Yes.
 1 Q. Had Mr. **Andreu** met with David Walsh before that to your
 2 knowledge?
 3 A. No.

-
- 23 Q. Okay. Now, when you met in December 2003 in Detroit, you
 24 and Mr. **Andreu** both met with him? Pg 127 - Ln 1
 25 A. Yes.
 1 Q. Had Mr. **Andreu** met with David Walsh before that to your
 2 knowledge?
 3 A. No.

-
- 1 Q. Had Mr. **Andreu** met with David Walsh before that to your
 2 knowledge? Pg 127 - Ln 5
 3 A. No.
 4 Q. And tell me what the substance of the conversation was
 5 between Mr. Walsh on the one hand and you and Mr. **Andreu**
 6 on the other?
 7 A. It was about -- it was about the hospital room.

-
- 25 Q. Okay. Well, it's true, is it not, that when you and
 1 Mr. **Andreu** were having dinner with David Walsh, Frankie
 2 **Andreu**, among other things, talked about how Lance had
 3 brought Frankie to Cofidis with him in '97? Pg 128 - Ln 1
 4 A. Yes.

-
- 25 Q. Okay. Well, it's true, is it not, that when you and
 1 Mr. **Andreu** were having dinner with David Walsh, Frankie
 2 **Andreu**, among other things, talked about how Lance had
 3 brought Frankie to Cofidis with him in '97? Pg 128 - Ln 2
 4 A. Yes.

-
- 2 Q. So, you weren't there during the substantive part of
 3 their conversation? Pg 129 - Ln 6
 4 A. I wasn't there for some of their conversation. I don't
 5 know if it was -- what it pertained to.
 6 Q. Well, while you were there, certainly Mr. **Andreu** never
 7 made any assertion that Mr. Armstrong had ever done
 8 anything improper or illegal?
 9 A. Not in my presence, no.

-
- 22 Q. But you acknowledge that Ms. Livingston's -- you
 23 acknowledge her statement about Kevin Livingston being Pg 130 - Ln 3

24 clean; correct?
 25 A. Well, she told me that Ferrari had good training
 1 programs, and I said, "Ferrari is not a good guy."
 2 And it all came up in the context, "Why didn't you
 3 tell me that the hospital incident happened, **Betsy** ? Why
 4 did you keep it from me for so long?"
 5 I said, "Because I was afraid you would tell Kevin,
 6 and Kevin would tell Lance, and then hell breaks loose
 7 all over again."

17 Q. Okay.
 18 A. No. Maybe it was in a -- it was in a conversation, Pg 130 - Ln 24
 19 because I was going in -- I don't -- it was after my hip
 20 replacement, I believe.
 21 But we rarely talk. When I say, "talk," communicate
 22 about Lance.
 23 Q. All right. Now, it's true that at one point or during
 24 some period of time Frankie **Andreu** and Lance Armstrong
 25 were roommates or lived together?
 1 A. In Italy, yes.

25 Q. So, probably the latest that they would have been
 1 roommates would have been in '97 or '98? Pg 132 - Ln 17
 2 A. I don't know. Probably.
 3 MR. HERMAN: Okay. I'll pass the witness.
 4 MR. TILLOTSON: If you'll give me a minute or two?
 5 MR. HERMAN: Well, wait. Let me just take a
 6 minute. Why don't you --
 7 MR. TILLOTSON: Sure.
 8 MR. HERMAN: Because I may have one or two more
 9 questions, but why don't you be figuring out what you're
 10 going to do and then I'll --
 11 MR. TILLOTSON: Let's go off the record.
 12 VIDEOGRAPHER: We're off the record at 1:59:02.
 13 (Short recess.)
 14 * * *
 15 VIDEOGRAPHER: We're on the record at 2:06:15.
 16 BY MR. HERMAN:
 17 Q. Ms. **Andreu** , I'm going to just ask you a couple of
 18 questions about this transcript; okay?
 19 A. Sure.

6 Q. Okay. And Frankie says:
 7 "I talked to my wife. No way in hell Pg 133 - Ln 9
 8 David, David Walsh is lying. He does not have
 9 a taped thing of **Betsy** saying that she would
 10 do that"?
 11 A. Yes.

23 Q. Frankie tells Stapleton and Knaggs:
 24 "She did not tell David Walsh about the Pg 134 - Ln 3
 25 hospital room. I know that for sure."
 1 Right?
 2 A. She did -- oh, yes, yes, yes.
 3 Q. Okay. And was Mr. **Andreu** being truthful with Knaggs and
 4 Stapleton?
 5 A. Oh, yes. Frankie knew that I didn't tell David about
 6 that.

10 Q. Look at the "F" right above that.
 11 A. Yes. Pg 134 - Ln 13
 12 Q. "He's claiming that he has a taped thing

- 13 with **Betsy** saying that. He lied."
- 14 A. Yes. Because --
- 15 Q. Talking about David Walsh?
- 16 A. Yeah. I'm not on tape at all.

- 20 Q. What is it he's referring to, as you understand it?
- 21 What are they asking you or wanting you to do regarding Pg 136 - Ln 24
- 22 whether you would ever testify against Mr. Armstrong?
- 23 A. Well, Bill says earlier on:
- 24 "We never want to get **Betsy** in a position
- 25 where she's an adversary for Lance. We don't
- 1 ever want to put her up against Lance."

- 20 Q. So, if Mr. Stapleton has testified that all he did in the
- 21 2000(sic) Tour de France was to say hello to your Pg 141 - Ln 15
- 22 husband, in your mind, based upon this taped transcript,
- 23 that would be untruthful?
- 24 A. It would be a complete lie.
- 25 MR. TILLOTSON: Pass the witness.
- 1 MR. HERMAN: No questions.
- 2 VIDEOGRAPHER: The deposition is concluded. The
- 3 time is 2:13:45.
- 4 * * *

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11 FURTHER, DEPONENT SAYETH NOT:

15 _____
Elizabeth Marie **Andreu**

17 _____
Date

20 Subscribed and sworn to before me,
21 this ____ day of _____, 2005, A. D.

22
23
24 Notary Public, _____ County, Michigan

25 My Commission expires: _____

1 STATE OF MICHIGAN)

2 COUNTY OF OAKLAND)

3 CERTIFICATE OF NOTARY PUBLIC

4 I do hereby certify that the witness, whose
5 attached testimony was taken in the above matter, was
6 first duly sworn to tell the truth; the testimony
7 contained herein was reduced to writing in the presence
8 of the witness by means of stenography; afterwards
9 transcribed; and is a true and complete transcript of the
10 testimony given.

11 I further certify that I am not connected by blood
12 or marriage with any of the parties; their attorneys or
13 agents; and that I am not interested, directly or
14 indirectly, in the matter of controversy.

15 In witness whereof, I have hereunto set my hand
16 this day at Farmington, Michigan, County of Oakland,
17 State of Michigan.

18
19
20
21 _____
22 John J. Slatin, CSR-5180
23 Certified Shorthand Reporter
24 Notary Public, Oakland County, Michigan
25 My commission expires: July 25, 2011

Andreu, Francisco (10/25/05)

11 -----/
12 DEPONENT: VIDEOTAPED DEPOSITION OF Pg 1 - Ln 13
13 FRANCISCO "FRANKIE" ANDREU
14 DATE: Tuesday, October 25, 2005
15 TIME: 3:20 p.m.

3 WITNESS PAGE
4 Pg 4 - Ln 5
5 FRANCISCO "FRANKIE" ANDREU
6
7 Examination by Mr. Tillotson 6

4 * * *
5 VIDEOGRAPHER: We are on the record. This is the Pg 5 - Ln 6
6 videotaped deposition of Francisco Andreu being taken in
7 Romulus, Michigan. Today is Tuesday, October 25th, 2005.
8 The time is 3:20:50. My name is Don Handyside, notary

23 THE WITNESS: I do.
24 * * * Pg 5 - Ln 25
25 FRANCISCO "FRANKIE" ANDREU ,
1 having been first duly sworn, was examined and testified as
2 follows:

5 Q. If you will begin by stating your name for us on the
6 record, please? Pg 6 - Ln 7
7 A. Francisco Andreu .
8 Q. Mr. Andreu , my name is Jeff Tillotson. I'm a lawyer for
9 some parties to an arbitration proceeding, which is like a

10 lawsuit. I represent SCA Promotions, Inc., and Hamman
11 Insurance Company.
12 Are you familiar with the fact that there is an
13 arbitration involving Mr. Armstrong and SCA?
14 A. I am now.

5 Q. If you will begin by stating your name for us on the
6 record, please?

Pg 6 - Ln 8

7 A. Francisco **Andreu** .

8 Q. **Mr. Andreu** , my name is Jeff Tillotson. I'm a lawyer for
9 some parties to an arbitration proceeding, which is like a
10 lawsuit. I represent SCA Promotions, Inc., and Hamman
11 Insurance Company.

12 Are you familiar with the fact that there is an
13 arbitration involving Mr. Armstrong and SCA?

14 A. I am now.

25 Q. You're married to whom?

1 A. **Betsy Andreu** .

Pg 9 - Ln 1

2 Q. We took her deposition earlier today.

3 You knew that, didn't you?

4 A. Yes.

20 Q. Okay. And what is it he told you or asked you?

21 A. He told me about some statements that Kathy LeMond made in
22 her deposition, and he was kind of wondering if they were
23 true, because Kathy LeMond said that **Betsy** , my wife, had
24 told her these things.

Pg 15 - Ln 23

25 Q. What kind of things?

1 A. One of them brought out is that Kathy LeMond said that
2 **Betsy** had told her that she had -- that my wife had seen
3 Lance taking drugs, that he had called the house looking
4 for EPO.

5 What else?

6 There were a couple of other things regarding -- but I
7 can't remember right now.

25 Q. What kind of things?

1 A. One of them brought out is that Kathy LeMond said that
2 **Betsy** had told her that she had -- that my wife had seen
3 Lance taking drugs, that he had called the house looking
4 for EPO.

Pg 16 - Ln 2

5 What else?

6 There were a couple of other things regarding -- but I
7 can't remember right now.

24 Q. Okay. When did you talk to Mr. Armstrong about it?

25 A. I'm not sure when. I know it was on a bike ride. We were
1 on a bike ride together, and he kind of asked like about
2 how **Betsy** reacted to what he had said, but I couldn't tell
3 you when or where.

Pg 23 - Ln 2

4 Q. Do you remember when it was? Summer? Fall?

5 A. No. I honestly don't remember. I know we were on our
6 bikes. So, I would assume it's not winter. But then
7 again, it could have been winter, because there were a few
8 times I went down to Austin and was riding with Lance down
9 there, and so --

14 Q. What is it that Mr. Armstrong asked you, as best you
15 recall?

Pg 23 - Ln 16

16 A. He kind of asked about how **Betsy** reacted to what happened
17 in the hospital room.

- 18 Q. What did you tell him?
19 A. I said she freaked out a little bit, and, you know, we got
20 into a couple of arguments, but then it kind of went away.
-

- 17 Q. First, why did you record the conversation?
18 A. Because Lance called me into his room to talk to me
19 about -- David Walsh, I guess, said something on a radio
20 program that **Betsy** had signed something and was willing to
21 testify and back up David Walsh in any kind of court of
22 law, and they were upset about that. And I had told them
23 that that was not the case, and they wanted to meet with me
24 to discuss **Betsy**'s involvement with David Walsh and
25 supporting him and all this kind of stuff.
1 And so pretty much I didn't know where this
2 conversation was going to go, and I didn't trust them. So,
3 I recorded it. Because they were calling my -- they were
4 saying **Betsy** was the source for a lot of this information,
5 and I knew she was not the source for a lot of this
6 information. And so I recorded it.
-

Pg 24 - Ln 20

- 17 Q. First, why did you record the conversation?
18 A. Because Lance called me into his room to talk to me
19 about -- David Walsh, I guess, said something on a radio
20 program that **Betsy** had signed something and was willing to
21 testify and back up David Walsh in any kind of court of
22 law, and they were upset about that. And I had told them
23 that that was not the case, and they wanted to meet with me
24 to discuss **Betsy**'s involvement with David Walsh and
25 supporting him and all this kind of stuff.
1 And so pretty much I didn't know where this
2 conversation was going to go, and I didn't trust them. So,
3 I recorded it. Because they were calling my -- they were
4 saying **Betsy** was the source for a lot of this information,
5 and I knew she was not the source for a lot of this
6 information. And so I recorded it.
-

Pg 24 - Ln 24

- 17 Q. First, why did you record the conversation?
18 A. Because Lance called me into his room to talk to me
19 about -- David Walsh, I guess, said something on a radio
20 program that **Betsy** had signed something and was willing to
21 testify and back up David Walsh in any kind of court of
22 law, and they were upset about that. And I had told them
23 that that was not the case, and they wanted to meet with me
24 to discuss **Betsy**'s involvement with David Walsh and
25 supporting him and all this kind of stuff.
1 And so pretty much I didn't know where this
2 conversation was going to go, and I didn't trust them. So,
3 I recorded it. Because they were calling my -- they were
4 saying **Betsy** was the source for a lot of this information,
5 and I knew she was not the source for a lot of this
6 information. And so I recorded it.
-

Pg 25 - Ln 4

- 23 Q. Now, I take it in connection with this discussion you told
24 them that your wife was not the source for Mr. Walsh and
25 his book?
1 A. Correct.
2 Q. Okay. If you'll look at the first page, Mr. **Andreu** ,
3 down -- if you start at the bottom and you go up to the
4 second place where you're talking where it has an "F
5 inaudible," and then it starts off:
6 "of him saying that, and secondly, I talked
-

Pg 28 - Ln 2

7 to my wife (inaudible) no way in hell David,
8 David Walsh is lying..."

9 A. Hold on. I want to find this.

12 Q. And if you move up four speakers -- so, "B," "F," "B," "F."

13 A. Okay. I see it.

Pg 28 - Ln 14

14 Q. "He does not have a taped thing of **Betsy**

15 saying that she would do that."

16 Do you see that?

17 A. Yeah. I'm speaking -- do you want to know what I'm

18 speaking about there?

19 Q. Yes. What is it you're referring to there?

20 A. About the radio show where David Walsh said that he had a

Pg 28 - Ln 21

21 signed testimony or paper saying that **Betsy** would support

22 him through any court of law.

23 Q. Okay. And if you then turn the page, there is a little

24 asterisk or an "X" there --

25 A. I see it.

15 Q. Okay. Now, if you'll go further down, there's another

16 little "X" down there where Mr. Stapleton continues, and if

Pg 29 - Ln 20

17 you'll go up -- just to put some context, go up two "F's"

18 where you say:

19 "Well, I sure as hell ain't, and I don't

20 think **Betsy** sure in hell ain't (inaudible) going

21 to testify against Lance."

22 Do you see that?

23 A. Uh-huh.

11 Q. And then Mr. Stapleton says:

12 "Yeah. I don't want to get in a

Pg 39 - Ln 13

13 position where that you that **Betsy** (inaudible)

14 the director becomes an adversary to Lance under

15 any circumstances. So, you know, I'd appreciate

16 it if she would really think about taking the

17 position it sounds like she's in right now, which

18 is I didn't say that to him, so we could we need

19 the best results for all of us..."

