

Amicus Brief Exhibits
By Movant: Fred Mauney
Part Two, 1 thru 43

Exhibit: 1

No. of Pages....10

ISI Fred W. Mauney, Jr.
Fred W. Mauney, Jr.
Plaintiff, Pro Se

CERTIFICATE OF SERVICE

It is hereby certified that on April 21, 2010 a **MOTION TO SET ASIDE JUDGMENT** was sent by first class mail to the following:

Carlie Christensen
Acting U.S. Attorney, Utah
185 S. State Street
Suite 300
Salt Lake City, Utah 841111

Jack E. Potter
Postmaster General
475 L'Efante Plaza SW
Washington DC, 20260-2160

Kurt C. Lusty
Ambulance Chasing, Shyster Lawyer
Ex-Special Assistant U.S. Attorney
9350 S. 150 E. Suite 800
Salt Lake City, Utah 84070-2702

Mary Anne Gibbons
General Counsel USPS
475 L'Efante Plaza SW
Washington DC, 20260-2160

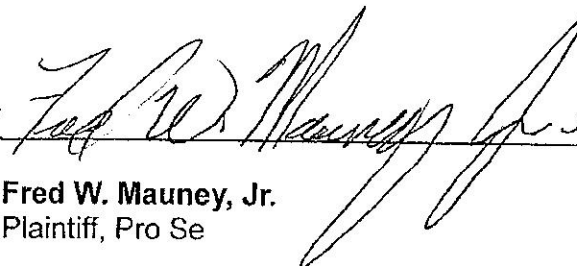
John Warner
U.S. Magistrate
Ex-U.S. Attorney, Utah
350 S. Main Street Rm. # 150
Salt Lake City, Utah 84101

William Gilligan
Chief Postal Inspector
USPS Postal Inspection Service
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Samuel Alba
U.S. Magistrate
350 S. Main Street Rm. # 248
Salt Lake City, Utah 84101

Eric Holder
United States Attorney General
U.S. Dept. of Justice
950 Pennsylvania Ave.
Washington DC, 20530-0001

Dale A. Kimball
U.S. District Court Judge
350 S. Main Street Rm. # 220
Salt Lake City, Utah 84101

ISI 
Fred W. Mauney, Jr.
Plaintiff, Pro Se

BY D. MARK JONES, CLERK
DEPUTY CLERK

The only reason the Postal Worker Lee Parker was where he was on that morning

was "on account of the job". He was on his way to work.

- 2- Did Fred Mauney aid in the arrest and conviction of U.S. Postal employee Lee Parker. The answer is unequivocally "yes". Lee Parker's murderer got an extra 30 years for trying to kill eyewitness Fred Mauney at the scene of Lee Parker's Murder.
- 3- A reward is a promise to pay and this reward is a promise to pay in the name of the United States of America.
- 4- It is the U.S. Attorney General, the U.S. Justice Department or the U.S. Attorney's job to ascertain the facts in the name of the United States of America and if Plaintiff has a legitimate claim, to order the U.S. Postal Service to pay said reward.
- 5 - The record shows that the U.S. Attorney has violated not only their own ethics and sworn responsibilities, but also directives from U.S. Code - Title 5, U.S. Supreme Court decisions, Attorney Generals' memorandums, directives, orders, their own ethics handbook and other Federal Law on Attorney conduct by reverting to lies, Fraud and deception. The U.S. Attorney's Office has committed "FRAUD UPON THE COURT" to obtain rulings and orders with the aid of U.S. Magistrate Samuel Alba and U.S. District Court Judge Dale Kimball.
- 6- That a Judge shall uphold the integrity and competency of the court and shall avoid impropriety and even the appearance of impropriety.
- 7- This is a judgment resulting from a default and all litigation should be decided on its merits.

Set of Facts II

- 1- The lead attorney notified as the counsel for the defendants in this civil action: Kurt C. Lusty, gives '6021 S. Kamas Drive Salt Lake City, UT, as his address, which turns out to be his home address in Taylorsville, Utah, a bedroom community within the Salt Lake City metropolitan area.

- 2 – The second time Kurt Lusty's name appears on court documentation he's all of the sudden now a Special Assistant U.S. Attorney with a new address of 9350 South 150 East, Suite 800, Salt Lake City, Utah. No such address exists in Salt Lake City. Look it up and see. But such address DOES exist in Sandy, Utah, 10 miles south of Salt Lake City.
- 3- There is no Law practice, Law Firm, U.S. Attorney's office, or Branch office at this location (9350 South 150 East, Suite 800 , Sandy, Utah).
- 4- Plaintiff has now learned this address is occupied by the South East regional Law Office of the United States Postal Service and Kurt C. Lusty is presently an employed in the USPS's legal department as a USPS Attorney. Something just doesn't stink here, it's ROTTEN!
- 5 – Plaintiff discovers that U.S. Magistrate Samuel Alba and U.S. District Court Judge Dale Kimball knew of this but that Plaintiff was never notified or made aware of this conflict of interest constituting clear and convincing evidence of Misconduct, Legal Malpractice through the use of lies, deception and fraud by officers of the court constituting “ FRAUD UPON THE COURT”.

SET OF FACTS III

- 1- Defendant's attorney Kurt C. Lusty files false and deceptive motions with the court. His “ MOTION TO DISMISS” for failure of Plaintiff to obey Rule 4 of the Federal Rules dealing with summons. If defendants haven't been notified, then why is he filing “MOTION TO DISMISS”, or other papers as their attorney. Secondly, Kurt C. Lusty's motion to dismiss is fraudulent on it's face. Specifically he files the “MOTION TO DISMISS” 57 days after Plaintiff has filed the initial complaint. Rule 4 clearly states Plaintiff has 120 days to affect service. Does Kurt C. Lusty or

any of his superiors as well as U.S. Magistrate Alba and U.S. District Court Judge Dale Kimball have any idea what the rules are? Furthermore, one just has to look at the docket sheet to clearly see that the Plaintiff Fred Mauney has filed a Forma Pauperis motion and an order was signed by Judge Boyce to proceed in Forma Pauperis.

2 - Later, plaintiff Fred Mauney files a Motion for Official Service of Process. Now Plaintiff Fred Mauney is waiting for the judge's order to affect service and the Federal Marshall's to do their job.

ISSUE

Has the United States Postal Service and the United States Postal Inspection Service, through it's attorneys, the Department of Justice, the Attorney General, the US Attorney (UTAH), along with U.S. Magistrate Samuel Alba and U.S. District Judge Dale Kimball acted as a cabal, in bad faith, through misconduct, "Conflict of Interest", lies, deception, allowing impropriety into the court, constituting "FRAUD UPON THE COURT".

