

# GIBSON, DUNN & CRUTCHER LLP

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March 7, 2008

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### VIA EMAIL AND FACSIMILE

Matthieu Reeb  
Secretary General  
Tribunal Arbitral Du Sport  
Court Of Arbitration For Sport  
Chateau de Bethusy  
Av. de Beaumont 2  
CH-1012 Lausanne

Re: *Floyd Landis v. United States Anti-Doping Agency*  
*CAS 2007/A/1394*

Dear Mr. Reeb:

Pursuant to the Panel's Order of Procedure, Mr. Landis provides to the Panel the following issues to be decided on this Appeal:

1. Did USADA establish to a comfortable satisfaction that Floyd Landis committed an anti-doping violation in relation to Stage 17 of the 2006 Tour de France?
2. Was the method used by LNDD in performing the Carbon Isotope Ratio test an ISO and ISL accredited method and was it conducted in a manner consistent with the ISL and generally accepted scientific principals and methods?
3. Were the chromatograms generated by LNDD related to Mr. Landis' Stage 17 sample consistent with the ISL and generally accepted scientific principles and methods?
4. Was the LNDD laboratory technicians' deliberate and unrecorded manipulation of the data consistent with the ISL and generally accepted scientific principles and methods?

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5. Did LNDD properly identify the target analytes in Mr. Landis' Stage 17 sample in accordance with the ISL and generally accepted scientific principles and methods?
6. Do the IRMS quality controls support the reliability and accuracy of the Stage 17 Carbon Isotope Ratio test results and were they conducted in a manner consistent with the ISL and generally accepted scientific principles and methods?
7. Was LNDD's chain of custody documentation for both the Stage 17 sample bottle and aliquots consistent with the ISL and the generally accepted scientific principles and methods?
8. Did LNDD violate its internal protocols and Standard Operating Procedures with respect to the Carbon Isotope Ratio test performed on Mr. Landis' Stage 17 sample?
9. Did LNDD make false statements with respect to its testing of Mr. Landis' Stage 17 sample?
10. Are the test results reported by LNDD consistent with the natural metabolism of testosterone?
11. Did LNDD's document packet establish that the columns used for the CIR test of Appellant's Stage 17 Sample were identical in its GC/MS and GC/C/IRMS instruments?
12. Were there significant differences between the original and the reprocessed CIR test results such that the CIR results of Appellant's Stage 17 Sample are unreliable?
13. Was the GC/C/IRMS instrument linear at the time Mr. Landis' Stage 17 samples were tested?
14. Did LNDD violate generally accepted scientific principles and methodology in performing its Carbon Isotope Ratio test by, for instance, stopping the automatic injection sequence and discarding the test results from failed controls?
15. Were the technicians who performed the Carbon Isotope Ratio at LNDD not competent to perform the analysis?
16. Was LNDD's deletion of relevant data during the Carbon Isotope Ratio test in violation of the ISL and generally accepted scientific principles and methods?
17. Was LNDD required to validate its positivity criteria?
18. Did LNDD violate the ISL and generally accepted scientific principles and methods in improperly correcting laboratory documents?

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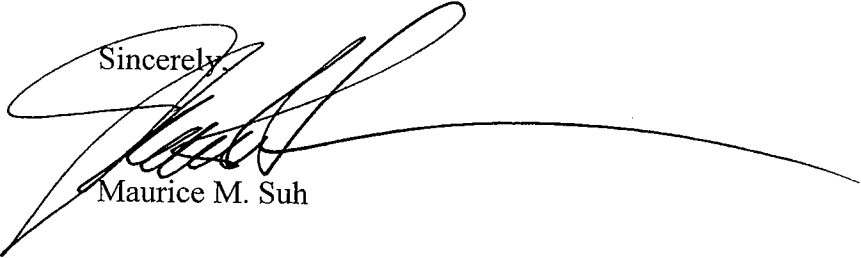
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In providing this general list of issues that directly bear on whether the Appellee has satisfied its burden of establishing to the comfortable satisfaction of the Panel that Mr. Landis committed an anti-doping violation, Mr. Landis is not waiving his right to present evidence in support of any issue not listed above that was raised in his appeal brief or his right to present evidence that contradicts, or otherwise challenges the credibility and trustworthiness of, the evidence and testimony presented by USADA and LNDD during the hearing.

Sincerely,



Maurice M. Suh

MMS/td

cc: Richard R. Young  
Matthew S. Barnett  
Floyd F. Landis