20 You say:

21 "Which she has done more than once now --"

22 Do you see that?

23 A. Yes.

17 Q. And you say:

18 "Her mind right is just to sit back and

Pg 62 - Ln 6

19 just -- she sits -- you know, not doing anything.

20 You know what I'm saying? She's not part of

21 anything."

22 Mr. Stapleton says:

23 "Right."

24 And then you say:

25 "So -- and nobody has been bothering her, and

1 the thing is I have fucking protected Lance for a

2 long time, not in me not talking about it...every

3 interview I give I frickin talk to this stuff, I

4 say everything good, and I (inaudible) like him

5 you know, you know? And then ESPN called that's

6 when ESPN called **Betsy** to do an interview out of

7 the blue. Flat out -- she said flat out no,

8 she -- won't do it."

9 Do you see that?

10 A. Yes.

14 Q. Other than what we've discussed or what's in Mr. Walsh's
15 book, do you have -- has anyone ever told you, "I saw him
16 do this" or "I believe he did this"?

Pg 68 - Ln 12

17 A. No.

18 (Discussion held off the record.)

19 MR. TILLOTSON: Sir, I really appreciate your time.
20 I'm going to pass the witness at this point.

21 That means I turn you over to opposing counsel. I
22 have the right to ask --

23 MR. HERMAN: There's no way I could turn you over,
24 but --

25 MR. TILLOTSON: Well, I --

1 MR. HERMAN: -- it's my turn.

2 MR. TILLOTSON: It's his turn.

3 THE WITNESS: I understand. Okay.

4 MR. TILLOTSON: I may ask additional questions after
5 he finishes --

6 THE WITNESS: Okay.

7 MR. TILLOTSON: -- but we go from there.

8 I pass the witness at this time.

9 * * *

10 EXAMINATION

11 BY MR. HERMAN:

12 Q. Mr. -- is it **Andreu** ? Is that the correct --

13 A. **Andreu** is correct, but you can call me Frankie.

14 Q. Okay. Frankie, I'm Tim Herman, and I represent Tailwind
15 Sports Corp. and Lance Armstrong in this dispute over this
16 insurance issue that we've got going in this case.

17 You and I have never met before, have we?

18 A. No.

14 Q. Other than what we've discussed or what's in Mr. Walsh's
15 book, do you have -- has anyone ever told you, "I saw him
16 do this" or "I believe he did this"?

Pg 68 - Ln 13

17 A. No.

18 (Discussion held off the record.)

19 MR. TILLOTSON: Sir, I really appreciate your time.
20 I'm going to pass the witness at this point.

21 That means I turn you over to opposing counsel. I
22 have the right to ask --

23 MR. HERMAN: There's no way I could turn you over,
24 but --

25 MR. TILLOTSON: Well, I --

1 MR. HERMAN: -- it's my turn.

2 MR. TILLOTSON: It's his turn.

3 THE WITNESS: I understand. Okay.

4 MR. TILLOTSON: I may ask additional questions after
5 he finishes --

6 THE WITNESS: Okay.

7 MR. TILLOTSON: -- but we go from there.

8 I pass the witness at this time.

9 * * *

10 EXAMINATION

11 BY MR. HERMAN:

12 Q. Mr. -- is it **Andreu** ? Is that the correct --

13 A. **Andreu** is correct, but you can call me Frankie.

14 Q. Okay. Frankie, I'm Tim Herman, and I represent Tailwind
15 Sports Corp. and Lance Armstrong in this dispute over this
16 insurance issue that we've got going in this case.

17 You and I have never met before, have we?

18 A. No.

8 Q. I mean as couples, you all socialized together and that
 9 sort of thing?
 10 A. We'd go out to dinner together, and we'd hang out, go up to
 11 their house and hang out and have dinner. And we got along
 12 fine.
 13 Q. Okay. Now, for whatever reason, this 1999 issue, this
 14 e-mail and the beef between Kristin and **Betsy**, whatever it
 15 was, it was not a secret that **Betsy** and Lance didn't really
 16 care for each other too much?
 17 A. Well, I would say now it's not a secret. And at the time
 18 when that happened, they still got along. So, it was
 19 something that built up over the years. In '99 and 2000,
 20 there really wasn't a problem.

Pg 70 - Ln 14

13 Q. Okay. Now, for whatever reason, this 1999 issue, this
 14 e-mail and the beef between Kristin and **Betsy**, whatever it
 15 was, it was not a secret that **Betsy** and Lance didn't really
 16 care for each other too much?
 17 A. Well, I would say now it's not a secret. And at the time
 18 when that happened, they still got along. So, it was
 19 something that built up over the years. In '99 and 2000,
 20 there really wasn't a problem.

Pg 70 - Ln 15

21 Q. Okay. Well, at least -- let me just confine it to the time
 22 when you had the conversation with Knaggs and Stapleton at
 23 the 2004 tour.
 24 Certainly it was pretty well known that, at least in
 25 your crew, that **Betsy** and Lance didn't much care for each
 1 other?
 2 MR. TILLOTSON: Objection. Form.
 3 BY MR. HERMAN:

Pg 70 - Ln 25

4 Q. Correct?
 5 You can answer.
 6 MR. TILLOTSON: Even though I object, you still may
 7 answer, unless your counsel --
 8 MR. PASKOFF: If you understand the question, you can
 9 answer.
 10 A. Even though I don't know why he's objecting?
 11 MR. PASKOFF: Yeah. That has nothing to do with you.
 12 If you understand the question, you can answer.
 13 BY MR. HERMAN:
 14 Q. It's a bunch of lawyer mumbo-jumbo.
 15 A. Yeah. I mean Lance knew that **Betsy** was not a big fan of
 16 his, and then **Betsy** knew that Lance did not particularly
 17 appreciate **Betsy**.

Pg 71 - Ln 15

14 Q. It's a bunch of lawyer mumbo-jumbo.
 15 A. Yeah. I mean Lance knew that **Betsy** was not a big fan of
 16 his, and then **Betsy** knew that Lance did not particularly
 17 appreciate **Betsy**.
 18 Q. Yeah. And I don't mean that to be critical in any way.
 19 Just reading through that transcript, both you and
 20 Stapleton sort of acknowledge the fact that they didn't get
 21 along?
 22 A. Yeah. Many people knew that they did not get along.

Pg 71 - Ln 16

14 Q. It's a bunch of lawyer mumbo-jumbo.
 15 A. Yeah. I mean Lance knew that **Betsy** was not a big fan of
 16 his, and then **Betsy** knew that Lance did not particularly
 17 appreciate **Betsy**.

Pg 71 - Ln 17

18 Q. Yeah. And I don't mean that to be critical in any way.
 19 Just reading through that transcript, both you and
 20 Stapleton sort of acknowledge the fact that they didn't get
 21 along?
 22 A. Yeah. Many people knew that they did not get along.

5 Q. Right. Okay.
 6 And it is also true, isn't it, that with regard to
 7 several of those incidents, you said, "No. That definitely
 8 did not happen," but on several of them didn't you tell
 9 Mr. Armstrong that you would have to check with **Betsy** and
 10 get back to him?
 11 A. I told Lance that on several of those statements that,
 12 right, they were false statements; that I thought they were
 13 false statements and that they did not happen, and that I
 14 would check with my wife. Because supposedly my wife had
 15 told Kathy LeMond this. So, I was just kind of
 16 double-checking. And so, yeah, that was --

Pg 73 - Ln 9

24 Q. I'm not trying to trick you. I'm just asking if you know.
 25 A. No. '92 -- I'm thinking in '92, '96, and he did 2000. He
 1 didn't do 2004.
 2 So, no, I don't have any knowledge of him failing the
 3 '92 Olympics or any Olympics.
 4 MR. TILLOTSON: Okay. I don't have anything further.
 5 So, pass the witness.
 6 THE WITNESS: Did he fail in '92?
 7 Now you've got me curious.
 8 MR. TILLOTSON: Well, you'll have to wait to see how
 9 this turns out.
 10 Let's go off the record.
 11 VIDEOGRAPHER: The time is 4:56:21. We're off the
 12 record.

Pg 77 - Ln 15

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FURTHER, DEPONENT SAYETH NOT:

 Francisco Andreu

18 Date
 19
 20 Subscribed and sworn to before me,
 21 this ____ day of _____, 2005, A. D.
 22

23
 24 _____
 24 Notary Public, _____ County, Michigan

25 My Commission expires: _____

1 STATE OF MICHIGAN)

2 COUNTY OF OAKLAND)

3 CERTIFICATE OF NOTARY PUBLIC

4 I do hereby certify that the witness, whose
 5 attached testimony was taken in the above matter, was first
 6 duly sworn to tell the truth; the testimony contained
 7 herein was reduced to writing in the presence of the
 8 witness by means of stenography; afterwards transcribed;
 9 and is a true and complete transcript of the testimony
 10 given.

11 I further certify that I am not connected by blood or
 12 marriage with any of the parties; their attorneys or
 13 agents; and that I am not interested, directly or
 14 indirectly, in the matter of controversy.

15 In witness whereof, I have hereunto set my hand
 16 this day at Farmington, Michigan, County of Oakland, State
 17 of Michigan.
 18
 19

20
 21 _____
 21 John J. Slatin, CSR-5180
 22 Certified Shorthand Reporter
 23 Notary Public, Oakland County, Michigan
 24 My commission expires: July 25, 2011
 25

Armstrong, Lance (11/30/05)

22 Q. Okay. I want to go back and ask you some
 23 questions now, moving off the 2004 Tour de France. Pg 17 - Ln 24
 24 You attended the deposition of Ms. **Betsy Andreu** , did
 25 you not?
 1 A. Correct.

7 Q. Okay. I'm going to ask you about those now. Pg 18 - Ln 9
 8 I'm transitioning to ask you about those. First, do
 9 you deny the statements that Ms. **Andreu** attributed to
 10 you in the Indiana University Hospital?
 11 A. 100 percent, absolutely.

7 Q. Okay. I'm going to ask you about those now. Pg 18 - Ln 12
 8 I'm transitioning to ask you about those. First, do
 9 you deny the statements that Ms. **Andreu** attributed to
 10 you in the Indiana University Hospital?
 11 A. 100 percent, absolutely.
 12 Q. Do you also deny what Mr. **Andreu** said
 13 regarding those statements?
 14 A. 100 percent.

12 Q. Do you also deny what Mr. **Andreu** said Pg 18 - Ln 16
 13 regarding those statements?
 14 A. 100 percent.
 15 Q. Do you recall being in a conference room
 16 with Mr. and Mrs. **Andreu** and the other people that she
 17 described being there?

18 A. My recollection is of being in a room. I
 19 don't know. Obviously, it wouldn't have been a
 20 hospital room, because they're too small, and there
 21 were too many people there watching a football game.
 22 What's interesting about those comments were, there
 23 were a lot of people missing.

15 Q. (BY MR. TILLOTSON) Okay.

16 A. Watching a football game.

Pg 19 - Ln 18

17 Q. Okay. So at least that part of the -- of
 18 the testimony of Mr. and Mrs. **Andreu**, and I also
 19 believe Ms. McIlvain about them remembering you being
 20 in a room with a TV on, or a football game, you at
 21 least remember that part?

22 A. Yeah. Oh, I think we can all remember that.

5 Q. Okay. Now, you were -- before your counsel
 6 wisely interrupted you, you said, in fact, you had
 7 gone to check on something. What is it you were --
 8 you were checking on?

Pg 20 - Ln 12

9 A. Well, we checked on -- we checked the
 10 Cowboys football schedule and realized that there
 11 was -- I mean, there was -- there was a game that
 12 Sunday, which I think is different than the day **Betsy**
 13 said. And Mr. Stapleton recalls getting a room for us
 14 to watch the game, because we had more than enough
 15 people that wouldn't fit in my room.

Never gave a day

5 Q. So that just never came up. No one ever --
 6 no -- as part of your treatment, no one ever asked you
 7 that?

Pg 22 - Ln 18

8 A. No.

9 Q. Can you offer, or can you -- can you help
 10 explain to me why Ms. **Andreu** would make that story up?

11 A. Well, she said in her deposition she hates
 12 me.

16 Q. No. Do you believe that she's making -- I
 17 mean, she's -- according to you, this story where she
 18 said she specifically heard you say stuff --

Pg 22 - Ln 21

19 A. Yeah.

20 Q. -- and that she -- and you remember she
 21 testified she took Mr. **Andreu** out and confronted him
 22 regarding whether or not he was doing the same thing.
 23 Do you recall that testimony?

24 A. Yeah. Vaguely. But I have no idea why she
 25 did that --

3 Q. Okay. I'm -- obviously, you had a
 4 relationship with them. And you knew her, and you go
 5 back some time with her. And I'm asking if --

Pg 23 - Ln 7

6 A. I knew her very little, not very well.

7 Q. Why would Mr. **Andreu** say the same things, if
 8 you know?

9 A. Probably to support his wife, which I don't
 10 know if you're married or not, but --

11 Q. I am.

12 A. -- sometimes is required.

Pg 23 - Ln 14

13 Q. And so you think -- is it your testimony
 14 that Mr. **Andreu** was also lying when he said that he
 15 heard you say those things regarding your prior use?

16 A. 100 percent. But I feel for him.

17 Q. What do you mean by that?

18 A. Well, I think he's trying to back up his old
19 lady.

Pg 23 - Ln 21

20 Q. Were you able to examine the tape that

21 Mr. **Andreu** made of his conversations with

22 Mr. Stapleton and Mr. Knaggs --

23 A. No.

24 Q. -- several years later?

25 Okay. Do you remember at the
1 deposition a transcript being produced of -- of the
2 tape he says he made?

Pg 24 - Ln 5

3 A. Yes.

4 Q. Okay. If you'll turn to tab 16, which has
5 been marked as **Andreu** Exhibit 1, I'll represent to you
6 this is a copy of the transcript that was produced at
7 that deposition. Now, I believe -- I may have seen
8 you, I can't remember, I thought you had an
9 opportunity to read this transcript while at the
10 deposition. Have you -- have you had an opportunity
11 either at the deposition or since then to review this
12 transcript?

13 A. No, sir.

14 Q. Okay. I'm going to turn -- direct your
15 attention to a couple of things that are said, and if
16 you'll turn to what's been marked as page three of the
17 transcript.

Pg 24 - Ln 20

18 A. (Witness so doing.)

19 Q. All right. If you'll see there at the
20 top -- and I believe Ms. **Andreu** testified that F was
21 Frankie, and we've got either Mr. Stapleton or
22 Mr. Knaggs. If you'll look down, if you count down
23 one, two, three, four, five, Mr. **Andreu** was reported
24 to say, "She won't do that. I don't see -- I believe
25 she would come out with a statement saying that

1 David -- about the hospital room. She didn't -- she
2 did not tell David Walsh about the hospital room. I
3 know that for sure --" And then there's a "What,
4 what --" and then Mr. **Andreu** says, "Cuz I never told
5 anybody about the hospital room, you know." Someone
6 says, "Right."