ARGUMENT

The documentation and exhibits speak for themselves of misconduct and improprieties in the due processes of the courts' handling of Fred Mauney's case against the U.S. Postal Service, U.S. Justice Department and U.S. Attorney's Office. Plaintiff's rights guaranteed by the United States constitution have been violated, specifically the right to address the government for grievance, due process, and equal protection clauses. Kurt Lusty should have been rebuked by the court when he filed his first motion to dismiss. Fred Mauney should have been made aware that Kurt Lusty was a USPS attorney, operating in their offices, a clear conflict of interest in this circumstance. Civil procedure rule 4 is to assure the court that the

defendants have been notified (served). Kurt Lusty appeared in court, proclaiming he had no knowledge of the civil action (**Civil No. 2:01CV-179K**) and had not been "properly" notified, yet he is filing motions against what he claims not to know anything about. For Kurt Lusty to act on behalf of the defendants in any capacity he would have been retained by special appointment from the U.S. Attorney and approved of by the U.S. Attorney General, John Ashcroft. How can he achieve a special appointment without being notified as rule 4 requires. This is in direct violation of U.S. Supreme Court decision *Berger v. United States*.

CONCLUSION

The court has no choice but to grant this motion to set aside judgment under Federal Rules of Civil Procedure ,Civil Rule 60(b). Not to so would be an abuse of discretion and would constitute an appealable decision under the rules.

EXHIBITS

- Exhibit 1** – Court Docket Sheet which clearly shows plaintiff's assertions of misconduct.
- Exhibit 2** - Shows Kurt Lusty's second misconduct "Fraud upon the Court " motions
- Exhibit 3** - Sample of U.S. Code -Title 5 – Government Ethics for employees and Attorneys
- Exhibit 4** - Special section of U.S. Code -Title 5 on "Ethics" and the Department of Justice employees and attorneys
- Exhibit 5** - Showing the U.S. Supreme Court and U.S. Attorney Generals' position on conduct /misconduct of government and Department of Justice attorneys which refers to the ABA's rules of conduct / conflict of interest. 1990
- Exhibit 6** - Example of the ABA's rules
- Exhibit 7** - Copy of the U.S. Dept. of Justice Ethics handbook. 2000
- Exhibit 8** - Moore's 'The Federal Law of Attorney Conduct'
- Exhibit 9** - Copy of *Berger v. United States*

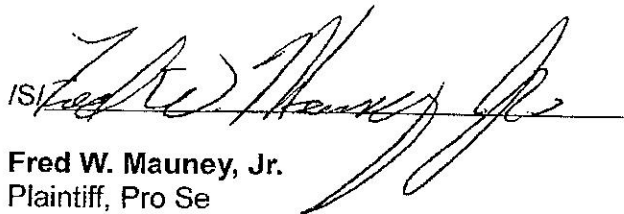
Exhibit 10 - A – Magistrate Alba's order refusing to recognize Kurt Lusty as an assistant U.S. Attorney

B- Judge Kimball's order also refusing to acknowledge Kurt Lusty as an assistant U.S. Attorney

Exhibit 11 - The ABA's code of Official Conduct

- no impropriety in the courtroom
- not to allow even the appearance of any impropriety in the courtroom.

Exhibit 12 - Copy of Marbury v. Madison

IS/ 

Fred W. Mauney, Jr.
Plaintiff, Pro Se

CERTIFICATE OF SERVICE

It is hereby certified that on April 21, 2010 a **MEMORANDUM IN SUPPORT OF MOTION TO SET ASIDE JUDGMENT** was sent by priority mail to the following:

Carlie Christensen
Acting U.S. Attorney, Utah
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Suite 300
Salt Lake City, Utah 84111

Jack E. Potter
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Washington DC, 20260-2160

Kurt C. Lusty
Ambulance Chasing, Shyster Lawyer
Ex-Special Assistant U.S. Attorney
9350 S. 150 E. Suite 800
Salt Lake City, Utah 84070-2702

Mary Anne Gibbons
General Counsel USPS
475 L'Efante Plaza SW
Washington DC, 20260-2160

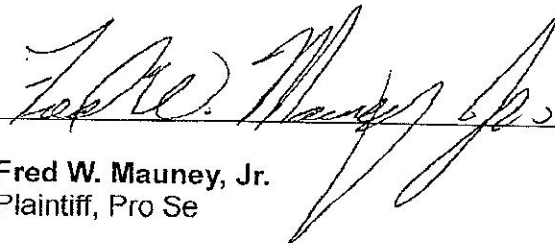
John Warner
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Salt Lake City, Utah 84101

William Gilligan
Chief Postal Inspector
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Samuel Alba
U.S. Magistrate
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U.S. Dept. of Justice
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Washington DC, 20530-0001

Dale A. Kimball
U.S. District Court Judge
350 S. Main Street Rm. # 220
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Fred W. Mauney, Jr.
Plaintiff, Pro Se

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 Street, Apt. No.
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Sent To: *Judge Samuel R. Riba*
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Exhibit: 10

No. of Pages....3

Willie Sutton

From Wikipedia, the free encyclopedia

William "Willie" Sutton (June 30, 1901 – November 2, 1980) was a prolific American bank robber. During his forty-year criminal career he stole an estimated \$2 million, and eventually spent more than half of his adult life in prison and escaped three times. For his talent at executing robberies in disguises, he gained two nicknames, "Willie the Actor" and "Slick Willie." Sutton is known, albeit apocryphally, for the urban legend that he said that he robbed banks "because that's where the money is."

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- 2 Career in crime
- 3 Final years
- 4 An urban legend
- 5 In popular culture
- 6 References
- 7 External links

Life summary

Sutton was born into an Irish-American family in an Irish neighborhood in Greenpoint, Brooklyn. He was the fourth of five children, and did not go beyond the 8th grade of school. He turned to crime at an early age, though throughout his professional criminal career, he did not kill anyone. Described by Mafioso Donald Frankos as a little bright-eyed man who stood at 5 feet 7 inches, he was very talkative, chain-smoked hand rolled Bull Durham tobacco cigarettes, and dispensed mounds of legal advice to any convict willing to listen. Inmates considered Sutton a "wise old head" in the prison population. When incarcerated at "The Tombs" (Manhattan House of Detention) he did not have to worry about assault because Mafia friends looked after him. In conversation with Donald Frankos he would sadly reminisce about the violent and turbulent days in the 1920s and 1930s while he was most active in robbing banks and would always tell fellow convicts that in his opinion, during the days of Al Capone and Charles Lucania, better known as Lucky Luciano, the criminal underworld was the bloodiest. Gangsters from the time period, and many incarcerated organized crime mafia family leaders and made Mafiosi loved having Sutton around for companionship. He was always a gentleman, witty and non-violent. Frankos declared that Sutton made legendary bank thieves Jesse James and John Dillinger look like amateurs.

