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Via Email and Facsimile to 213.229.7520

February 18, 2008

BOULDER

Maurice M. Suh, Esq.
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DENVER

Re: CAS 2007/A/1394 Floyd Landis v/USADA

Dear Mr. Suh:

LONDON

This correspondence is in regard to the February 14, letter from Mr. Reeb regarding the above-referenced matter. Specifically, this letter addresses the Panel's request that the parties attempt to establish a final list of witnesses and to agree on a joint List of Issues for Determination.

LOS ANGELES

With respect to witnesses, the list of witnesses identified in USADA's brief are those witnesses that we would need to call to respond to all of the issues raised in Appellant's opening brief. USADA is unable to narrow this list of witnesses until Appellant honors the Panel's request to narrow the List of Issues for Determination.

MUNICH

SALT LAKE CITY

Accordingly, in an effort to honor the Panel's request, attached is a list of the issues that Appellant identified in his appeal brief, which under CAS Rule R56 limits the issues he may raise on appeal. For your convenience, the attached list of issues also includes those additional matters that USADA believes are the subject of this appeal.

SAN FRANCISCO

We propose that the parties work from the attached list to narrow the issues that must be resolved by the Panel. Once the list of issues is clarified it is our hope that a number of the witnesses identified by each party will no longer be necessary.

Please clarify your position on these matters at your earliest convenience so that a timely response can be submitted to the Panel.

Holme Roberts & Owen LLP
Attorneys at Law

Maurice M. Suh, Esq.
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Sincerely,

A handwritten signature in blue ink, appearing to read "R. Young", with a long horizontal flourish extending to the right.

Richard Young

Enclosure

cc: Howard L. Jacobs

IN THE COURT OF ARBITRATION FOR SPORT

FLOYD LANDIS)	
)	
Appellant,)	
)	
V.)	CAS 2007/A/1394
)	
UNITED STATES ANTI-DOPING AGENCY)	
)	
Respondent.)	
_____)	

[PROPOSED] JOINT LIST OF ISSUES FOR DETERMINATION

USADA's List of Issues for Appeal:

1. Did the AAA Panel err in finding that Appellant committed an anti-doping rule violation during the 2006 Tour de France (the "Tour")?
2. What should be the start date of Appellant's suspension given his participation in the USA Cycling-sanctioned Leadville 100 race in August 2007?

Appellant's List of Issues for Appeal:

1. Did LNDD use different columns in its GC/MS and GC/C/IRMS instruments in analyzing Appellant's Stage 17 Sample, in violation of LNDD's Standard Operating Procedure (SOP)?
2. Does the difference in retention times and relative retention times between the GC/MS analysis and the GC/C/IRMS analysis for Fraction 3 of Appellant's Stage 17 Sample constitute a violation of WADA TD2003IDCR? If a violation occurred, did that violation cause the Adverse Analytical Finding ("AAF")?
3. Do the differences in reported delta values for the internal standard analyzed with Appellant's Stage 17 Sample establish that LNDD's IRMS instrument could not measure isotopic values accurately? If so, is this a violation of the ISL? If there is a violation, did it cause the AAF?
4. Is the value as a quality control of the blank urine undermined by the difference between the original 5alpha-pdiol delta-delta value results for the blank urine and the values obtained for 5alpha-pdiol when the electronic data files were reprocessed automatically with no manual optimization? If this a violation of the ISL? If there is a violation, did it cause the AAF?

5. Was LNDD's IRMS instrument linear at the time Appellant's Stage 17 A and B Samples were analyzed? Did LNDD follow its SOP in conducting monthly linearity testing on the instrument? Was there any violation of the ISL with respect to instrument linearity? If so, did that violation cause the AAF?
6. Is there an ISL requirement that all quality controls be run in a specific sequence and without manual interruption? If so, did LNDD violate the ISL? If there was a violation, did it cause the AAF?
7. Did LNDD run and discard the results of controls run between the injection of the first mix cal acetate in the B sample sequence and the injection of the Fraction 3 blank urine of the B sample?
8. Did LNDD run and discard the results of controls run between the injection of Fraction 2 of Appellant's A Sample and the injection of the second mix cal acetate with Appellant's A Sample?
9. Do the Fraction 3 chromatograms of Appellant's A and B samples violate article 5.4.4.2.1 of the ISL because of matrix interference? If there was a violation, did it cause the AAF?
10. Do the Fraction 3 chromatograms of Appellant's B samples from Stages 11, 15, 19, and 20 violate article 5.4.4.2.1 of the ISL because of matrix interference? If there was a violation of the ISL, did it cause the AAF?
11. Are Appellant's IRMS results inconsistent with the peer-reviewed literature and the science of testosterone metabolism because the 5alpha-pdiol and 5beta-pdiol delta-delta values are not similar?
12. Is the overall pattern of Appellant's Tour IRMS and T/E results inconsistent with the peer reviewed literature and the known effect of testosterone?
13. In conducting manual optimization, did LNDD violate ISL 5.4.4.1.4 and 5.2.6.1? If there was a violation, did it cause the AAF?
14. Did LNDD violate ISL 5.4.4.1.4 and 5.2.6.1 in the analysis of Appellant's other 7 Tour de France samples by writing over results of controls? If there was a violation, did it cause the AAF?
15. Did LNDD's Stage 17 A and B Sample Bottle Chain of Custody violate ISL sections 3.2 and 5.2.2.2 and TD2003LCOC with respect to the nine alleged violations identified by Appellant at page 70-71 of his brief? If there was a violation, did it cause the AAF?
16. Did LNDD violate WADA TD2003LCOC and ISO 17025.4.3.3.3 by failing to make corrections to documents in the Laboratory Documentation Package in forensic correction form? If there was a violation, did it cause the AAF?