7 "I mean, cuz --" and then it's
8 inaudible. "Hospital, and, you know, I don't know
9 about -- hospital room happened, but I've never told
10 anybody, because I -- you know -- David Walsh for me,
11 what does this shit accomplish? It accomplishes
12 nothing." Do you see that?

13 A. Uh-huh. I do. It's hard to follow, but I

14 see it.

19 Q. All right. If you'll see there at the
20 top -- and I believe Ms. **Andreu** testified that F was
21 Frankie, and we've got either Mr. Stapleton or
22 Mr. Knaggs. If you'll look down, if you count down
23 one, two, three, four, five, Mr. **Andreu** was reported
24 to say, "She won't do that. I don't see -- I believe
25 she would come out with a statement saying that

Pg 24 - Ln 23

1 David -- about the hospital room. She didn't -- she
2 did not tell David Walsh about the hospital room. I
3 know that for sure --" And then there's a "What,

4 what --" and then Mr. **Andreu** says, "Cuz I never told
5 anybody about the hospital room, you know." Someone
6 says, "Right."
7 "I mean, cuz --" and then it's
8 inaudible. "Hospital, and, you know, I don't know
9 about -- hospital room happened, but I've never told
10 anybody, because I -- you know -- David Walsh for me,
11 what does this shit accomplish? It accomplishes
12 nothing." Do you see that?
13 A. Uh-huh. I do. It's hard to follow, but I
14 see it.

19 Q. All right. If you'll see there at the
20 top -- and I believe Ms. **Andreu** testified that F was
21 Frankie, and we've got either Mr. Stapleton or
22 Mr. Knaggs. If you'll look down, if you count down
23 one, two, three, four, five, Mr. **Andreu** was reported
24 to say, "She won't do that. I don't see -- I believe
25 she would come out with a statement saying that
1 David -- about the hospital room. She didn't -- she
2 did not tell David Walsh about the hospital room. I
3 know that for sure --" And then there's a "What,
4 what --" and then Mr. **Andreu** says, "Cuz I never told
5 anybody about the hospital room, you know." Someone
6 says, "Right."
7 "I mean, cuz --" and then it's
8 inaudible. "Hospital, and, you know, I don't know
9 about -- hospital room happened, but I've never told
10 anybody, because I -- you know -- David Walsh for me,
11 what does this shit accomplish? It accomplishes
12 nothing." Do you see that?
13 A. Uh-huh. I do. It's hard to follow, but I
14 see it.

Pg 25 - Ln 4

15 Q. Okay. If Mr. Stapleton was at the hospital
16 room watching the game, and knew that the hospital
17 room incident had never happened --
18 A. Uh-huh.
19 Q. -- do you have any reason why he wouldn't
20 tell Mr. **Andreu** what the heck are you talking about,
21 what do you mean you never told anyone about something
22 that never happened?
23 A. Well, I don't think he was there to take him
24 on, but I have no idea why he wouldn't say that.

Pg 25 - Ln 20

25 Q. If you'll turn to page five of this
1 transcript. Let me ask you this before I ask another
2 question about some actual comments. Did you know
3 that Mr. Stapleton and Mr. Knaggs were going to go
4 meet with Mr. **Andreu** to discuss the possibility of --
5 of obtaining an affidavit or a statement from
6 Ms. **Andreu** regarding Mr. Walsh's book?
7 A. No. Not that I remember.

Pg 26 - Ln 4

25 Q. If you'll turn to page five of this
1 transcript. Let me ask you this before I ask another
2 question about some actual comments. Did you know
3 that Mr. Stapleton and Mr. Knaggs were going to go
4 meet with Mr. **Andreu** to discuss the possibility of --
5 of obtaining an affidavit or a statement from
6 Ms. **Andreu** regarding Mr. Walsh's book?
7 A. No. Not that I remember.
8 Q. So you didn't authorize them to go do it, or

Pg 26 - Ln 6

9 tell them to go do it. They just went and did it?

10 A. Not to my recollection.

8 Q. So you didn't authorize them to go do it, or

9 tell them to go do it. They just went and did it?

Pg 26 - Ln 12

10 A. Not to my recollection.

11 Q. Did they report back to you that they had

12 met with Mr. **Andreu** at the 2004 Tour de France and had

13 talked to him about the book?

14 A. Not to my recollection.

11 Q. Did they report back to you that they had

12 met with Mr. **Andreu** at the 2004 Tour de France and had

Pg 26 - Ln 16

13 talked to him about the book?

14 A. Not to my recollection.

15 Q. Okay. So you -- until it was revealed at

16 the deposition of Ms. **Andreu**, did you have any idea

17 that Mr. Stapleton and Mr. Knaggs had actually talked

18 to Mr. **Andreu** at the 2004 Tour de France regarding

19 Mr. Walsh's book and the possibility of getting a

20 statement from **Betsy** ?

21 A. Oh, I think that would be unfair to say. I

22 mean, there's -- the Tour is wide open. There are

23 people everywhere. Frankie is somebody that was on

24 our team. I mean, people were talking about the book,

25 obviously, so -- it didn't come up like that, but --

15 Q. Okay. So you -- until it was revealed at

16 the deposition of Ms. **Andreu**, did you have any idea

Pg 26 - Ln 18

17 that Mr. Stapleton and Mr. Knaggs had actually talked

18 to Mr. **Andreu** at the 2004 Tour de France regarding

19 Mr. Walsh's book and the possibility of getting a

20 statement from **Betsy** ?

21 A. Oh, I think that would be unfair to say. I

22 mean, there's -- the Tour is wide open. There are

23 people everywhere. Frankie is somebody that was on

24 our team. I mean, people were talking about the book,

25 obviously, so -- it didn't come up like that, but --

15 Q. Okay. So you -- until it was revealed at

16 the deposition of Ms. **Andreu**, did you have any idea

Pg 26 - Ln 20

17 that Mr. Stapleton and Mr. Knaggs had actually talked

18 to Mr. **Andreu** at the 2004 Tour de France regarding

19 Mr. Walsh's book and the possibility of getting a

20 statement from **Betsy** ?

21 A. Oh, I think that would be unfair to say. I

22 mean, there's -- the Tour is wide open. There are

23 people everywhere. Frankie is somebody that was on

24 our team. I mean, people were talking about the book,

25 obviously, so -- it didn't come up like that, but --

15 Q. Okay. So you -- until it was revealed at

16 the deposition of Ms. **Andreu**, did you have any idea

Pg 27 - Ln 1

17 that Mr. Stapleton and Mr. Knaggs had actually talked

18 to Mr. **Andreu** at the 2004 Tour de France regarding

19 Mr. Walsh's book and the possibility of getting a

20 statement from **Betsy** ?

21 A. Oh, I think that would be unfair to say. I

22 mean, there's -- the Tour is wide open. There are

23 people everywhere. Frankie is somebody that was on

24 our team. I mean, people were talking about the book,

25 obviously, so -- it didn't come up like that, but --

1 Q. Was Mr. **Andreu** on the team in '04?
2 A. No.
3 Q. Okay. So I think it was their testimony
4 that this conversation took place in 2004. It would
5 have to have been because they're talking about
6 Mr. Walsh's book which wasn't published till 2004.
7 Right?
8 A. Correct.

9 Q. Okay. And I -- I don't think I fully
10 understood what you were telling me. Do you recall if
11 Mr. Stapleton or Mr. Knaggs told you that they had
12 this conversation with Mr. **Andreu** ?
13 A. Not this -- I mean, not this specific
14 conversation. But they could have said that they saw
15 Frankie in the lodge or outside the bus. I don't
16 know.

Pg 27 - Ln 12

20 Q. Do you know why Mr. Stapleton, in his
21 deposition, testified that the only conversation he'd
22 had with Frankie **Andreu** at the 2004 Tour de France was
23 to say hello to him?
24 A. I have no idea.

Pg 27 - Ln 22

25 Q. Have you and Mr. Stapleton discussed this
1 transcript since it was produced by Ms. **Andreu** ?
2 A. Well, we were -- yeah, I mean, it was -- it
3 was interesting that she -- you know, that they
4 recorded a conversation. So we said hi, you know. I
5 asked him if he knew he was being taped.

Pg 28 - Ln 1

12 Q. Did he discuss or talk to you about what he
13 had testified in his deposition about speaking to
14 Frankie **Andreu** ?

Pg 28 - Ln 14

15 A. No.
16 Q. We're looking at page five of the
17 transcript. If you'll look down, and it's the middle
18 of the page, and it's -- it's statements attributed to
19 Frankie **Andreu** that starts off with, "So -- and nobody
20 has been bothering her." If you count up from the
21 bottom, it's the eighth --
22 A. I see it.

16 Q. We're looking at page five of the
17 transcript. If you'll look down, and it's the middle
18 of the page, and it's -- it's statements attributed to
19 Frankie **Andreu** that starts off with, "So -- and nobody
20 has been bothering her." If you count up from the
21 bottom, it's the eighth --
22 A. I see it.

Pg 28 - Ln 19

16 Q. He testified in his deposition -- I know you
17 weren't there, but -- and I'll certainly offer you the
18 transcript if you want to review it during a break.
19 He testified in his deposition that you and he had a
20 discussion while riding bikes together --

Pg 29 - Ln 22

21 A. Uh-huh.
22 Q. -- where you asked him how **Betsy** was taking
23 the revelation of the statements you said in the
24 Indiana hospital room. Did he just make that up, too?
25 Is that not true?
1 A. Totally false.

22 Q. -- where you asked him how **Betsy** was taking
23 the revelation of the statements you said in the
24 Indiana hospital room. Did he just make that up, too?
25 Is that not true?

Pg 30 - Ln 2

1 A. Totally false.

2 Q. Now, prior to -- to Mr. **Andreu** 's deposition,
3 you did -- you did call him, did you not?

4 A. I -- yes.

22 Q. Did you talk about her upcoming deposition?

23 A. No.

Pg 33 - Ln 25

24 Q. Did you talk about any of the testimony from
25 Cathy LeMond, Greg LeMond, or the **Andreu** ?

1 A. No.

2 Q. Did anyone, to your knowledge, at your
3 direction contact Ms. McIlvain regarding her
4 deposition?

5 A. Not that I know of.

3 Q. -- to corroborate that?

4 A. I'm sure -- I'm sure we do, yeah. I don't
5 think anybody --

Pg 36 - Ln 19

6 MR. HERMAN: That's something that I --
7 that's something that I will take under advisement,
8 Jeff.

9 MR. TILLOTSON: And we would request
10 access to those under the protective order. And I'll
11 even add that we don't have to take copies of them.
12 We can review them.

13 MR. HERMAN: All right.

14 MR. TILLOTSON: Okay.

15 MR. HERMAN: Your request is duly
16 noted.

17 MR. TILLOTSON: Thank you. Thank you.

18 Q. (BY MR. TILLOTSON) Have you spoken to
19 Mr. **Andreu** since his deposition?

20 A. No.

21 Q. Has anyone at your request or at your
22 direction spoken to Mr. **Andreu** regarding his
23 deposition?

24 A. I don't know.

18 Q. (BY MR. TILLOTSON) Have you spoken to
19 Mr. **Andreu** since his deposition?

Pg 36 - Ln 22

20 A. No.

21 Q. Has anyone at your request or at your
22 direction spoken to Mr. **Andreu** regarding his
23 deposition?

24 A. I don't know.

8 Q. Were you aware of -- of -- did you believe
9 at that time when you started going to see him in the
10 mid '90s that he had a -- what would be considered a
11 bad or unpopular reputation?

Pg 43 - Ln 16

12 A. Oh, I think -- I think in those days,
13 anybody who rode fast or performed well had a
14 questionable reputation, which hasn't changed to this
15 date.

16 Q. Mr. **Andreu** testified in his deposition that
17 he -- he -- that you recommended he use

18. Doctor Ferrari. Is that true?
19 A. I recommended that Frankie train smarter. I
20 never specifically said you should go see Ferrari.

5 Q. Did you ever discuss what you were doing
6 with Ferrari with your other teammates, Tyler
7 Hamilton, Frankie **Andreu** -- Pg 44 - Ln 7

8 A. Well --
9 Q. -- Kevin Livingston?
10 A. -- if you're on the road, if you're on a
11 training ride together, it's pretty obvious the types
12 of intervals you're doing, the types of work you might
13 be doing. But that -- that would be like saying, you
14 know, Chris recommends this, or Johan thinks this is a
15 good idea based on his experience, because he didn't
16 race that long ago.

14 Q. So he never told you he was concerned about
15 your training relationship with Doctor Ferrari that
16 you recall? Pg 49 - Ln 19

17 A. Now, listen, not to my recollection. He
18 could have said it, but it was a long time ago.
19 Q. Did Mr. **Andreu** ever tell you to be careful
20 about Doctor Ferrari?
21 A. Not to my recollection.

25 Q. Regarding a discussion had in the '94 time
1 period involving you, Frankie **Andreu** about the need to
2 start a doping program. Pg 80 - Ln 1
3 A. Uh-huh.

17 Q. So in the '94 time period, there was no
18 discussion that you're aware of any shape or form with
19 Mr. Swart or Mr. **Andreu** about even the need for the
20 possibility of considering a doping program? Pg 80 - Ln 19
21 A. I don't ever recall that happening.

17 Q. So in the '94 time period, there was no
18 discussion that you're aware of any shape or form with
19 Mr. Swart or Mr. **Andreu** about even the need for the
20 possibility of considering a doping program? Pg 80 - Ln 22

21 A. I don't ever recall that happening.
22 Q. Are you aware of Mr. **Andreu**'s testimony
23 regarding the subject matter?
24 A. No.

24 Q. Okay. That never happened?
25 A. Never. Pg 110 - Ln 1

1 Q. Okay. Mr. -- Mr. **Andreu** testified in his
2 deposition that he saw you taking some pills at one
3 point in time.
4 A. Uh-huh.

15 QUESTIONS BY MR. HERMAN:
16 Q. Lance, you recall Mr. Tillotson asking you
17 about some alleged testimony from Frankie **Andreu**
18 having to do with pills, small pills that you were
19 taking at -- or allegedly told Frankie you were taking
20 at different stages of a race. Pg 134 - Ln 17
21 A. Uh-huh.

Hamman, Bob (08/30/05)

1 Q. Well, do your -- give it your best shot.
2 A. We have talked to Emma O'Reilly. Pg 171 - Ln 5
3 COURT REPORTER: I'm sorry?
4 A. (CONTINUING) Emma O'Reilly, Steven Swart.
5 We spoke with **Betsy Andreu**, Greg LeMond,
6 Kathy LeMond. I spoke with Frankie **Andreu**. We have
7 spoken with -- let's see. Who else have we talked
8 to? We've talked to Prentice Steffen. We spoke
9 with --

1 Q. Well, do your -- give it your best shot.
2 A. We have talked to Emma O'Reilly. Pg 171 - Ln 6
3 COURT REPORTER: I'm sorry?
4 A. (CONTINUING) Emma O'Reilly, Steven Swart.
5 We spoke with **Betsy Andreu**, Greg LeMond,
6 Kathy LeMond. I spoke with Frankie **Andreu**. We have
7 spoken with -- let's see. Who else have we talked
8 to? We've talked to Prentice Steffen. We spoke
9 with --

12 Q. So that would have been sometime in the
13 spring of 2005? Pg 174 - Ln 18
14 A. Or somewhat earlier since it was determined
15 we were going to arbitration. It may have been when
16 the judge ordered it or said that that was what was
17 going to happen.
18 Q. What did **Betsy Andreu** tell you?
19 A. She told us that she could essentially
20 confirm what she said to David Walsh.