Sutton married Louise Leudemann in 1929. She divorced him while he was in jail. Their daughter Jeanie was born the following year. His second wife was Olga Kowalska, whom he married in 1933. His longest period of (legal) employment lasted for 18 months.

Sutton preferred the name Bill, but police nicknamed him Willie.

He robbed about 100 banks from the late 1920s to his final arrest in 1952—with several prison terms in between. He was also a master at breaking out of prisons.^[*citation needed*]

Career in crime

Sutton was an accomplished bank robber. He usually carried a pistol or a Thompson submachine gun. "You can't rob a bank on charm and personality," he once observed. In an interview in the Reader's Digest published shortly before his death, Sutton was asked if the guns that he used in robberies were loaded. He responded that he never carried a loaded gun because somebody might get hurt. He stole from the rich and kept it, though public opinion later turned him into a perverse type of Robin Hood figure. He allegedly never robbed a bank when a woman screamed or a baby cried.

Sutton was captured and recommitted in June 1931, charged with assault and robbery. He did not complete his 30-year sentence, escaping on December 11, 1932, using a smuggled gun and holding a prison guard hostage. With the guard as leverage, Sutton acquired a 13.5-meter (45 ft) ladder to scale the 9-meter (30 ft) wall of the prison grounds.

On February 15, 1933, Sutton attempted to rob the Corn Exchange Bank and Trust Company in Philadelphia, Pennsylvania. He came in disguised as a postman, but an alert passerby foiled the crime. Sutton escaped. On January 15, 1934, he and two companions broke into the

Willie "The Actor" Sutton



FBI Ten Most Wanted Fugitives

Charges	Bank robbery
Description	
Born	June 30, 1901
Died	November 2, 1980 (aged 79) Spring Hill, Florida
Status	
Added	March 20, 1950
Caught	February 1952
Number	11
Captured	

same bank through a skylight.

The FBI record observes:

Sutton also conducted a Broadway jewelry store robbery in broad daylight, impersonating a postal telegraph messenger. Sutton's other disguises included a police officer, messenger and maintenance man. He usually arrived at banks or stores shortly before they opened for business.

Sutton was apprehended on February 5, 1934, and was sentenced to serve 25 to 50 years in the Eastern State Penitentiary in Philadelphia, Pennsylvania, for the machine gun robbery of the Corn Exchange Bank. On April 3, 1945, Sutton was one of 12 convicts who escaped the institution through a tunnel. Sutton was recaptured the same day by Philadelphia police officer Mark Kehoe.

Sentenced to life imprisonment as a fourth time offender, Sutton was transferred to the Philadelphia County Prison, Holmesburg section of Philadelphia, Pennsylvania. On February 10, 1947, Sutton and other prisoners dressed up as prison guards. The men carried two ladders across the prison yard to the wall after dark. When the prison's searchlights hit him, Sutton yelled, "It's okay!" No one stopped him.

On March 20, 1950, Sutton was the eleventh listed on the FBI's brand new FBI Ten Most Wanted Fugitives, created only a week earlier, on March 14.

In February 1952, Sutton was captured by police after having been recognized on a subway and followed by Arnold Schuster, a 24-year-old Brooklyn clothing salesman and amateur detective. Schuster later appeared on television and described how he had assisted in Sutton's apprehension. Albert Anastasia, Mafia boss of the Gambino crime family, took a dislike to Schuster because he was a "squealer." According to Mafia turncoat and government informant, Joe Valachi, Anastasia ordered the murder of Schuster, who was then shot dead outside his home on March 9, 1952.

Judge Peter T. Farrell presided over a 1952 trial in which Sutton had been charged with the 1950 heist of \$63,942 (equal to \$620,405 today) from a branch of the Manufacturers Trust Company in Sunnyside, Queens, part of more than \$2 million he was estimated to have stolen from various banks over the course of his career in crime. Sutton was found guilty and given a sentence of 30 to 120 years in Attica State Prison.^[1]

Farrell suspended Sutton's sentence in December 1969, ruling that Sutton's good behavior in prison and his deteriorating health due to emphysema justified the suspension of the sentence. After the ruling was delivered, Sutton said "Thank you, your Honor. God bless you" and started crying as he was led out of the court building. Sutton still had to receive a suspension of a separate 30-year-to-life sentence he had received in Brooklyn in 1952 and then could be released on parole from a 1930 conviction.^[2]

Final years

Willie Sutton stole an estimated \$2 million in his career, and spent more than half his adult life in prison.

A series of decisions by the United States Supreme Court in the 1960s led to his release on Christmas Eve, 1969, from Attica State Prison. He was in ill health at the time, suffering from emphysema and in need of an operation on the arteries of his legs.

Once a free man, he spoke about prison reform and consulted with banks on anti-robbery techniques. In an ironic display, he made a television commercial for New Britain Bank and Trust Co. in Connecticut for their credit card with picture ID on it. His lines were, "They call it the 'face card.' Now when I say I'm Willie Sutton, people believe me." Sutton disliked Jimmy Carter and when Carter ran for President in 1976, Sutton told an interviewer "I've never seen a bigger confidence man in my life and I've been around some of the best in the business".^[3]

Sutton died in 1980 at the age of 79; before this he had spent his last years with his sister in Spring Hill, Florida. He frequented the Spring Hill Restaurant where he kept to himself. After Sutton's death, his family arranged a quiet burial in Brooklyn in the family plot. According to findagrave.com his plot is under the family name of Bowles at Holy Cross Cemetery.

An urban legend

Sutton is famously — but apocryphally — supposed to have answered reporter Mitch Ohnstad, who asked why he robbed banks, by saying, "because that's where the money is." The supposed quote formed the basis of Sutton's law, often taught to medical students.

In his partly ghostwritten autobiography, *Where the Money Was: The Memoirs of a Bank Robber* (Viking Press, New York, 1976), Sutton dismissed this story, saying:

The irony of using a bank robber's maxim as an instrument for teaching medicine is compounded, I will now confess, by the fact that I never said it. The credit belongs to some enterprising reporter who apparently felt a need to fill out his copy...

If anybody had asked me, I'd have probably said it. That's what almost anybody would say...it couldn't be more obvious.

Or could it?

Why did I rob banks? Because I enjoyed it. I loved it. I was more alive when I was inside a bank, robbing it, than at any other time in my life. I enjoyed everything about it so much that one or two weeks later I'd be out looking for the next job. But to me the money was the chips, that's all.

Go where the money is...and go there often.^{[4][5]}

Nevertheless, the legend has resulted in the "Willie Sutton rule," used in activity-based costing (ABC) of management accounting. The law stipulates that ABC should be applied "where the money is," meaning where the highest costs are incurred, and thus the highest potential of over-all cost reduction is.^[6]

In popular culture

Actor Jay Novello portrayed Willie Sutton in "The Case of Willie Sutton", a 1952 episode of the TV-series *Gang Busters*.

A reference to Willie Sutton's apocryphal quote is made in *The Distinguished Gentleman*, a 1992 comedy starring Eddie Murphy.

Sutton's life is the subject of a 2011 documentary film *In the Footsteps of Willie Sutton*.^{[7][8]}

The life of Willie Sutton is portrayed in the 2012 novel *Sutton* by J.R. Moehringer.

References

- ↑ Pace, Eric. "Peter T. Farrell, 91; Judge Who Presided At the Sutton Trial" (<http://www.nytimes.com/1992/11/10/obituaries/peter-t-farrell-91-judge-who-presided-at-the-sutton-trial.html>), *The New York Times*, November 10, 1992. Accessed October 11, 2009.
- ↑ Staff. "A JAIL TERM LIFTED, SUTTON CRIES IN JOY" (<http://select.nytimes.com/gst/abstract.html?res=FA0810FE39591A7493C0A91789D95F4D8685F9>), *The New York Times*, December 2, 1969. Accessed October 11, 2009.
- ↑ Time magazine (<http://www.time.com/time/magazine/article/0,9171,904436,00.html>)
- ↑ "Quotes: Willie Sutton" (<http://www.snopes.com/quotes/sutton.asp>), Snopes.com
- ↑ Sutton, Willie, with Edward Linn, *Where the Money Was: The Memoirs of a Bank Robber* (New York, New York: Broadway Books, 2004; first published 1976 Viking Press, New York City, New York), page 160 (<http://books.google.com/books?id=rJvVaSMvDWcC&pg=PT108&lpg=PT108&dq=confess+never&f=false#v=onepage&q=confess%20never&f=false>)
- ↑ Cost and Effect, Kaplan, R.S. and Cooper, R., Harvard Business School Press, Boston MA, 1998, ISBN 0-87584-788-9
- ↑ "In the Footsteps of Willie Sutton" (<http://www.williesutton.com/WillieSuttonPressKit.pdf>). Snoury Productions, LLC. Retrieved 2011-12-03.
- ↑ "In the Footsteps of Willie Sutton" (<http://www.imdb.com/title/tt1959411/>). Internet Movie Database. Retrieved 2011-12-03.

External links

- FBI website entry on William Sutton (<http://www.fbi.gov/about-us/history/famous-cases/willie-sutton>)
- "Willie Sutton, Urbane Scoundrel" *New York Times*, February 17, 2002 (<http://query.nytimes.com/gst/fullpage.html?res=9C06E7DB123FF934A25751C0A9649C8B63&sec=&spon=&pagewanted=print>)
- Notable Names Database (NNDB) Willie Sutton (<http://www.nndb.com/people/116/000062927/>)
- 'Willie Sutton Is Dead At 79', New York Times obituary, November 19, 1980 (<http://groups.google.de/group/alt.obituaries/msg/95b17aa1eebba360?hl=de&fwe=1>)
- Contract Killer: The Explosive Story of the Mafia's Most Notorious Hit Man Donald "Tony the Greek" Frankos by William Hoffman and Lake Headley

Retrieved from "http://en.wikipedia.org/w/index.php?title=Willie_Sutton&oldid=588895850"

Categories: FBI Ten Most Wanted Fugitives | 1901 births | 1980 deaths | 20th-century criminals | American bank robbers | American people convicted of assault | American people convicted of robbery | American people of Irish descent | Deaths from emphysema | Disease-related deaths in Florida | People from Brooklyn | Sing Sing

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Exhibit: 11

No. of Pages....1

Sutton's law

From Wikipedia, the free encyclopedia

Sutton's law states that when diagnosing, one should first consider the obvious. It suggests that one should first conduct those tests which could confirm (or rule out) the most likely diagnosis. It is taught in medical schools to suggest to medical students that they might best order tests in that sequence which is most likely to result in a quick diagnosis, hence treatment, while minimizing unnecessary costs. It is also applied in pharmacology, when choosing a drug to treat a specific disease you want the drug to reach the disease. It is applicable to any process of diagnosis, e.g. debugging computer programs. Computer-aided diagnosis provides a statistical and quantitative approach.

A more thorough analysis will consider the false positive rate of the test and the possibility that a less likely diagnosis might have more serious consequences. A competing principle is the idea of performing simple tests before more complex and expensive tests, moving from bedside tests to blood results and simple imaging such as ultrasound and then more complex such as MRI then specialty imaging. The law can also be applied in prioritizing tests when resources are limited, so a test for a treatable condition should be performed before an equally probable but less treatable condition.

The law is named after the bank robber Willie Sutton, who reputedly replied to a reporter's inquiry as to why he robbed banks by saying "because that's where the money is." (In Sutton's 1976 book *Where the Money Was*.^{[1][2]} Sutton denies having said this).

A similar idea is contained in the physician's adage, "When you hear hoofbeats behind you, think horses, not zebras."

See also

- Occam's razor

References

- Altman, Lawrence (1970-01-03). "A Law Named for Willie Sutton Assists Physicians". *The New York Times*
 - Rytand, David (1980). "Sutton's or Dock's Law?". *New England Journal of Medicine* **302** (17): 972. doi:10.1056/NEJM198004243021726 (http://dx.doi.org/10.1056%2FNEJM198004243021726). PMID 6987522 (//www.ncbi.nlm.nih.gov/pubmed/6987522).
- ↑ http://www.snopes.com/quotes/sutton.asp
 - ↑ Willie Sutton with Edward Linn, *Where the Money Was: The Memoirs of a Bank Robber* (New York, New York: Broadway Books, 2004; first published in 1976 by Viking Press of N.Y., N.Y.), page 160 (http://books.google.com/books?id=rJvVaSMvDWcC&pg=PT108&lpg=PT108&dq=confess+never&f=false#v=onepage&q=confess%20never&f=false)

Retrieved from "http://en.wikipedia.org/w/index.php?title=Sutton%27s_law&oldid=557575615"

Categories: Adages ; Debugging Medicine stubs

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Exhibit: 12

No. of Pages....2

Florida Companies

HOME COMPANIES PRICES CONTACT

Companies TAILWIND SPORTS, LLC

TAILWIND SPORTS, LLC



Remove this company from our

Business Summary for TAILWIND SPORTS, LLC

TAILWIND SPORTS, LLC is an Foreign Limited Liability business incorporated in Florida, USA on August 26, 1999. Their business is recorded as Inactive. It is not part of a group. The company was incorporated 15 years ago.