21 Q. She's quoted in the Walsh book?
22 A. She's quoted in the Walsh book as failing to Pg 174 - Ln 25
23 deny that Mr. Armstrong admitted to
24 performance-enhancing drugs in the Indiana hospital.
25 Q. When was it that you talked to Ms. **Andreu**?
1 A. Late last year.
2 Q. Late 2004?
3 A. Yeah, I believe so, maybe early this year.

4 Q. And that was in 2000, you say?
5 A. I don't recall the dates. Pg 176 - Ln 6
6 Q. Okay. What did Frankie **Andreu** say?
7 A. Very little.
8 Q. Nothing --
9 A. We talked for perhaps ten minutes.

12 Q. How about Prentice Steffen?
13 A. Prentice Steffen reiterated his, that he had Pg 176 - Ln 17
14 been approached by Tyler Hamilton and Marty Jemison
15 about a doping program and was subsequently fired
16 supposedly, but this is pretty much all in the book.
17 Q. Okay. And the conversation with **Andreu** was
18 late 2004 as well or not?
19 A. Yeah, I believe so.

LeMond, Gregory (10/27/05)

1 Q. Okay. Would you tell me about that,
2 please? Pg 56 - Ln 4
3 A. Emma had contacted me by e-mail after this
4 book was produced. **Betsy Andreu** contacted me also

5 and --

6 Q That's Mr. Walsh's book?

7 A Yeah. And I think it was my stance and
8 being quite frank on an interview with Le Monde,
9 which was pretty much taken out of context, the
10 interview, because it was done in French and
11 translated into English, and some of the stuff is
12 not accurate to what I said, but they called me or
13 contacted me via e-mail just to say, hey, we're in
14 the same boat.

10 Q How about Chris Carmichael?

11 A No.

Pg 61 - Ln 12

12 Q Ms. **Andreu** ?

13 A Yes.

14 Q Bobby **Andreu** ?

15 A Bobby? **Betsy . Betsy .**

12 Q Ms. **Andreu** ?

13 A Yes.

Pg 61 - Ln 14

14 Q Bobby **Andreu** ?

15 A Bobby? **Betsy . Betsy .**

16 Q **Betsy** . I apologize.

17 A **Betsy Andreu** , yes.

12 Q Ms. **Andreu** ?

13 A Yes.

Pg 61 - Ln 15

14 Q Bobby **Andreu** ?

15 A Bobby? **Betsy . Betsy .**

16 Q **Betsy** . I apologize.

17 A **Betsy Andreu** , yes.

12 Q Ms. **Andreu** ?

13 A Yes.

Pg 61 - Ln 15

14 Q Bobby **Andreu** ?

15 A Bobby? **Betsy . Betsy .**

16 Q **Betsy** . I apologize.

17 A **Betsy Andreu** , yes.

14 Q Bobby **Andreu** ?

15 A Bobby? **Betsy . Betsy .**

Pg 61 - Ln 16

16 Q **Betsy** . I apologize.

17 A **Betsy Andreu** , yes.

18 Q Have you -- what discussions have you had
19 with her about Lance Armstrong?

20 A Oh, many.

14 Q Bobby **Andreu** ?

15 A Bobby? **Betsy . Betsy .**

Pg 61 - Ln 17

16 Q **Betsy** . I apologize.

17 A **Betsy Andreu** , yes.

18 Q Have you -- what discussions have you had
19 with her about Lance Armstrong?

20 A Oh, many.

12 Q And what -- what was the date of this
13 hospital visit, if you recollect?

Pg 63 - Ln 15

14 A This was October/November '96.

15 Q What is your opinion of **Betsy Andreu** ? I
16 never can pronounce her name.

17 A "**Andreu** ."

15 Q What is your opinion of **Betsy Andreu** ? I
16 never can pronounce her name.

Pg 63 - Ln 17

17 A "**Andreu** ."

18 Q **Betsy Andreu** . What is your opinion of
19 **Betsy Andreu** 's reputation for honesty?

20 A Oh, I think she's -- I believe she was
21 being honest with us. I mean, I have known her
22 for -- I met her in '95 or '96 but never really got
23 to know her until she contacted us last year.
24 I believe she's incredibly scared. I
25 think she's afraid of, you know, implicating her
1 husband. I think that she has expressed, you know,
2 that she is upset that really Frankie was let go
3 because he just wasn't willing to see Dr. Ferrari.
4 She told us about an incident on the highway from
5 Milan to San Remo, them stopping at a -- where
6 Dr. Ferrari had his minivan parked or motorhome, and
7 he came back. He was there for about an hour and a
8 half. He came back and said, "You know, you're so
9 cheap. You know, if you want to get results and you
10 want to be a winner, you've got to see Ferrari."

15 Q What is your opinion of **Betsy Andreu** ? I
16 never can pronounce her name.

Pg 63 - Ln 18

17 A "**Andreu** ."

18 Q **Betsy Andreu** . What is your opinion of
19 **Betsy Andreu** 's reputation for honesty?

20 A Oh, I think she's -- I believe she was
21 being honest with us. I mean, I have known her
22 for -- I met her in '95 or '96 but never really got
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5 Milan to San Remo, them stopping at a -- where
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8 half. He came back and said, "You know, you're so
9 cheap. You know, if you want to get results and you
10 want to be a winner, you've got to see Ferrari."

15 Q What is your opinion of **Betsy Andreu** ? I
16 never can pronounce her name.

Pg 63 - Ln 19

17 A "**Andreu** ."

18 Q **Betsy Andreu** . What is your opinion of
19 **Betsy Andreu** 's reputation for honesty?

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21 being honest with us. I mean, I have known her
22 for -- I met her in '95 or '96 but never really got
23 to know her until she contacted us last year.
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25 think she's afraid of, you know, implicating her
1 husband. I think that she has expressed, you know,
2 that she is upset that really Frankie was let go
3 because he just wasn't willing to see Dr. Ferrari.
4 She told us about an incident on the highway from
5 Milan to San Remo, them stopping at a -- where
6 Dr. Ferrari had his minivan parked or motorhome, and
7 he came back. He was there for about an hour and a
8 half. He came back and said, "You know, you're so

9 cheap. You know, if you want to get results and you
10 want to be a winner, you've got to see Ferrari."

10 Q And were there any other discussions that
11 related to Lance Armstrong taking drugs that you
12 can -- that **Betsy Andreu** recounted to you?
13 A You know, it's -- it's all a blur, but
14 just reiterating that, you know, her husband, you
15 know, basically said EPO is just half the story, and
16 she mentioned a rider named Marty Jamieson who --
17 and I had heard this from James Startt, that Marty
18 Jamieson is one of the few people who knows what
19 kind of drug he was using in 1998 that was
20 undetectable.

Pg 65 - Ln 12

23 Q Have you ever talked to Marty Jamieson?

24 A No.

Pg 65 - Ln 25

25 Q Have you ever talked to Frankie **Andreu** ?

1 A I've talked to him a couple times.

2 Q Have you talked to him about

3 Lance Armstrong and his drug use?

4 A No. We had dinner one night and he

5 just -- you know, I think Frankie is, you know,

6 embarrassed, you know, embarrassed that he was part
7 of it.

13 Q What did --

14 A She was present when -- she confirmed what
15 **Betsy Andreu** told us, that he admitted to EPO use,
16 growth hormone, testosterone, other drugs.

Pg 73 - Ln 15

17 Q When was this occasion where she said that

18 Kristin -- I mean that -- you used the word

19 "College."

20 A That's a -- that's a guy's nickname.

25 Q And who made those notes?

1 A My wife.

Pg 95 - Ln 3

2 Q All right. Have you reviewed transcripts
3 of conversations with **Betsy Andreu** ?

4 A I have not.

5 Q Have you reviewed the tapes of --

6 A My wife has.

2 Q You had talked with David Walsh?

3 A Yep.

Pg 128 - Ln 4

4 Q You had talked with **Betsy Andreu** ?

5 A Yeah.

6 Q With Frankie **Andreu** ?

7 A A little bit, yeah.

4 Q You had talked with **Betsy Andreu** ?

5 A Yeah.

Pg 128 - Ln 6

6 Q With Frankie **Andreu** ?

7 A A little bit, yeah.

8 Q Eddie Coyle?

9 A Yeah.

16 Q All right. Have you spoken with her more
17 than once about Mr. Armstrong?

Pg 128 - Ln 19

18 A I'm not certain. Maybe -- maybe twice.

19 Q Okay. **Betsy Andreu**, how many -- how many
20 discussions have you had about Mr. Armstrong with

21 **Betsy Andreu** ?
22 A Well, quite a few.

19 Q Okay. **Betsy Andreu** , how many -- how many
20 discussions have you had about Mr. Armstrong with

Pg 128 - Ln 21

21 **Betsy Andreu** ?
22 A Well, quite a few.

23 Q And those did not commence until the
24 summer of 2004 as well, right?

25 A She contacted me, and the same with
1 Emma O'Reilly and I'm -- you know, for whatever
2 reason, people felt like they needed to come to me.

3 Q And did -- did Stephanie McIlvain contact
4 you also?

Pg 129 - Ln 6

5 A She -- I'm not -- I think she wanted to
6 talk to me, and **Betsy** asked me to call her.

7 Q Okay. And how many times have you talked
8 to Stephanie McIlvain?

9 A I think twice.

18 Q Did you call her both times?

19 A I can't really say if I called her the
20 first time or if she called me. I know that it
21 was -- she had been talking with **Betsy** at length,
22 and I honestly can't recall if I called her or she
23 called me.

Pg 129 - Ln 21

3 Q All right.

4 MR. LYNN: Can we -- can I ask a question
5 here, if you don't mind?

Pg 139 - Ln 25

6 MR. HERMAN: Sure. Yeah.

7 MR. LYNN: Is it okay for us to send this
8 transcript to England for the litigation going
9 on over in England with Mr. Walsh?

10 MR. HERMAN: No, it's not okay with me.

11 MR. LYNN: Okay. Then we have agreement
12 that you won't send it or use it?

13 MR. HERMAN: Right, not without the
14 permission of the tribunal.

15 MR. LYNN: The arbitration tribunal?

16 MR. HERMAN: Right.

17 MR. LYNN: And without notice to us?

18 MR. HERMAN: Yeah. Right.

19 MR. LYNN: Fine.

20 MR. MADEL: Is -- is the agreement here
21 that what transpires here in the deposition is
22 only used among the parties?

23 MR. LYNN: Yes, that's my understanding.

24 MR. MADEL: Is it true then whether or not
25 Mr. Armstrong contacted Ms. **Andreu** regarding
1 Kathy LeMond's deposition?

2 MR. HERMAN: We've been through that
3 already.

4 MR. MADEL: Well, but I think as her
5 lawyer I have standing to ask. If there is a
6 problem with that, I want to go to the tribunal
7 and complain.

8 MR. HERMAN: Okay. Go ahead.

9 MR. MADEL: Did it occur?

10 MR. HERMAN: But I don't think there is a
11 problem with it.

12 MR. LYNN: Pardon me. What was the

13 question again? I apologize.
 14 MR. MADEL: Did **Andreu** , either one of
 15 them, testify that Armstrong contacted them
 16 regarding any substance of Kathy LeMond's
 17 deposition?
 18 MR. HERMAN: Yes, they did.
 19 MR. MADEL: And is that, at least under
 20 your understanding of the order, a violation of
 21 that order?
 22 MR. HERMAN: No.
 23 MR. LYNN: Can I understand this again?
 24 Armstrong contacted **Betsy Andreu** ?
 25 MR. MADEL: Several times.
 1 MR. HERMAN: Contacted Frankie **Andreu** .
 2 MR. LYNN: Frankie **Andreu** ?
 3 MR. HERMAN: No, he did not contact him
 4 several times.
 5 MR. LYNN: And he told him about what
 6 Kathy said?
 7 MR. MADEL: Yes.
 8 MR. HERMAN: He told him about the
 9 statements that Kathy had attributed to **Betsy**
 10 **Andreu** , yes, he did.
 11 MR. LYNN: Okay. Well, that's not
 12 something I knew, and we may take that up with
 13 the Arbitration panel.
 14 MR. HERMAN: Well, that's fine. Tillotson
 15 knows all about it. We talked about it the day
 16 before yesterday.
 17 MR. LYNN: Yeah, but I don't think
 18 Tillotson has committed on our part as to what
 19 we'll do, but it sounds to me like that's a
 20 serious issue that we need to address.
 21 THE WITNESS: I hope it is.
 22 MR. HERMAN: That's a --
 23 MR. MADEL: My client has been told by
 24 **Betsy Andreu** that Mr. Armstrong attempted to
 25 contact her multiple times over the weekend,
 1 also contacted Frankie **Andreu** as well, and
 2 discussed the substance of her deposition with
 3 her. I don't know. I don't know. I was not
 4 there.
 5 I was not in the conversation with
 6 **Betsy Andreu** , but, you know, I came here with
 7 Kathy LeMond's deposition in good faith
 8 thinking that this wasn't going to be told to
 9 anybody, and I've instructed my clients
 10 accordingly, that this is a confidential
 11 deposition and we're not going to -- we're
 12 going to uphold that, unless of course somebody
 13 wants to fight a subpoena with us in court, and
 14 then we're going to have to make a decision
 15 about what we submit to court, but I want to
 16 know, you know, whether or not that order has
 17 been violated and to the extent what -- and
 18 what is being said as to what Kathy LeMond
 19 stated.
 20 MR. HERMAN: Okay.
 21 MR. LYNN: Here's my thoughts on this and
 22 my two cents. If the rule is, as you interpret
 23 it, that we are permitted to go to witnesses
 24 and share what other witnesses have said, then
 25 state that for the record so that I know what
 1 the rules are. If on the other hand you're

*Lance
Perjury Proof!*

2 telling me that that's not permitted, then tell
3 me that, but let's all play by the same set of
4 rules.

5 MR. HERMAN: Well, I mean Mr. LeMond has
6 been furnished a copy of his wife's deposition.

7 MR. LYNN: That seems -- that's a lot
8 different.

9 MR. HERMAN: Why?

10 MR. LYNN: Well, because Mr. LeMond is
11 married to Kathy LeMond.

12 MR. HERMAN: So what?

13 MR. MADEL: They're husband and wife and
14 they have the same counsel.

15 MR. HERMAN: So what?

16 MR. MADEL: I have an ethical obligation
17 to prepare my clients for a deposition.

18 MR. HERMAN: Exactly.

19 MR. MADEL: Are so are you saying that
20 Mr. Armstrong, a party to this lawsuit, has an
21 ethical obligation to a witness of this lawsuit
22 to tell them about the conversation and the
23 deposition testimony of another party? You're
24 going to compare that to the attorney-client
25 privilege between husband and wife?

1 MR. HERMAN: Well, you know as well as I
2 do, statements attributed to **Betsy Andreu** by
3 Kathy LeMond, yes, I believe that we can
4 determine whether or not statements attributed
5 to a particular witness are true.

6 THE WITNESS: So what I say here will --

7 MR. HERMAN: I don't have a question
8 pending.

9 MR. LYNN: Well, here is the difficulty I
10 have. I don't think -- I think we're going to
11 have to consider this and go to -- back to the
12 arbitration panel and get this laid out.

13 MR. HERMAN: Well, good. I mean at the
14 same time you might tell your French lawyer to
15 stop popping off to the press while you're at
16 it.

17 MR. LYNN: Well, let's go on. Let's go
18 forward here. I understand the concern
19 Mr. LeMond and his lawyer have, but I need to
20 understand the ground rules, and so we need to
21 go back to the arbitration panel and get the
22 ground rules set, because if it is the case
23 that that was prohibited and they have talked
24 to these folks, then as far as I'm concerned,
25 Mr. Armstrong has waived that confidentiality
1 and we can go to the press with it.

2 MR. HERMAN: Yeah. Okay. Well --

3 THE WITNESS: That would be good.

4 MR. LYNN: You know, we can get all this
5 out in the open.

6 MR. HERMAN: Well, why don't you go to the
7 panel and find out?

8 MR. LYNN: I will.

9 MR. HERMAN: Okay. Good. That's fine.
10 It's your nickel. You do whatever you want to.

11 MR. LYNN: Thank you. Appreciate your --
12 let's go forward and try to finish the
13 deposition. I don't know whether this will
14 help speed you along or cause you to slow
15 things down, but I actually have an airplane

16 out of here at around 5:00 to Bangor, Maine.

17 MR. HERMAN: It's not going to have any
18 effect on what I do one way or the other.

19 MR. LYNN: I would certainly hope that you
20 could get finished sooner so that I can make --
21 I'm trying to get to my daughter's soccer game.

22 MR. HERMAN: Well, if I can, I will, but
23 all this, you know, discussion between us about
24 issues that we don't have any control over --

25 MR. LYNN: Okay. I apologize for that,
1 but here's the problem.

2 MR. MADEL: You do have control over your
3 client though.

4 MR. HERMAN: Let's just go on. Don't be
5 so ridiculous about this. If you've got a beef
6 about it, take it to the panel.

7 MR. MADEL: Tim, I'm not involved in the
8 panel. I don't want my client to have to pay
9 for that. It's not fair for my client to have
10 to pay for that.

11 MR. HERMAN: All right.

12 MR. MADEL: What I'm asking politely is
13 whether or not you can control your client and
14 not have him repeating what deposition
15 testimony has been said. If you want to seek
16 this stuff, that's fine. You know, I'm not
17 going to go to any arbitration panel. I'll go
18 to a court right here and make it a matter of a
19 public record if you want.

20 MR. HERMAN: Okay.

21 MR. MADEL: If that's what you want,
22 that's what you'll get, but what I would like
23 to see is that -- if you'd ask Mr. LeMond this,
24 he'll answer this under oath. He wants this
25 behind him. He wants this to be in the past,
1 and it seems to me it's in Mr. Armstrong's best
2 interest not to be repeating all this stuff
3 either.

4 MR. HERMAN: Look, if I'm -- if I'm
5 deposing Ms. **Andreu**, okay --

6 MR. MADEL: You can. Absolutely you can.

7 MR. HERMAN: Right. Exactly. And I'm
8 entitled to ask the horse's mouth. That's why
9 in most of these instances all of this
10 ridiculous second, third, fourth-hand hearsay,
11 I mean it wouldn't see the light of day anyway.

12 MR. MADEL: I'm not disagreeing with you
13 at all, Tim. You can take that transcript and
14 use it in any way you want in a deposition.
15 You got a litigation privilege on that, but it
16 was my understanding coming into that first
17 one, and I was admonished by both of you, that
18 there's a confidentiality order in the case,
19 and I then I hear that a party to it is going
20 around and, frankly, repeating untrue
21 statements third-hand that we're getting back
22 from **Betsy Andreu** --it's going from **Betsy** to
23 Kathy to me--about what Mr. Armstrong is saying
24 occurred during that deposition. That offends
25 me.

1 MR. HERMAN: Okay.

2 MR. MADEL: And what I'm asking is just
3 ask him just to stop. If he stops it, let's
4 stop this stuff.

8 A That's what Eric Boyer told me. I mean
9 it's been something that's just been -- you know, it
10 was -- you know, I don't know how much merit it is.
11 You'd have to talk to Eric Boyer about it.
12 Q Thank you. Did **Betsy** or Frankie **Andreu**
13 ever tell you that Lance sent an e-mail to one of
14 them, I don't know which, that he knew **Betsy** was not
15 a fan and that it is fine, but in helping bring him
16 down, that is, Lance Armstrong down, he was going to
17 help -- not help the situation of the Andreus?
18 A Well, **Betsy** had told us and told me that
19 they received an e-mail that "If I'm going down,
20 you're going down," and, you know, "You're part of
21 this, so why would you hurt yourself?"
22 MR. LYNN: Thank you very much.
23 MR. HERMAN: Okay.
24 MR. LYNN: With that, I'm going to try to
25 make it to the airport so I can actually see my
1 kid play soccer this weekend up at Colby
2 College, and I appreciate the accommodation.
3 If there is a need to object, I'm sure between
4 the two able counsel that are on the other side
5 that I'm sure there will be objection.
6 MR. MADEL: Mike, if you need a cab, you
7 can just ask the front desk.
8 MR. LYNN: Thank you. I appreciate that.
9 MR. HERMAN: Have a good time.
10 MR. LYNN: I'm sure we'll meet again. It
11 was an honor to actually be in your presence.
12 I'm old enough to remember you winning all
13 these things.
14 THE WITNESS: All right. Thank you.
15 MR. LYNN: Thanks.
16 MR. MADEL: See ya, Mike.
17 MR. LYNN: Thank you, Tim.
18 MR. HERMAN: No problem.
19 MR. LYNN: Chris, don't object very much.
20 (Attorney Lynn exits conference room.)
21 EXAMINATION (continued)
22 BY MR. HERMAN:

12 Q Thank you. Did **Betsy** or Frankie **Andreu**
13 ever tell you that Lance sent an e-mail to one of
14 them, I don't know which, that he knew **Betsy** was not
15 a fan and that it is fine, but in helping bring him
16 down, that is, Lance Armstrong down, he was going to
17 help -- not help the situation of the Andreus?
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25 make it to the airport so I can actually see my
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10 MR. LYNN: I'm sure we'll meet again. It
 11 was an honor to actually be in your presence.
 12 I'm old enough to remember you winning all
 13 these things.
 14 THE WITNESS: All right. Thank you.
 15 MR. LYNN: Thanks.
 16 MR. MADEL: See ya, Mike.
 17 MR. LYNN: Thank you, Tim.
 18 MR. HERMAN: No problem.
 19 MR. LYNN: Chris, don't object very much.
 20 (Attorney Lynn exits conference room.)
 21 EXAMINATION (continued)
 22 BY MR. HERMAN:

12 Q Thank you. Did **Betsy** or Frankie **Andreu**
 13 ever tell you that Lance sent an e-mail to one of
 14 them, I don't know which, that he knew **Betsy** was not
 15 a fan and that it is fine, but in helping bring him
 16 down, that is, Lance Armstrong down, he was going to
 17 help -- not help the situation of the Andreus?
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 19 they received an e-mail that "If I'm going down,
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 21 this, so why would you hurt yourself?"
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 10 MR. LYNN: I'm sure we'll meet again. It
 11 was an honor to actually be in your presence.
 12 I'm old enough to remember you winning all
 13 these things.
 14 THE WITNESS: All right. Thank you.
 15 MR. LYNN: Thanks.
 16 MR. MADEL: See ya, Mike.
 17 MR. LYNN: Thank you, Tim.
 18 MR. HERMAN: No problem.
 19 MR. LYNN: Chris, don't object very much.
 20 (Attorney Lynn exits conference room.)
 21 EXAMINATION (continued)
 22 BY MR. HERMAN:

Pg 188 - Ln 18

12 Q Thank you. Did **Betsy** or Frankie **Andreu**
 13 ever tell you that Lance sent an e-mail to one of
 14 them, I don't know which, that he knew **Betsy** was not
 15 a fan and that it is fine, but in helping bring him
 16 down, that is, Lance Armstrong down, he was going to
 17 help -- not help the situation of the Andreus?
 18 A Well, **Betsy** had told us and told me that
 19 they received an e-mail that "If I'm going down,
 20 you're going down," and, you know, "You're part of
 21 this, so why would you hurt yourself?"
 22 MR. LYNN: Thank you very much.
 23 MR. HERMAN: Okay.

Pg 189 - Ln 23

24 MR. LYNN: With that, I'm going to try to
 25 make it to the airport so I can actually see my
 1 kid play soccer this weekend up at Colby
 2 College, and I appreciate the accommodation.
 3 If there is a need to object, I'm sure between
 4 the two able counsel that are on the other side
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 7 can just ask the front desk.

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9 MR. HERMAN: Have a good time.

10 MR. LYNN: I'm sure we'll meet again. It
 11 was an honor to actually be in your presence.
 12 I'm old enough to remember you winning all
 13 these things.

14 THE WITNESS: All right. Thank you.

15 MR. LYNN: Thanks.

16 MR. MADEL: See ya, Mike.

17 MR. LYNN: Thank you, Tim.

18 MR. HERMAN: No problem.

19 MR. LYNN: Chris, don't object very much.

20 (Attorney Lynn exits conference room.)

21 EXAMINATION (continued)

22 BY MR. HERMAN:

23 Q Speaking of **Betsy Andreu**, this
 24 conversation that you related about Armstrong
 25 calling their house on the EPO, are you aware that
 1 on page 99 of her deposition she categorically
 2 denied that that ever happened?

3 A Well, I can't -- you know, either she lied
 4 to us or she's lying to you. I don't know.

8 Q All right. And are you aware of your wife
 9 saying that she was not positive but she was pretty
 10 sure that **Betsy Andreu** had told her that she had
 11 witnessed Mr. Armstrong injecting himself?

Pg 190 - Ln 10

12 A She told me that.

8 Q All right. And are you aware of your wife
 9 saying that she was not positive but she was pretty
 10 sure that **Betsy Andreu** had told her that she had
 11 witnessed Mr. Armstrong injecting himself?

Pg 190 - Ln 14

12 A She told me that.

13 Q Who did that?

14 A **Betsy** did.

15 Q Oh, she did? Are you aware that she
 16 categorically denied that ever happening?

17 A Yeah. I mean I can't control what she
 18 says to you, but this is what she told me and she
 19 told separately to my wife and --

25 Q Okay. And are you aware that your wife
 1 testified that after this alleged incident in the
 2 hospital in 1996 -- or your wife testified that
 3 **Betsy** had told her after this alleged incident in
 4 the Indianapolis hospital that **Betsy** had called off
 5 her engagement with Frankie?

Pg 191 - Ln 3

6 A Well, I -- I can't comment on that. That
 7 was probably between my wife and **Betsy**. I don't --

25 Q Okay. And are you aware that your wife
 1 testified that after this alleged incident in the
 2 hospital in 1996 -- or your wife testified that

Pg 191 - Ln 4

3 **Betsy** had told her after this alleged incident in
 4 the Indianapolis hospital that **Betsy** had called off
 5 her engagement with Frankie?
 6 A Well, I -- I can't comment on that. That
 7 was probably between my wife and **Betsy** . I don't --

25 Q Okay. And are you aware that your wife
 1 testified that after this alleged incident in the
 2 hospital in 1996 -- or your wife testified that
 3 **Betsy** had told her after this alleged incident in
 4 the Indianapolis hospital that **Betsy** had called off
 5 her engagement with Frankie?

Pg 191 - Ln 7

6 A Well, I -- I can't comment on that. That
 7 was probably between my wife and **Betsy** . I don't --

8 Q Okay. So you don't know anything about
 9 that?

10 A No. I do know that she wanted us to be
 11 assured that -- she told me that she wanted to be
 12 assured that, you know, that Frankie wouldn't be
 13 part of it, and that she would have the possibility
 14 of having healthy children.

8 Q Okay. So you don't know anything about
 9 that?

Pg 191 - Ln 15

10 A No. I do know that she wanted us to be
 11 assured that -- she told me that she wanted to be
 12 assured that, you know, that Frankie wouldn't be
 13 part of it, and that she would have the possibility
 14 of having healthy children.

15 Q And do you know that Ms. **Andreu** denied
 16 that she ever called off her engagement and that she
 17 did not go see an endocrinologist before she got
 18 married?

19 A Well, she told us that. She hasn't said
 20 she had an affidavit from the endocrinologist.

24 Q Okay. James Startt, I wanted to make sure
 25 that I had this correct. You say that one of
 1 Frankie **Andreu** 's best friends is James Startt who is
 2 a journalist?

Pg 214 - Ln 1

3 A Yes. Yes.

11 Q Okay.

12 A Not Frankie.

Pg 214 - Ln 13

13 Q Mr. Lynn asked you about **Betsy** 's
 14 reputation for honesty. Did you say that you
 15 believe that she is an honest person?

16 A I think she is an honest person. I think
 17 she is scared to death, and I think there is a huge
 18 divide in her marriage with her husband and her.

19 Q What do you mean by that, a huge divide?

20 A A huge divide. Frankie has a lot of shame
 21 and guilt off of what he's done also, and **Betsy**
 22 would like him to come clean and, you know, I think
 23 she feels he was a victim of pressure from
 24 Lance Armstrong and the team to perform and take
 25 performance-enhancing drugs, and, you know, when he
 1 refused to see Ferrari and just wasn't willing to go
 2 there he was fired or let go.

Pg 214 - Ln 21

11 Q You said earlier that Frankie was let go

12 because he wouldn't go see Ferrari. Is that --
13 A That's what **Betsy** indicated to us. I
14 don't have firsthand knowledge.
15 Q You don't know anything about how or why
16 Frankie **Andreu** was --
17 A No.

Pg 215 - Ln 13

11 Q You said earlier that Frankie was let go
12 because he wouldn't go see Ferrari. Is that --
13 A That's what **Betsy** indicated to us. I
14 don't have firsthand knowledge.
15 Q You don't know anything about how or why
16 Frankie **Andreu** was --
17 A No.
18 Q -- quit --
19 A No.