Business informations for TAILWIND SPORTS, LLC

Name	TAILWIND SPORTS, LLC
Identification number:	M99000001347



Business Type	Foreign Limited Liability
Company Status	Inactive
Incorporation date	08/26/1999
Last statement	-
Business Address	5515 SECURITY LANE, #1103 ROCKVILLE
Mailing Address	5515 SECURITY LANE, #1103 ROCKVILLE
State	DE
FEI/EIN Number	522158985

Officer detail

SISSON CINDY
135 GASOLINE ALLEY
MOORESVILLE NC

FURST ALLEN S
5515 SECURITY LANE, #1103
ROCKVILLE MD

GORSKI MARK
ONE HARBOR DRIVE, #200
SAUSALITO CA

Agent

CORPORATION SERVICE COMPANY
1201 HAYS STREET
TALLAHASSEE FL 323012525

*Our website contains only public informations on companies from Florida, USA .

Related companies

- TURNER'S AMERICAN MUSIC STORE, INC. Details
- PRINCE DRY CLEANERS, INC. Details
- RICK MACK, INC. Details
- S & K INVESTMENT CORP Details
- JUDY SHAPIRO, INC. Details
- MICHAEL ELECTRIC, INC. Details
- SIR INTERNATIONAL LEASING CORP. Details
- RITEWAY CARPET CLEANERS, INC. Details
- RAY MACK ASSOCIATED COMPANIES, INC. Details

Key Financials

Key Financials are not available as TAILWIND SPORTS, LLC has not filed accounts. Accounts are required to be filed on or before 20/09/2013.

Company Documents

Date Filed	Document Type
------------	---------------

Company Accounts

Login/Register
And get access to real
company information.

Directors and Secretaries of TAILWIND SPORTS, LLC

Login/Register

Exhibit: 13

No. of Pages....2

63,734,583 Companies
53,791,211 Principals

Home | Company Search | People Search | Blog | Countries | Contact Us

Search

Home Company Search People Search Blog Countries Contact Us

8+1 1

TAILWIND SPORTS, LLC (5 Locations)

8+1 1.1k Tweet 444 Like 6.6k

This information is current as of May 31, 2012.

There are 5 companies that go by the name of Tailwind Sports, LLC. These companies respectively are located in California, Delaware, Florida, and North Carolina.

Company Name:	<u>Tailwind Sports, LLC</u>	Filing Date:	04/30/1999
Status:	Active	File Number:	<u>199912410081</u>
Entity Type:	Foreign Limited-Liability Company	Registered Agent:	Corporation Service Comp
Filing State:	California (CA)		California
Principal Address:	<u>5515 Security Lane #1103</u> <u>Rockville, MD 20852</u>		
Company Name:	<u>Tailwind Sports, LLC</u>	Filing Date:	04/05/1999
Status:	Unknown	File Number:	<u>3025671</u>
Entity Type:	Limited-Liability Company (LLC)	Registered Agent:	Corporation Service Comp
Filing State:	Delaware (DE)		
Registered Agent Address:	2711 Centerville Rd Ste 400 Wilmington, DE 19808		

Company Name: [Tailwind Sports, LLC](#)
Status: Inactive
Entity Type: Foreign Limited-Liability Company
Filing State: Florida (FL)
Mailing Address: [5515 Security Lane, #1103](#)
[Rockville, MD 20852](#)

Filing Date: 08/26/1999
File Number: [M99000001347](#)
Registered Agent: Corporation Service Comp
Registered Agent Address: 1201 Hays Street
Tallahassee, FL 32301-252

Company Name: [Tailwind Sports, LLC](#)
Status: Forfeited
Entity Type: Limited-Liability Company
Filing State: Maryland (MD)
Principal Address: [5515 Security Lane](#)
[Suite 1103](#)
[Rockville, MD 20852](#)

Filing Date: 02/20/2001
File Number: [Z06169403](#)
Registered Agent: Allen S. Furst
Registered Agent Address: [5515 Security Lane](#)
[Suite 1103](#)
[Rockville, MD 20852](#)

Company Name: [Tailwind Sports, LLC](#)
Status: Unknown
Entity Type: Limited-Liability Company
Filing State: North Carolina (NC)
Mailing Address: 1013 Centre Rd
Wilmington, DE 19805

Filing Date: 05/07/1999
File Number: [0493663](#)
Registered Agent: Secretary Of State
Registered Agent Address: 2 South Salisbury Street
Raleigh, NC 27601

[Start Download](#)[Play Now](#)[Previous](#) [Next](#) [Search More Companies](#)[Order Business S](#)

Bizapedia.com is not affiliated with any state government agency.

Exhibit: 14

No. of Pages....1

//

Entity Name: TAILWIND SPORTS, LLC
Dept ID #: Z06169403

General Information Amendments Personal Property Certificate of Status

Principal Office (Current):
SUITE 1103
5515 SECURITY LANE
ROCKVILLE, MD 20852

Resident Agent (Current):
ALLEN S. FURST
SUITE 1103
5515 SECURITY LANE
ROCKVILLE, MD 20852

Status: **FORFEITED**

Good Standing: No What does it mean when a business is not in good standing or forfeited?

Business Code: Other

Date of Formation or
Registration: 02/20/2001

State of Formation: DE

Stock/Nonstock: N/A

Close/Not Close: Unknown

Link Definition

General Information	General information about this entity
Amendments	Original and subsequent documents filed
Personal Property	Personal Property Return Filing Information and Property Assessments
Certificate of Status	Get a Certificate of Good Standing for this entity

Exhibit: 15

No. of Pages....2

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[Click here for full disclaimer statement](#)

Maryland Department of Assessments and Taxation
Business Services
(vw3)

Charter Search Results for: TAILWIND SPORTS LLC

Page 1 of 1

<u>(Dept. ID)</u>	<u>Entity Name</u>	<u>Entity Detail</u>	<u>Status</u>
(Z06169403)	TAILWIND SPORTS, LLC	<u>General Info.</u> <u>Amendments</u> <u>Personal Property</u>	<u>FORFEITED</u>

//

Entity Name: TAILWIND SPORTS, LLC
Dept ID #: Z06169403

General Information Amendments Personal Property Certificate of Status

Mailing Address

TAILWIND SPORTS, LLC
135 GASOLINE ALY
MOORESVILLE, NC 28117 6502

Personal Property Filings

<u>Asmt. Year</u>	<u>Filing Date</u>	<u>Extension</u>	<u>Penalty Amount</u>	<u>Penalty Paid Date</u>
2013		No		
2012		No		
2011		No		
2010		No		
2009		No		

Personal Property Assessments Summary

<u>Asmt. Year</u>	<u>Date Assessed</u>	<u>County Base</u>	<u>Town Base</u>	<u>Date Certified</u>
2013				
2012				
2011				
2010				
2009				

Personal Property Assessments Certification Information

<u>Asmt. Year</u>	<u>Location</u>	<u>County</u>	<u>License</u>	<u>Town</u>	<u>Date Certified</u>
-------------------	-----------------	---------------	----------------	-------------	-----------------------

Link Definition

General Information	General information about this entity
Amendments	Original and subsequent documents filed
Personal Property	Personal Property Return Filing Information and Property Assessments
Certificate of Status	Get a Certificate of Good Standing for this entity

Exhibit: 16

No. of Pages....2

ARMSTRONG & ASSOCIATES, P.C.

July 2, 1999

Mr. Mark Gorski
General Manager
DF&P Furst and Partners
One Harbor Drive
Suite 200
Sausalito, CA 94965

Dear Mark:

In accordance with our discussions, Lance Armstrong ("Armstrong") would like to continue his relationship as a member of the U.S. Postal Service Professional Cycling Team, which is owned and managed by Disson Furst and Partners ("DF&P"). This letter agreement (the "Letter Agreement") is intended to outline the general terms of a professional rider agreement into which Armstrong will enter with DF&P in the future.

1. The term of this Agreement is from July 2, 1999, to December 31, 2001. Armstrong's base salary and bonuses for 1999 will be based upon his existing rider agreement.

2. DF&P will pay Armstrong a base salary of \$750,000.00 in 2000 and \$975,000.00 in 2001. The base salary in each year will be increased if Armstrong earns any salary enhancements (the "Salary Enhancements"). If Armstrong earns any bonuses in 1999 in accordance with Section 3 of this Letter Agreement, his 2000 base salary will be increased by the amount of the bonuses. If Armstrong earns any bonuses in 2000 in accordance with Section 3 of this Letter Agreement, his 2001 base salary will be increased by the amount of the bonuses. Notwithstanding the previous two sentences: (i) the first \$75,000.00 in Salary Enhancements earned in 1999 will not apply to the 2000 base salary; and (ii) the first \$125,000.00 in Salary Enhancements earned in 2000 will not apply to the 2001 base salary. The Salary Enhancements in this Letter Agreement supersede the salary enhancements in Armstrong's current professional rider agreement regarding his 2000 salary. Armstrong's base salary will be paid in twelve equal installments due on the first of each month during the term. The maximum salary DF&P will be required to pay Armstrong in any calendar year is \$2,500,000.00.

3. In addition to the base salary in Section 2 of this Letter Agreement, DF&P will pay Armstrong performance bonuses based as follows:

1404 W. Thirteenth Street - Austin, Texas 78703 - tel (512) 476-7211 - fax (512) 476-0611



RESPONDENT'S 3

EVENT	BONUS AMOUNT
Tour de France overall GC - 1 st place	\$1,000,000.00
Tour de France overall GC - 2 nd place	\$500,000.00
Tour de France overall GC - 3 rd place	\$300,000.00
Tour de France stage- 1 st place	\$75,000.00
Tour de France stage- 2 nd place	\$35,000.00
Tour de France stage- 3 rd place	\$10,000.00
Tour of Spain/Italy overall GC - 1 st place	\$250,000.00
Tour of Spain/Italy overall GC - 2 nd place	\$100,000.00
Tour of Spain/Italy overall GC - 3 rd place	\$50,000.00
Tour of Spain/Italy stage - 1 st place	\$20,000.00
Tour of Spain/Italy stage - 2 nd place	\$10,000.00
Tour of Spain/Italy stage - 3 rd place	\$5,000.00
World Championships road race - 1 st place	\$400,000.00
World Championships road race - 2 nd place	\$150,000.00
World Championships road race - 3 rd place	\$25,000.00
World Championships time trial - 1 st place	\$200,000.00
World Cups - 1 st place	\$100,000.00
World Cups - 2 nd place	\$35,000.00
World Cups - 3 rd place	\$10,000.00
Final UCI Points Standings - 1 st place	\$350,000.00
Final UCI Points Standings - 2 nd place	\$150,000.00
Final UCI Points Standings - 3 rd place	\$100,000.00
HC Stage Races GC - 1 st place	\$30,000.00
HC Stage Races Stage - 1 st place	\$15,000.00
USPRO Championship - 1 st place	\$35,000.00
UCI 1.1 one day races - 1 st place	\$25,000.00
Leader's Jersey at the Tour de France Winning the Jersey Stages 1-12	\$25,000.00
Leader's Jersey at the Tour de France Winning the Jersey Stages 13-22	\$50,000.00
Leader's Jersey at the Tour de France Defending the Jersey (Per Day) Stages 1-12	\$15,000.00
Leader's Jersey at the Tour de France Defending the Jersey (Per Day) Stages 13-22	\$25,000.00

Exhibit: 17

No. of Pages....2

ESIX
Entertainment
And Sports
Insurance Experts
ATLANTA - DENVER
INDIANAPOLIS

VIA FACSIMILE

TO: Bob Hannan / *Tab Overton*
Company: SCA Promotions
Phone:
Fax Number: 214 860 3471

FROM: Kelly Price
Date: January 3, 2001
Pages (including this cover page): 1

RE: Disson Furst & Partners IKO Lance Armstrong

Urgent ☒ For Your Review ☐ Reply ASAP ☐ Please Comment

The information contained on this facsimile message is company privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any disclosure, copying, distribution or taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this message in error, please immediately notify us by telephone to arrange for the return of the documents to us.

Further to our conversation of this morning we would like to proceed with the coverage for the consecutive win bonuses as follows.

Win No. 4	\$1,500,000
Win No. 5	3,000,000
Win No. 6	5,000,000

Disson Furst & Partners manage the US Postal Team. They have a contract with US Postal to manage the team for which they are paid X amount of dollars prior to each year. Obviously, Lance is the key element in the deal. The US Postal does not tell Disson how to run the team they just desire similar results. It is up to Disson to keep Lance happy and the team fired up to support him in another Tour de France win.

The 2001 deal with US Postal was done 2 months ago. They were still negotiating with Lance on an extension. It sounds like they had to give him a bigger retainer and less in incentives.

Bottom line Disson Furst does not have \$400k or 420k to put down this month on this deal. Really would like to spread this over quly payments this yr.

Bob, they really want to look at increasing that 6th win to \$10,000,000. Cld you please let me know if you can do it and at what additional cost?