Pg 215 - Ln 16

11 Q Okay. I want to return really quickly to
12 the issue of witnessing the statements that we have
13 heard about **Betsy Andreu** stating that she had
14 witnessed an injection by Lance Armstrong himself.
15 Is it possible that what happened is
16 that **Betsy Andreu** told Kathy LeMond that
17 Frankie **Andreu** told **Betsy Andreu** that Frankie **Andreu**
18 had witnessed it?
19 A Yes, that's possible. That's possible,
20 yes.
21 MR. HERMAN: Objection.
22 A That is possible.
23 MR. HERMAN: I don't think I could get
24 through the number of levels of hearsay there,
25 but anyway, go ahead.
1 MR. COMPTON: I'll ask it again if you
2 need me to.
3 MR. HERMAN: No, no. I don't want to hear
4 that again.
5 BY MR. COMPTON:

Pg 224 - Ln 13

11 Q Okay. I want to return really quickly to
12 the issue of witnessing the statements that we have
13 heard about **Betsy Andreu** stating that she had
14 witnessed an injection by Lance Armstrong himself.
15 Is it possible that what happened is
16 that **Betsy Andreu** told Kathy LeMond that
17 Frankie **Andreu** told **Betsy Andreu** that Frankie **Andreu**
18 had witnessed it?
19 A Yes, that's possible. That's possible,
20 yes.
21 MR. HERMAN: Objection.
22 A That is possible.
23 MR. HERMAN: I don't think I could get
24 through the number of levels of hearsay there,
25 but anyway, go ahead.
1 MR. COMPTON: I'll ask it again if you
2 need me to.
3 MR. HERMAN: No, no. I don't want to hear
4 that again.
5 BY MR. COMPTON:

Pg 224 - Ln 16

11 Q Okay. I want to return really quickly to
12 the issue of witnessing the statements that we have
13 heard about **Betsy Andreu** stating that she had
14 witnessed an injection by Lance Armstrong himself.

Pg 224 - Ln 17

15 Is it possible that what happened is
 16 that **Betsy Andreu** told Kathy LeMond that
 17 **Frankie Andreu** told **Betsy Andreu** that **Frankie Andreu**
 18 had witnessed it?
 19 A Yes, that's possible. That's possible,
 20 yes.
 21 MR. HERMAN: Objection.
 22 A That is possible.
 23 MR. HERMAN: I don't think I could get
 24 through the number of levels of hearsay there,
 25 but anyway, go ahead.
 1 MR. COMPTON: I'll ask it again if you
 2 need me to.
 3 MR. HERMAN: No, no. I don't want to hear
 4 that again.
 5 BY MR. COMPTON:

11 Q Okay. I want to return really quickly to
 12 the issue of witnessing the statements that we have
 13 heard about **Betsy Andreu** stating that she had
 14 witnessed an injection by Lance Armstrong himself.

Pg 224 - Ln 17

15 Is it possible that what happened is
 16 that **Betsy Andreu** told Kathy LeMond that
 17 **Frankie Andreu** told **Betsy Andreu** that **Frankie Andreu**
 18 had witnessed it?
 19 A Yes, that's possible. That's possible,
 20 yes.
 21 MR. HERMAN: Objection.
 22 A That is possible.
 23 MR. HERMAN: I don't think I could get
 24 through the number of levels of hearsay there,
 25 but anyway, go ahead.
 1 MR. COMPTON: I'll ask it again if you
 2 need me to.
 3 MR. HERMAN: No, no. I don't want to hear
 4 that again.
 5 BY MR. COMPTON:

11 Q Okay. I want to return really quickly to
 12 the issue of witnessing the statements that we have
 13 heard about **Betsy Andreu** stating that she had
 14 witnessed an injection by Lance Armstrong himself.

Pg 224 - Ln 17

15 Is it possible that what happened is
 16 that **Betsy Andreu** told Kathy LeMond that
 17 **Frankie Andreu** told **Betsy Andreu** that **Frankie Andreu**
 18 had witnessed it?
 19 A Yes, that's possible. That's possible,
 20 yes.
 21 MR. HERMAN: Objection.
 22 A That is possible.
 23 MR. HERMAN: I don't think I could get
 24 through the number of levels of hearsay there,
 25 but anyway, go ahead.
 1 MR. COMPTON: I'll ask it again if you
 2 need me to.
 3 MR. HERMAN: No, no. I don't want to hear
 4 that again.
 5 BY MR. COMPTON:

LeMond, Kathy (10/20/05)

5 Q Anyone else?
 6 A Yes. Emma O'Reilly.

Pg 9 - Ln 8

7 Q Anyone else?
8 A I have a conversation with **Betsy Andreu** .
9 Q Could you spell that last name for me,
10 please?
11 A A-N-D-R-E-U.

4 Q Have you received any communications since
5 July of 2004 with Ms. O'Reilly? Pg 56 - Ln 7
6 A I don't think so.
7 Q Okay. You mentioned a Betty **Andreu** .
8 MR. MADEL: Do you want to take a break
9 yet? Are you all right?
10 MR. HERMAN: If you don't mind, this is a
11 convenient time to take a break.
12 THE WITNESS: That's fine. That's fine.
13 THE VIDEOGRAPHER: We're off the video
14 record. The time is approximately 10:53 a.m.
15 (Break taken.)
16 THE VIDEOGRAPHER: We're back on the video
17 record. The time is approximately 11:08 a.m.
18 BY MR. LYNN:

7 Q Okay. You mentioned a Betty **Andreu** .
8 MR. MADEL: Do you want to take a break Pg 56 - Ln 20
9 yet? Are you all right?
10 MR. HERMAN: If you don't mind, this is a
11 convenient time to take a break.
12 THE WITNESS: That's fine. That's fine.
13 THE VIDEOGRAPHER: We're off the video
14 record. The time is approximately 10:53 a.m.
15 (Break taken.)
16 THE VIDEOGRAPHER: We're back on the video
17 record. The time is approximately 11:08 a.m.
18 BY MR. LYNN:
19 Q Thank you. I think I was getting ready to
20 talk about Betty **Andreu** , and I don't know if that's
21 the correct pronunciation.
22 MR. MADEL: "**Andreu** ."
23 A No. It's **Betsy Andreu** .

19 Q Thank you. I think I was getting ready to
20 talk about Betty **Andreu** , and I don't know if that's Pg 56 - Ln 22
21 the correct pronunciation.
22 MR. MADEL: "**Andreu** ."
23 A No. It's **Betsy Andreu** .
24 Q "**Andreu** ."
25 A A-N-D-R-E-U.

19 Q Thank you. I think I was getting ready to
20 talk about Betty **Andreu** , and I don't know if that's Pg 56 - Ln 23
21 the correct pronunciation.
22 MR. MADEL: "**Andreu** ."
23 A No. It's **Betsy Andreu** .
24 Q "**Andreu** ."
25 A A-N-D-R-E-U.

19 Q Thank you. I think I was getting ready to
20 talk about Betty **Andreu** , and I don't know if that's Pg 56 - Ln 24
21 the correct pronunciation.
22 MR. MADEL: "**Andreu** ."
23 A No. It's **Betsy Andreu** .
24 Q "**Andreu** ."

25 A A-N-D-R-E-U.
 1 Q Ms. **Andreu** , what were the conversations
 2 that you had with her about Lance Armstrong?
 3 A This would be after -- also after the
 4 publication of David Walsh's book. She had spoken
 5 with David Walsh.

24 Q "**Andreu** ."
 25 A A-N-D-R-E-U. Pg 57 - Ln 1
 1 Q Ms. **Andreu** , what were the conversations
 2 that you had with her about Lance Armstrong?
 3 A This would be after -- also after the
 4 publication of David Walsh's book. She had spoken
 5 with David Walsh.

14 Q What else -- what was said about what
 15 occurred in the hospital room in '96? What did she
 16 convey to you? Pg 60 - Ln 3
 17 A She said she --
 18 MR. HERMAN: Objection. You may go ahead
 19 though. I didn't mean to interrupt you.
 20 A She said that she was one of -- I believe
 21 it was six people in a hospital room, I don't know
 22 what state, all friends of Lance's, when one of his
 23 doctors came in, but not Dr. Einhorn or Dr. Nichols,
 24 the two that you always read about, but a doctor and
 25 an intern came in and said they would like to speak
 1 with him, and she said she said, "I should leave the
 2 room; you can talk privately," because at that point
 3 she was only engaged to Frankie **Andreu** , and Lance
 4 said to the doctors, "We're all friends; you can
 5 speak," and at some point they asked him what
 6 performance-enhancing drugs he was on.

4 Q Have they elaborated on that meeting?
 5 MR. HERMAN: They? Pg 61 - Ln 7
 6 BY MR. LYNN:
 7 Q Sorry. Has Frankie or Betty -- **Betsy**
 8 elaborated at all on that -- that disclosure?
 9 A She told me who was there. She elaborated
 10 on her own feelings.

25 Q What subject matter did you go over with
 1 him in substance? Pg 63 - Ln 7
 2 A I don't recall exact words, but the basic
 3 part of the conversation was -- let me think --
 4 Frankie was very conflicted about his past and
 5 wanted to get as far from that as he could and that
 6 he and Lance were not friends anymore.
 7 Q Did **Betsy** or Frankie **Andreu** , if I'm
 8 pronouncing that correctly, did they ever share with
 9 you whether or not Lance or any of his
 10 representatives were putting them under pressure?
 11 A Yes.

25 Q What subject matter did you go over with
 1 him in substance? Pg 63 - Ln 7
 2 A I don't recall exact words, but the basic
 3 part of the conversation was -- let me think --
 4 Frankie was very conflicted about his past and
 5 wanted to get as far from that as he could and that
 6 he and Lance were not friends anymore.

7 Q Did **Betsy** or Frankie **Andreu** , if I'm
8 pronouncing that correctly, did they ever share with
9 you whether or not Lance or any of his
10 representatives were putting them under pressure?
11 A Yes.

7 Q Did **Betsy** or Frankie **Andreu** , if I'm
8 pronouncing that correctly, did they ever share with
9 you whether or not Lance or any of his
10 representatives were putting them under pressure?
11 A Yes.
12 Q Could you describe what they said?
13 MR. MADEL: What **Betsy** and Frankie said?
14 BY MR. LYNN:
15 Q What they said to you.
16 MR. MADEL: Can we --
17 BY MR. LYNN:

Pg 63 - Ln 13

15 Q What they said to you.
16 MR. MADEL: Can we --
17 BY MR. LYNN:
18 Q Could you please describe what **Betsy** or
19 Frankie said to you about the pressure that Lance
20 Armstrong or his representatives were putting on
21 them?
22 MR. HERMAN: Can you please say who said
23 what? I mean subject to --
24 BY MR. LYNN:

Pg 63 - Ln 18

25 Q Well, that's a fair statement. Let me ask
1 it this way. What did **Betsy** say about the pressure
2 that Lance Armstrong or his representatives were
3 putting on her or her family, if any?
4 A The only absolute, direct pressure I
5 remember is her talking about them wanting her to
6 sign a statement that the hospital room incident
7 never happened. I think Lance did send her an
8 e-mail or Frankie -- Frankie. He sent Frankie an
9 e-mail that said something to the effect of, "If I
10 go, you're going too; if I come down, you're coming
11 down too," something like that.

Pg 64 - Ln 1

25 Q Well, that's a fair statement. Let me ask
1 it this way. What did **Betsy** say about the pressure
2 that Lance Armstrong or his representatives were
3 putting on her or her family, if any?
4 A The only absolute, direct pressure I
5 remember is her talking about them wanting her to
6 sign a statement that the hospital room incident
7 never happened. I think Lance did send her an
8 e-mail or Frankie -- Frankie. He sent Frankie an
9 e-mail that said something to the effect of, "If I
10 go, you're going too; if I come down, you're coming
11 down too," something like that.
12 Q Did Frankie tell you that?
13 A **Betsy** told me that.
14 Q **Betsy** told you that? Were there any
15 financial threats--and I'm not suggesting that was
16 one of them--to Frankie or **Betsy** ?
17 A Actual threats? I don't believe so.

Pg 64 - Ln 13

12 Q Did Frankie tell you that?

Pg 64 - Ln 14

13 A **Betsy** told me that.
14 Q **Betsy** told you that? Were there any
15 financial threats--and I'm not suggesting that was
16 one of them--to Frankie or **Betsy** ?
17 A Actual threats? I don't believe so.

14 Q **Betsy** told you that? Were there any
15 financial threats--and I'm not suggesting that was
16 one of them--to Frankie or **Betsy** ?
17 A Actual threats? I don't believe so.
18 Q Did you know whether or not -- did **Betsy**
19 ever tell you whether or not she had tape-recorded
20 any of the conversations with Lance Armstrong?
21 A I -- I don't have any idea of that.

Pg 64 - Ln 16

14 Q **Betsy** told you that? Were there any
15 financial threats--and I'm not suggesting that was
16 one of them--to Frankie or **Betsy** ?
17 A Actual threats? I don't believe so.
18 Q Did you know whether or not -- did **Betsy**
19 ever tell you whether or not she had tape-recorded
20 any of the conversations with Lance Armstrong?
21 A I -- I don't have any idea of that.

Pg 64 - Ln 18

18 Q What did you say to that?
19 A I don't recall my exact words, but I would
20 probably have said, "It looks that way."
21 Q Have you had any other discussions with
22 **Betsy** or Frankie **Andreu** about this -- about
23 Lance Armstrong other than what you've told me here
24 today?
25 A Yes.

Pg 65 - Ln 22

18 Q What did you say to that?
19 A I don't recall my exact words, but I would
20 probably have said, "It looks that way."
21 Q Have you had any other discussions with
22 **Betsy** or Frankie **Andreu** about this -- about
23 Lance Armstrong other than what you've told me here
24 today?
25 A Yes.

Pg 65 - Ln 22

1 Q What other discussions have you had,
2 ma'am?
3 A I've talked to **Betsy** many times. We
4 didn't know each other before this book but -- or
5 before both of us spoke to David Walsh but, you
6 know, we're moms whose husbands used to be
7 professional cyclists. We have a lot in common.

Pg 66 - Ln 3

5 Q What -- what was Ferrari offering to
6 Lance Armstrong, as you understood it?
7 MR. MADEL: Object as to foundation.
8 A As I understood it, he was using
9 performance-enhancing substances that were more
10 sophisticated than what were available. However
11 anybody else got them, I don't know.
12 BY MR. LYNN:
13 Q Was there any other conversations that you
14 can recount about Lance Armstrong with **Betsy** ?
15 A Yes.
16 Q Could you relate those, please?

Pg 67 - Ln 14

17 A I'm sorry. Oh, she has told me that they
18 were at dinner the night that Lance learned of
19 Greg's statement about Ferrari.
20 MS. MADEL: Watch your microphone.
21 A I'm sorry. And that in front of her he
22 had said, no matter what, he was going to fuck over
23 Greg.
24 BY MR. LYNN:

20 Q Yes, ma'am.
21 A That she had had a conversation with
22 Kristin asking her how she could watch this with
23 Dr. Ferrari, and I don't know exactly what, but
24 **Betsy** told me that Kristin said Lance told her
25 that's just what's required.
1 Q Let me ask a little bit about Kristin.
2 She ultimately divorced Lance at some point or
3 another. Did you ever have conversations with
4 Kristin?
5 A Yes, I did.

Pg 68 - Ln 24

4 Q And you have -- to your knowledge you nor
5 your husband have not had any contact with her? Any
6 conversations with her about Lance Armstrong and his
7 drug-taking?
8 A No.
9 Q Let's go back to **Betsy** again. Have you --
10 can you recollect any other conversations that you
11 had with her about Lance Armstrong and
12 performance-enhancing drugs?
13 A I know I told her about Julian. She knew
14 Julian.