1899 Powers Ferry Road
Suite 375
Atlanta, GA 30339-5655
770-950-0296
Fax 770-950-0559

DEPOSITION
EXHIBIT
2

CONFIDENTIAL

SCA 090034

RESPONDENTS 6

10. If Armstrong is the subject of a verified positive drug test, DF&P may terminate this Letter Agreement.

11. In the more complete rider agreement, DF&P and Armstrong will agree to a provision for fair compensation to the team if Armstrong retires or does not voluntarily participate in the Tour.

12. The venue provision from Armstrong's prior professional rider agreement with Montgomery Sports, dated December 12, 1997, will remain in effect. All other provisions from that agreement, including the duties of Armstrong with respect to team equipment and clothing, do not apply and alternative provisions will be mutually agreed upon by the parties when this Letter Agreement is further reduced to writing as set out below.

The terms set forth in this Letter Agreement are a binding agreement between DF&P and Armstrong, and will govern the relationship between the parties until they complete and execute a more detailed agreement mutually agreeable to both parties. If DF&P agrees with the terms of this Letter Agreement, please indicate by signing and returning a copy of the letter to me. Once we have this binding Letter Agreement executed, we can begin working on a more detailed team agreement that incorporates the terms of this Letter Agreement.

Yours very truly,

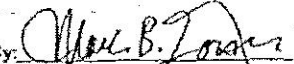


William J. Stapleton, III
President
Capital Sports Ventures, Inc.

Acknowledgment of and agreement to the Letter Agreement:

DISSON FURST AND PARTNERS

LANCE ARMSTRONG

By: 

 Attorney in fact for Lance Armstrong

Date: July 2, 1999

Date: _____

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No. of Pages....1

Motorsport.com

[automotive](#) [GENERAL](#) [NASCAR-CUP](#) [NASCAR-NS](#)

[Previous story](#) (<http://www.motorsport.com/automotive/news/pennzoil-show-best-of-show/>) [Next story](#) (<http://www.motorsport.com/automotive/news/champcar-cart-pacwest-to-run-toyota-power/>)

BUSCH: Disson Furst & Partners changes name to Tailwind Sports

(WASHINGTON, DC) -- In a move that launches a new direction for the company, the national sports marketing firm Disson Furst and Partners has been re-named Tailwind Sports and will now concentrate its business in two primary areas: cycling and ...

Added: January 18, 2001 at 12:40am This page has been viewed: 441 times

(WASHINGTON, DC) -- In a move that launches a new direction for the company, the national sports marketing firm Disson Furst and Partners has been re-named Tailwind Sports and will now concentrate its business in two primary areas: cycling and motorsports.

Tailwind Sports owns and manages the U.S. Postal Service Pro Cycling Team, featuring Lance Armstrong, who won the last two Tour de France races. The motorsports division has created and oversees several national marketing programs, including the Nestle Nesquik Racing Team, which won the 2000 NASCAR Busch Series Championship and the Chef Boyardee sponsorship of Joe Gibbs Racing, which won the NASCAR Winston Cup Championship in year 2000.

"Tailwind Sports will build on the tremendous success we have already achieved in motorsports and cycling," said Managing Director Cindy Sisson. "There is great synergy between these two areas and they will be the foundation for the company's future growth."

Tailwind Sports will be led by three sports marketing veterans and the founders of Tailwind Sports' predecessor DFP: Allen Furst, its Managing Director; Cindy Sisson, its Managing Director who will oversee the motorsports division; and Mark Gorski, its new CEO. The company's Board of Directors, giving full support to the new direction of the company, includes Thomas Weisel, Harvey Schiller, Terry Lee, Jody Gessow, Emily Pottruck, and Joseph Vittoria.

"By fine-tuning the strategic direction of Tailwind Sports, we will enhance our ability to be innovators and leaders in cycling and motorsports," said Thomas Weisel, Chairman of the Board, as well as Chairman and CEO of Thomas Weisel Partners. "These changes were a collective decision among all partners and the Board of Directors. We all believe the company is now positioned to take advantage of the unique opportunities ahead in the sports industry."

Tailwind Sports has finalized several major deals, which will be announced in the coming weeks.

Tailwind Sports is a national sports marketing company with over 50 employees and has offices in the Washington DC, San Francisco, CA, Charlotte, NC, and Daytona Beach, FL, areas.

-Bill O'Neil

Exhibit: 19

No. of Pages....1

cindy sisson tailwind sports

[Web](#)
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[Maps](#)
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About 21,400 results (0.61 seconds)

Cindy Sisson Hensley | LinkedIn ✓www.linkedin.com/in/cindysissonhensley ▾View **Cindy Sisson** Hensley's professional profile on LinkedIn. LinkedIn is ... **Tailwind Sports** - Managing Director of motorsports and the USPS Pro Cycling Team**Cindy Sisson** profiles | LinkedIn ✓www.linkedin.com/pub/dir/Cindy/Sisson ▾View the profiles of professionals named **Cindy Sisson** on LinkedIn. ... Managing Director at **Tailwind Sports**, Director at Roush Racing, Manager of Sports ...**Tailwind Sports** to develop partnerships for Team Taurus | News ... ✓www.motorsport.com/.../tailwind-sports-to-develop-partnerships-for-tea... ▾"The management team at **Tailwind Sports** has long been a fan of Ford's motorsports marketing activities," says **Cindy Sisson**, managing director of the ...[PDF] **All Sport®** To Fuel U.S. Postal Service Pro Cycling Team New ... ✓www.monarchbeverages.com/sites/default/files/full_story/apr222002.pdf

This site may harm your computer.

help relaunch their brand," said **Cindy Sisson**, managing director of **Tailwind Sports**. "**Tailwind Sports** is currently aligning the USPS team with leading brands ...**Race 2 Win: Tailwind Sports** Names Bill Korbus Vice President ✓www.race2win.net/wc/01/tailwind.html ▾"I have great respect for **Cindy Sisson** and the quality work that they do here at **Tailwind Sports**," said Korbus. "The opportunity to combine forces and help add to ...**RootsWeb: Sisson-L [Sisson-L] Cindy Sisson-** Tour De France ✓archiver.rootsweb.ancestry.com › **Sisson** › 2002-07 ▾Jul 7, 2002 - **Cindy Sisson** coordinates sponsorships for **Tailwind Sports**, the company that > > owns Armstrong's team. She said the Postal Service gets a lot ...

Results for similar searches

Cindy Sisson Hensley - The National Foundation on Fitness, **Sports...**www.nffsn.org/bio_sisson_hensley.php ▾**Cindy Sisson** Hensley is a renowned business, sales and marketing executive who has enjoyed a distinguished career that has encompassed the world of ...More results for **cindy sisson tailwind sports****crwc | Cindy Sisson** Hensley ✓

Exhibit: 2

No. of Pages....1

**Civil Complaint
2:01-CV-179K****Exhibits in support of
Memorandum of Plaintiff's
Motion to
Set Aside Judgement
"FRAUD UPON THE COURT"
Civil Procedure Rule 60****Docket Sheet:**

Where Kurt Lusty's Address is 6021 S. Kamas Drive,
Salt Lake City, Utah, which is his home.