Pg 70 - Ln 9

25 Q Are there any other -- any other
1 conversations with **Betsy** --
2 A At this point I can't think of anything.
3 Q Okay. Thank you. Usually in these
4 depositions, and I'm sure in this one, we'll give
5 you an opportunity to sign it and make corrections.
6 A I -- I do have one other person that we
7 talked to that I should have mentioned to you from
8 August 2001, and his name is Steve Whisnant,
9 W-H-I-S-N-A-N-T.

Pg 71 - Ln 1

16 Q How do you spell his last name, please?
17 A V-E-C-S-E-Y.
18 Q What were the discussions with Mr. Vecsey?
19 A **Betsy** had asked him to call me.
20 Q Did **Betsy** tell you that she'd asked him to
21 call you?
22 A Yeah.

Pg 82 - Ln 19

18 Q What were the discussions with Mr. Vecsey?
19 A **Betsy** had asked him to call me.
20 Q Did **Betsy** tell you that she'd asked him to
21 call you?
22 A Yeah.

Pg 82 - Ln 20

17 Q Thank you. Have you talked with anyone
18 else about -- other than your attorneys about coming
19 here today to this deposition, and your husband?

Pg 93 - Ln 21

20 A I told my sisters or my mom probably at
21 some point. I told **Betsy** .
22 Q Were there any -- what was the substance
23 of what was discussed with **Betsy** about this
24 deposition?
25 A Just that we had gotten a subpoena, and so
1 had she, and that we were going to be showing up
2 today.

17 Q Thank you. Have you talked with anyone
18 else about -- other than your attorneys about coming
19 here today to this deposition, and your husband?

Pg 93 - Ln 23

20 A I told my sisters or my mom probably at
21 some point. I told **Betsy** .
22 Q Were there any -- what was the substance
23 of what was discussed with **Betsy** about this
24 deposition?
25 A Just that we had gotten a subpoena, and so
1 had she, and that we were going to be showing up
2 today.

3 Q Was there any discussion about the
4 pressures or the concerns of testifying in a
5 deposition under oath?

Pg 94 - Ln 11

6 A I think the only concern I had was -- is
7 could I remember everything I needed to remember,
8 and I don't have any problem with the under-oath
9 part.

10 Q Did you -- have you talked with -- other
11 than **Betsy** have you talked with anyone else --

12 A The only person -- I believe even a
13 couple -- I think George Vecsey and maybe that Jean
14 had said to us they had heard about the SCA case and
15 were we going to be a part of that, and I think I
16 may have answered that we may be getting deposed. I
17 can't --

20 Q What did Mr. -- what did Mr. LeMond say
21 to -- about that?

Pg 95 - Ln 22

22 A Greg, I believe -- and I believe **Betsy**
23 told me this as well, that there exists a document
24 that would say that Lance Armstrong was positive at
25 the '92 Olympics. I think it's '92. There were a
1 lot of athletes positive, and his name was on that
2 list.

4 Q Okay. Now, I can't remember whether you
5 had been asked this question, but have you had
6 conversations with anyone other than your lawyer, of
7 course, and perhaps others in his firm and your
8 husband and sisters and mother, I think, about your
9 testimony here today?

Pg 100 - Ln 10

10 A Only I spoke with **Betsy Andreu** after we
11 were served the subpoena and told her that we would
12 be coming.

6 Q In your car?

7 A (Moves head up and down.)

8 THE REPORTER: Pardon?

9 A In my car.

10 BY MR. HERMAN:

11 Q **Betsy Andreu** , can you tell me what calls

Pg 105 - Ln 11

12 with **Betsy Andreu** were taped?
13 A I think maybe the first or -- first and
14 second conversation.

6 Q In your car?
7 A (Moves head up and down.) Pg 105 - Ln 12
8 THE REPORTER: Pardon?
9 A In my car.
10 BY MR. HERMAN:
11 Q **Betsy Andreu**, can you tell me what calls
12 with **Betsy Andreu** were taped?
13 A I think maybe the first or -- first and
14 second conversation.

25 Q Okay. Now, do you have any other taped
1 conversations or any other tapes of conversations Pg 106 - Ln 3
2 other than the ones I asked you about, Burke,
3 DeVries, O'Reilly, **Andreu** and Mionske?
4 A I don't believe so.
5 Q Now, you were interviewed by David Walsh
6 in connection with this book that he wrote, L.A.
7 Confidential?
8 A Yes.

21 Q Okay. Well, it's true, I guess,
22 Ms. LeMond, that you don't have any knowledge about Pg 147 - Ln 25
23 what Mr. Armstrong has done or not done other than
24 what you've heard secondhand from Emma O'Reilly,
25 **Betsy Andreu** and Julian DeVries? That's true, isn't
1 it?
2 MR. LYNN: Let me object to that because
3 she's testified the entire day so I mean there
4 are a lot of other statements that she has
5 heard or talked about, so I don't think you're
6 including everything in that statement. It
7 mischaracterizes her testimony.
8 BY MR. HERMAN:

2 Q Other than this statement by -- that you
3 attribute to Julian DeVries about IVs in -- at the Pg 149 - Ln 9
4 May 2000 training camp, has anyone told you that
5 they have ever observed Mr. Armstrong ingest or be
6 administered any performance-enhancing substance?
7 A Yes.
8 Q Who?
9 A **Betsy Andreu**.
10 Q Okay. And what did she say?
11 A I cannot remember the details, but she
12 told me that she had witnessed -- I believe she told
13 me that she had witnessed him injecting himself.

16 Q Okay.
17 A I can't say one hundred percent certain on Pg 149 - Ln 21
18 that. I believe she told me that, but I can't say a
19 hundred percent right now.
20 Q Okay. Is it fair -- is it a fair
21 statement to say that **Betsy Andreu** may have told you
22 that, but you can't recall for certain? Is that a
23 fair --
24 MR. MADEL: Asked and answered.
25 BY MR. HERMAN:

20 Q Okay. Did you earlier tell or was it -- I
 21 wrote this down, and the reason I ask is whether you
 22 just misspoke or not, but do you recall testifying
 23 that Emma told you that she had been disappointed
 24 about what happened to Julian after 2001? Do you
 25 recall that?

Pg 153 - Ln 7

1 A I think that was because the affidavit was
 2 signed sometime after the Tour de France in July of
 3 2000 and 2001. When Greg found out about the false
 4 affidavit, that was the spring of 2001, so that's
 5 probably why in my mind I thought that, but she
 6 probably knew before we knew.

7 Q Okay. Did you say that **Betsy Andreu** had
 8 told you that Armstrong had called her house one
 9 night asking if they had any EPO?

10 A Yes.

McIlvain, Stephanie (11/14/05)

2 Q Can you name some of them for me, please.

Pg 12 - Ln 6

3 A Floyd Landis, George Hincapie, Christian Vande
 4 Velde. I'm trying to think of the Europeans. That's
 5 all I can come up with right now.

6 Q Okay. Was Mr. Frankie **Andreu** ever a sponsored
 7 athlete of Oakley?

8 A Yes, he was.

21 Q The same kind of responsibilities you had for
 22 Mr. Armstrong?

Pg 12 - Ln 25

23 A Yes.

24 Q And did you have responsibility for Frankie
 25 **Andreu** ?

00012

1 A Yes.

15 Q Since Mr. Armstrong's treatment, have you ever
 16 spoken with any other person about whether or not Mr.
 17 Armstrong told someone at the hospital that he used
 18 performance enhancing drugs?

Pg 21 - Ln 21

19 A Yes.

20 Q Who have you spoken to?

21 A I spoke to **Betsy Andreu** and Frankie.

22 Q Do you remember when that was?

23 A Just probably about four years ago.

24 Q Tell me first what was the occasion why you
 25 were talking to them and then I'm going to ask you what

Pg 22 - Ln 2

00021

1 you talked about?

2 A **Betsy Andreu** called up and asked if I
 3 remembered an incident where two doctors came in and
 4 Lance told them what drugs he had used, and I -- at
 5 that point I told her no, I don't, I don't remember
 6 Lance ever saying to two doctors that he used drugs.

7 I do remember being in a conference room or a
 8 room with some people and **Betsy** and Frankie were in
 9 there, and I came in, and the reason I remember it so
 10 well is because they were watching a football game and
 11 I -- sorry everybody, but I hate football, and it
 12 was -- sorry, it was very, very painful for me, so I
 13 went and sat down on the floor where the couch was and
 14 I just sat there and watched, watched the football
 15 game, and that's the main thing that I remember, but

16 when **Betsy** called me and talked to me about it, she
17 started telling me what she heard and what she saw in
18 that room.

24 Q Tell me first what was the occasion why you
25 were talking to them and then I'm going to ask you what
00021

Pg 22 - Ln 8

1 you talked about?
2 A **Betsy Andreu** called up and asked if I
3 remembered an incident where two doctors came in and
4 Lance told them what drugs he had used, and I -- at
5 that point I told her no, I don't, I don't remember
6 Lance ever saying to two doctors that he used drugs.
7 I do remember being in a conference room or a
8 room with some people and **Betsy** and Frankie were in
9 there, and I came in, and the reason I remember it so
10 well is because they were watching a football game and
11 I -- sorry everybody, but I hate football, and it
12 was -- sorry, it was very, very painful for me, so I
13 went and sat down on the floor where the couch was and
14 I just sat there and watched, watched the football
15 game, and that's the main thing that I remember, but
16 when **Betsy** called me and talked to me about it, she
17 started telling me what she heard and what she saw in
18 that room.

24 Q Tell me first what was the occasion why you
25 were talking to them and then I'm going to ask you what
00021

Pg 22 - Ln 16

1 you talked about?
2 A **Betsy Andreu** called up and asked if I
3 remembered an incident where two doctors came in and
4 Lance told them what drugs he had used, and I -- at
5 that point I told her no, I don't, I don't remember
6 Lance ever saying to two doctors that he used drugs.
7 I do remember being in a conference room or a
8 room with some people and **Betsy** and Frankie were in
9 there, and I came in, and the reason I remember it so
10 well is because they were watching a football game and
11 I -- sorry everybody, but I hate football, and it
12 was -- sorry, it was very, very painful for me, so I
13 went and sat down on the floor where the couch was and
14 I just sat there and watched, watched the football
15 game, and that's the main thing that I remember, but
16 when **Betsy** called me and talked to me about it, she
17 started telling me what she heard and what she saw in
18 that room.

13 Q You were in a conference room of sorts rather
14 than a hospital room?

Pg 23 - Ln 17

15 A Yes.

16 Q And who all was in the room as you recall?

17 A Definitely Frankie and **Betsy** and Lance.

18 Q Do you remember if Chris Carmichael was there?

19 A Yes.

20 Q How about Lisa Shields, do you remember if she
21 was there?

Pg 23 - Ln 24

22 A I don't remember Lisa.

23 Q So you remember being in the conference room

24 or center with Mr. Armstrong, **Betsy**, Frankie **Andreu**,

25 Chris Carmichael. Anyone else?

00023

1 A Paige.

20 Q How about Lisa Shields, do you remember if she
21 was there?

Pg 23 - Ln 24

22 A I don't remember Lisa.

23 Q So you remember being in the conference room

24 or center with Mr. Armstrong, **Betsy** , Frankie **Andreu** ,

25 Chris Carmichael. Anyone else?

00023

1 A Paige.

2 Q Paige, okay.

3 A And I remember that -- I remember meeting --

Pg 24 - Ln 5

4 for the first time meeting Paige and that was the first

5 time ever meeting **Betsy** .

6 Q Now, at the time **Betsy** was not married to

7 Frankie **Andreu** , was she, or do you recall?

8 A I don't recall.

2 Q Paige, okay.

3 A And I remember that -- I remember meeting --

Pg 24 - Ln 6

4 for the first time meeting Paige and that was the first

5 time ever meeting **Betsy** .

6 Q Now, at the time **Betsy** was not married to

7 Frankie **Andreu** , was she, or do you recall?

8 A I don't recall.

2 Q Paige, okay.

3 A And I remember that -- I remember meeting --

Pg 24 - Ln 7

4 for the first time meeting Paige and that was the first

5 time ever meeting **Betsy** .

6 Q Now, at the time **Betsy** was not married to

7 Frankie **Andreu** , was she, or do you recall?

8 A I don't recall.

9 Q And was Paige married to Chris Carmichael at

10 the time?

11 A No.

9 Q And was Paige married to Chris Carmichael at
10 the time?

Pg 24 - Ln 13

11 A No.

12 Q All right. So it's the first time you meet

13 **Betsy Andreu** and Paige and you go and sit and watch

14 football?

15 A Yes.

21 Q Okay. So whatever they said, either you

22 didn't hear or you don't remember what it was?

Pg 25 - Ln 24

23 A Right. I don't know who, who was saying what.

24 Q Got it. Do you remember if **Betsy** and Frankie

25 left the room?

00025

1 A I don't remember.

16 Q Do you remember?

17 A I think it was -- well, it had to be in '96,

Pg 26 - Ln 21

18 that's when he was sick.

19 MR. WEEKS: Oh, okay.

20 BY MR. TILLOTSON:

21 Q Did you talk to **Betsy Andreu** after being in

22 that room and leaving that same day?

23 A No.

24 Q So you never spoke with her about that
25 particular incident until several years later? Pg 27 - Ln 2
00026
1 A Right.
2 Q Have you ever talked to Frankie **Andreu** about
3 it?
4 A No.

9 Q And did you tell -- what did you tell him as
10 you recall? Pg 28 - Ln 13
11 A Well, when I -- when David called me, he's --
12 he basically went into this whole thing about what
13 **Betsy Andreu** told him and he asked me if I remember,
14 and at that point I said "No." He said, "Are you
15 sure?" And I said, "No, I don't remember it, David,
16 but if, if that's what **Betsy** 's telling you, I guess
17 that's what she's telling you," and at that point I
18 told him no, no comment, that I had no comment.

9 Q And did you tell -- what did you tell him as
10 you recall? Pg 28 - Ln 16
11 A Well, when I -- when David called me, he's --
12 he basically went into this whole thing about what
13 **Betsy Andreu** told him and he asked me if I remember,
14 and at that point I said "No." He said, "Are you
15 sure?" And I said, "No, I don't remember it, David,
16 but if, if that's what **Betsy** 's telling you, I guess
17 that's what she's telling you," and at that point I
18 told him no, no comment, that I had no comment.

14 Q Although you don't recall what or either don't
15 recall or didn't hear all the things being said, at
16 least what you did hear and can recall, you don't
17 remember anything like that? Pg 29 - Ln 19
18 A I don't.
19 Q Okay. What did Ms. **Andreu** tell you when you
20 talked about this four years ago when you -- did you
21 tell her that you didn't recall or didn't hear this?
22 A Yes.

1 Q What did you say in response?
2 A I told her what happened, you know, what she's
3 talking about was supposed to take place in '96, and I,
4 I didn't remember anything. I remember being in the
5 room and I remember watching football and I remember
6 meeting **Betsy** for the first time and meeting Paige
7 Carmichael and that was it, and she proceeded to tell
8 me what she, what she saw in the room and what she
9 heard in the room.

1 Q What did you say in response?
2 A I told her what happened, you know, what she's
3 talking about was supposed to take place in '96, and I,
4 I didn't remember anything. I remember being in the
5 room and I remember watching football and I remember
6 meeting **Betsy** for the first time and meeting Paige
7 Carmichael and that was it, and she proceeded to tell
8 me what she, what she saw in the room and what she
9 heard in the room. Pg 30 - Ln 11
10 Q And other than her -- have you talked to
11 Frankie **Andreu** about this incident?

12 A Frankie and I, I talked, talked about it and
13 Frankie couldn't remember, he couldn't, he couldn't
14 remember much. He was going off what his wife was
15 telling him.

24 Q Do you remember where, was it a race or an
25 event?

Pg 31 - Ln 3

00030

1 A No. It was on the phone.
2 Q And why would you be discussing with Mr.
3 **Andreu** on the phone what took place or didn't take
4 place at the Indiana hospital?
5 A Probably -- it just probably came up.

2 Q And why would you be discussing with Mr.
3 **Andreu** on the phone what took place or didn't take
4 place at the Indiana hospital?

Pg 31 - Ln 6

5 A Probably -- it just probably came up.

6 Q Would you speak to Mr. **Andreu** a lot?

7 A Yes.

8 Q Was he under a contract with Oakley at the
9 time you had this conversation?

10 A I don't recall if he was.

8 Q Was he under a contract with Oakley at the
9 time you had this conversation?

Pg 31 - Ln 11

10 A I don't recall if he was.

11 Q Do you speak with **Betsy Andreu** frequently?

12 A Yes. She's my friend.

13 MR. WEEKS: What was that?

14 THE WITNESS: I said she's my friend. She --

15 MR. WEEKS: Oh, okay.

16 THE WITNESS: She's been a friend for, for a
17 while.

18 BY MR. TILLOTSON:

19 Q Do you consider her a reliable and honest
20 person?

Pg 31 - Ln 23

21 A Yes.

22 Q Okay. Now, we've talked about you spoke with
23 Ms. **Andreu**, Mr. **Andreu**. Anyone else you talked to
24 about the Indiana hospital room incident, other than
25 your lawyer, of course?

00031

1 A No.

19 Q Do you consider her a reliable and honest
20 person?

Pg 31 - Ln 23

21 A Yes.

22 Q Okay. Now, we've talked about you spoke with
23 Ms. **Andreu**, Mr. **Andreu**. Anyone else you talked to
24 about the Indiana hospital room incident, other than
25 your lawyer, of course?

00031

1 A No.

6 Q Do you know who I'm referring to? Do you know
7 a Justine?

Pg 32 - Ln 8

8 A I hear -- **Betsy** talks about Justine. I never
9 spoke to Justine.

10 Q You never spoke to Justine?

11 A No.

8 Q Okay. Did -- I want to go back to the Indiana
9 hospital when you said you visited I think you said
10 maybe four times Mr. Armstrong. Did you ever see **Betsy**
11 **Andreu** at any other visit when you were there?
12 A No.
13 Q Are you aware of a person whose nickname is
14 College?
15 A Yes.

Pg 34 - Ln 10

23 Q Do you know how Mr. LeMond would know of
24 College?
25 A From **Betsy Andreu** .
00043

Pg 43 - Ln 25

1 Q Okay. He also says at Page 73 that, this is
2 in response to things he talked about with you, she,
3 being you, was present when she confirmed what **Betsy**
4 **Andreu** told us that he, Mr. Armstrong, admitted to EPO
5 use, growth hormone, testosterone and other drugs. Did
6 that in fact take place?
7 A No.

1 Q Okay. He also says at Page 73 that, this is
2 in response to things he talked about with you, she,
3 being you, was present when she confirmed what **Betsy**
4 **Andreu** told us that he, Mr. Armstrong, admitted to EPO
5 use, growth hormone, testosterone and other drugs. Did
6 that in fact take place?
7 A No.

Pg 44 - Ln 3

7 Q Is there no truth to the statements that you
8 told Mr. Greg LeMond that you were present at the
9 Indiana hospital room and confirmed what **Betsy Andreu**
10 told us which is that Mr. Armstrong admitted to EPO
11 use, growth hormone, testosterone and other drugs?
12 A No. I, I told Greg LeMond I remember being in
13 a room and I remember watching a football game and
14 first meeting **Betsy** and Paige Carmichael.

Pg 45 - Ln 9

7 Q Is there no truth to the statements that you
8 told Mr. Greg LeMond that you were present at the
9 Indiana hospital room and confirmed what **Betsy Andreu**
10 told us which is that Mr. Armstrong admitted to EPO
11 use, growth hormone, testosterone and other drugs?
12 A No. I, I told Greg LeMond I remember being in
13 a room and I remember watching a football game and
14 first meeting **Betsy** and Paige Carmichael.
15 Q Do you remember if Mr. LeMond asked you if
16 Mr. Armstrong said he used drugs while you were in that
17 room?
18 A He, he told me what **Betsy** told him and asked
19 me if I remember it that way.

Pg 45 - Ln 14

15 Q Do you remember if Mr. LeMond asked you if
16 Mr. Armstrong said he used drugs while you were in that
17 room?
18 A He, he told me what **Betsy** told him and asked
19 me if I remember it that way.
20 Q And your response to Mr. LeMond was?
21 A No. I remember being in a room.

Pg 45 - Ln 18

20 Q And your response to Mr. LeMond was?

21 A No. I remember being in a room.
22 Q Okay. Ms. **Andreu** testified in your, in your,
23 in your -- in her deposition that she told you she was
24 going to be deposed. Do you remember that taking
25 place?

Pg 45 - Ln 22

00045

1 A Yes.

5 Q Did she -- did you express to her any fear or
6 concern that you might be deposed?

Pg 46 - Ln 8

7 A I knew I was going to be deposed.

8 Q She -- Ms. **Andreu** testified in her deposition
9 that you had said to her that it's all so stupid, he,
10 being Mr. Armstrong, will never get caught?

11 A No. I said this is all so stupid, it needs to
12 go away.

18 Q Which Justine were you referring to?

19 A I -- you asked me if I knew a Justine, and I
20 don't know Justine.

Pg 49 - Ln 22

21 Q Okay.

22 A Only the one that **Betsy** always talks to.

23 Q Okay. And so this is -- the Justine you're
24 referring to is the Justine that **Betsy Andreu** talked to
25 that she tells you about?

00049

1 A Yes.

21 Q Okay.

22 A Only the one that **Betsy** always talks to.

Pg 49 - Ln 24

23 Q Okay. And so this is -- the Justine you're
24 referring to is the Justine that **Betsy Andreu** talked to
25 that she tells you about?

00049

1 A Yes.

1 Q What, what have you talked about with
2 Mr. Lindsey as you recall?

Pg 51 - Ln 16

3 A He was doing a piece on Outside magazine and
4 he wanted to know our relationship with Oakley, and I
5 told him I'm not going to talk -- if it's like a bad
6 thing of trying to uncover anything, that I wasn't
7 going to speak with him, and he told me it was a feel
8 good maga -- feel good article that he was going to do,
9 so he asked me what, what impact does Lance have on the
10 public who have -- has had cancer, and so I told him
11 the story about an autograph signing that we had at one
12 of our stores and about this one lady when she got up
13 to Lance, she started crying and I've never ever seen
14 that before. It was like he was God like to these
15 people.

16 Q Have you corresponded by e-mail with **Betsy**
17 **Andreu** ?

18 A Yes.

19 Q Have -- do you remember if you sent any
20 e-mails that have discussed the Indiana hospital room
21 matter?

22 A No.

12 Q How did he have your cell phone number, do you
13 know?

Pg 56 - Ln 14

14 A He must have got it from **Betsy** .
15 Q Okay. You mentioned that you and **Betsy** are
16 friends and that she said that you all spoke three
17 times a day. Is that --
18 A We spoke a lot, yes. She's my -- she's a
19 friend.

12 Q How did he have your cell phone number, do you
13 know?

Pg 56 - Ln 15

14 A He must have got it from **Betsy** .
15 Q Okay. You mentioned that you and **Betsy** are
16 friends and that she said that you all spoke three
17 times a day. Is that --
18 A We spoke a lot, yes. She's my -- she's a
19 friend.

5 Q Now, I'm going to just kind of go through some
6 questions here that I will tell you I've drawn from the
7 depositions of either Greg LeMond, Kathy LeMond or
8 **Betsy Andreu** and ask you if, if -- just have you
9 describe whether it's accurate or not. Okay?
10 A Okay.

Pg 60 - Ln 8

5 Q Now, I'm going to just kind of go through some
6 questions here that I will tell you I've drawn from the
7 depositions of either Greg LeMond, Kathy LeMond or
8 **Betsy Andreu** and ask you if, if -- just have you
9 describe whether it's accurate or not. Okay?
10 A Okay.

Pg 60 - Ln 11

11 Q Okay. Now, did you tell **Betsy Andreu** that
12 while Lance was in Santa Barbara doing a commercial,
13 you overheard Lance call John Koriath, College, and ask
14 him to remove EPO from his house refrigerator because
15 Lance was afraid Kristin would freak out?
16 A No.

17 Q I think you talked to Mr. Tillotson in some
18 detail about that alleged incident, but did anything
19 like that to your recollection ever occur?
20 A No.

Pg 60 - Ln 21

21 Q Did you ever tell **Betsy Andreu** that Lance had
22 told you that, quote, "we all use EPO," close quote, in
23 professional cycling?
24 A No.

7 Q Okay. Do you recall what time of the year in
8 2005?

Pg 61 - Ln 10

9 A No.
10 Q Did you ask **Betsy Andreu** to have Greg LeMond
11 call you?
12 A No.

10 Q Did you ask **Betsy Andreu** to have Greg LeMond
11 call you?

Pg 61 - Ln 14

12 A No.
13 Q Would there be any reason why you would have
14 asked **Betsy Andreu** to have Greg LeMond call you?
15 A No. She called me and told me that she gave
16 Greg my number.

10 Q Did you ever tell Greg LeMond that Lance
11 Armstrong had hacked into your computer?

Pg 63 - Ln 12

12 A No. I told Greg LeMond that **Betsy** thought
13 that Lance Armstrong hacked into her computer is what I
14 told Greg LeMond.

2 Q And last, Mr. Herman asked you some questions
3 regarding the Indiana hospital incident, and I want to
4 make sure I understand, I know we keep asking about
5 this, I want to make sure I understand what you're
6 saying:

Pg 67 - Ln 8

7 You're not suggesting that it's not possible
8 that Ms. **Andreu** heard what she heard, you're just
9 saying that whatever it is you heard or recall, you
10 don't remember anything about that?

11 A Right.

2 Q And last, Mr. Herman asked you some questions
3 regarding the Indiana hospital incident, and I want to
4 make sure I understand, I know we keep asking about
5 this, I want to make sure I understand what you're
6 saying.

Pg 67 - Ln 13

7 You're not suggesting that it's not possible
8 that Ms. **Andreu** heard what she heard, you're just
9 saying that whatever it is you heard or recall, you
10 don't remember anything about that?

11 A Right.

12 Q You're not stating that you remember
13 everything said and Ms. **Andreu** just has it wrong, you
14 just don't recall or didn't hear anything like that, is
15 that fair?

16 A Yes.

17 MR. TILLOTSON: Okay. Thank you for your
18 time.

19 Counselor, thank you for your time and for
20 lunch.

21 MR. WEEKS: No problem. How do you handle
22 this? I think it would be good if Mrs. McIlvain had
23 the opportunity to just review her deposition, make
24 corrections in there if she wants to.

25 MR. TILLOTSON: Sure. Why don't we go off the
00067

1 record.

2 MR. HERMAN: Can we go off the record?

3 MR. WEEKS: Yeah, good.

4 MR. TILLOTSON: We'll do it off the record and
5 we'll set some procedures.

6 MR. WEEKS: Thank you.

7 THE VIDEOGRAPHER: Going off the record at
8 12:44 p.m.

9 (Discussion off the record.)

10 THE VIDEOGRAPHER: This concludes volume one
11 of the deposition of Stephanie McIlvain. There was one
12 videotape used in this volume. We're now off the
13 record for the day at 12:48 p.m.

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9 I, STEPHANIE ANN McILVAIN, do hereby declare
10 under penalty of perjury that I have read the foregoing
11 transcript; that I have made such corrections as noted
12 herein, in ink, initialed by me, or attached hereto;
13 that my testimony as contained herein, as corrected, is
14 true and correct.

15 EXECUTED this _____ day of _____,
16 20____, at _____,
(City) (State)

17
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20

STEPHANIE ANN McILVAIN

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CONFIDENTIAL TRANSCRIPT - FOR ATTORNEYS' EYES ONLY69

00069

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2
3

4 I, the undersigned, a Certified Shorthand
5 Reporter of the State of California, do hereby certify:
6 That the foregoing proceedings were taken
7 before me at the time and place herein set forth; that
8 any witnesses in the foregoing proceedings, prior to
9 testifying, were placed under oath; that a verbatim
10 record of the proceedings was made by me using machine
11 shorthand which was thereafter transcribed under my
12 direction; further, that the foregoing is an accurate
13 transcription thereof.

14 I further certify that I am neither
15 financially interested in the action nor a relative or
16 employee of any attorney of any of the parties.
17 IN WITNESS WHEREOF, I have this date
18 subscribed my name.

19
20
21 Dated: _____
22
23

KATHY P. PABICH
CSR No. 5021

24
25

CONFIDENTIAL TRANSCRIPT - FOR ATTORNEYS' EYES ONLY70

Stapleton, Bill (09/01/05)

4 Q. Cathy LeMond?

5 A. No.
6 Q. **Betsy Andrew** ?
7 A. No.
8 Q. **Frankie Andrew** ?
9 A. No.

Pg 124 - Ln 6

4 Q. **Cathy LeMond**?
5 A. No.
6 Q. **Betsy Andrew** ?
7 A. No.
8 Q. **Frankie Andrew** ?
9 A. No.

Pg 124 - Ln 6

6 Q. **Betsy Andrew** ?
7 A. No.
8 Q. **Frankie Andrew** ?
9 A. No.
10 Q. Okay. **Chris Carmichael** about this case?
11 A. No.

Pg 124 - Ln 8

4 Q. Okay. Put **Mr. Carmichael** aside, because I
5 would expect you would speak to him frequently.
6 But -- but the **Andrews** or the **LeMonds**, other than
7 saying hello to **Frankie Andrew** at the Tour --
8 A. Yeah, that would be it.
9 Q. -- you've not had any discussions with them?
10 A. No.

Pg 125 - Ln 7

6 Q. I'm not reading anything into it.
7 A. I'm just educating.
8 Q. Thank you.
9 Has **Frankie Andrew** ever told you
10 that -- that he believes **Mr. Armstrong** used
11 performance-enhancing substances?
12 A. No.

Pg 169 - Ln 9