1

Documentation of court filings where Kurt Lusty suddenly
becomes Special Assistant US Attorney with a new
address: 9350 South 150 East, Suite 600 Sandy, Utah.

2

U.S. Code 5 Ethical Conduct for the employees of the
Executive Branch.

3

U.S. Code 5 Ethical Conduct for the employees of
the Department of Justice.

4

Department of Justice Standards of Attorney Conduct
statement by Assistant Attorney General:
Edward S.G. Dennis - 1990

5

ABA's Rules of Professional Conduct
"Conflict of Interest"

6

US Department of Justice Ethics Handbook
(Misconduct) "Conflict of Interest" May, 2000

7

Moore's Federal Practice, The Federal Law of
Attorney Conduct (Misconduct) Conflict of Interest

8

US Supreme Court - Berger v. United States
April 15, 1935

9

A- US Magistrate Samuel Alba notifying Kirk Lusty, Esq.
At address: USPS Law Dept., Sandy, Utah

B- US District Court Judge Dale Kimball notifies
Kirk Lusty, Esq. At same address - USPS Law Dept.

10

ABA's Model Code of Judicial Conduct
Codes 1 and 2

11

US Supreme Court

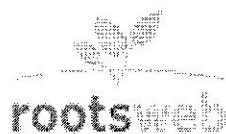
William Marbury v. James Madison - Feb. 1803

Laws & rulings repugnant to the US Constitution are VOID

12

Exhibit: 20`

No. of Pages....4

*Finding our roots together.*

Welcome to Roots



DISC

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SISSON-L Archives

[Archiver](#) > [SISSON](#) > [2002-07](#) > 1026068438

From: ScismGenie@aol.com

Subject: [SISSON-L] Cindy Sisson- Tour De France

Date: Sun, 7 Jul 2002 15:00:38 EDT

In a message dated 7/7/2002 5:42:01 AM Pacific Daylight Time,
MacAtacSS@aol.com writes:

> Source: RURALCARRIERS-L@rootsweb.com

> Subject: [Ruralcarriers] Cycling team gets millions in postal funds

>

>

>

> Despite few fans, practice is part of doing business, some experts say.

>

> By John Fritze Indianapolis Star

> July 07, 2002

>

> When Lance Armstrong mounts his bicycle in Luxembourg today, pushing
the

> first pedals in this year's 2,050-mile Tour de France, he surely will
rouse

>

> the pride and passion of America's cycling fans. But it is his jersey --
> splashed front, back and sides with the U.S. Postal Service's logo --
that

> has raised the attention of government watchdog groups and some
taxpayers.

>

>

> The Postal Service, which will deliver 200 billion pieces of mail this
> year,

> spent an estimated \$25 million to sponsor Armstrong's team at a time
when t

> he

> agency has bled money, begged for annual bailouts and, this past week,
> raised

> the price of a first-class stamp to 37 cents.

>

> Worse, a number of groups complain, is that the Postal Service carries
on

> its

> spending largely outside of the public's view and, in fact, has refused to
> confirm how much was spent to sponsor the Tour de France effort or whether
> the expense has translated into any new business.
>
> "I think any organization that is hemorrhaging money should not spend it on
>
> frivolous activities," said David Williams, a policy expert with Citizens
> Against Government Waste in Washington. "Ask people at Enron and WorldCom
> if
> they're going to sponsor anything right now."
>
> The 227-year-old post office pulled in \$65.9 billion in revenue in 2001 but
>
> spent \$67.6 billion. Based on its revenue two years ago, the agency would
> be
> the 11th-largest company in the nation, were it privately held.
>
> Though its budget is mostly paid for through postage, taxpayers will spend
> \$76.6 million on the agency this year. Part of that expense pays for free
> mailings such as overseas absentee ballots. Also, \$29 million a year covers
>
> the agency's payments on its nearly \$13 billion in debt.
>
> Some, including Williams, argue that given its financial woes, the Postal
> Service should not sponsor a sports team, especially at such cost -- more
> per
> year than Minute Maid Co. recently paid for the naming rights to Astros
> Field
> in Houston.
>
> Others argue that the agency must market its name to stay competitive,
> especially when rivals FedEx, UPS and DHL Worldwide Express do the same.
>
> The Postal Service declined to comment on its decision to sponsor the team,
>
> whether business had increased because of it or on exactly how much money
> is
> being spent. Postal Service spokeswoman Monica Hand said the agency would
> not
> comment because The Star had filed a related Freedom of Information Act
> request for budget documents.
>
> Cindy Sisson coordinates sponsorships for Tailwind Sports, the company that
>
> owns Armstrong's team. She said the Postal Service gets a lot for its
> money,

> including millions of spectators, 51,000 television minutes and morale
> boosting for its employees.
>
> "The Postal Service has gained a lot of media exposure," she said.
>
> The sponsorship covers an estimated 70 percent of the team's cost and
is
> used
> to help pay salaries for 45 employees, including mechanics, doctors and
> riders.
>
> At the local post office, where officials were more forthcoming about
the
> sponsorship, at least one mail handler said he was excited by the
team's
> prospects and the Postal Service's involvement.
>
> "I'm sure that anybody who works in a place for so long likes to see
some
> positive things happening," said Tim Stubbeman, 43, a cycling
enthusiast
> who
> rode with Armstrong in an annual 100-mile race that raises awareness
for
> cancer research.
>
> But Felecia Williams, who had just bought 70 of the new 37-cent stamps,
was
>
> not amused. She paid \$25.90 for the postage, or \$2.10 more than she
would
> have paid a week ago.
>
> "Didn't it just go up last year?" said Williams, 34, referring to a
1-cent
> increase in January 2001. "If this is the reason why the cost is going
up,
> and we don't have anything to do with the Tour de France, then I oppose
> that."
>
> Armstrong, a three-time Tour de France champion, joined the team in
1998
> after recovering from testicular cancer.
>
> The cost of the sponsorship apparently does not include money for
direct
> advertisement, and few additional funds have been earmarked for that
> purpose,
> leaving some to wonder why the Postal Service would pay so much to
sponsor
> a
> team but so little to tell anyone about it.
>
> "If you're going to spend the money to buy the rights to these things,
> there's almost an automatic knowledge that you're going to spend more
money
>
> to promote it," said Jim Andrews, editorial director of the IEG
Sponsorship
>
> Report. "Just having your name on the team is not enough to generate
any
> kind

> of return."
>
> Others question the agency's tight-lips policy on finances.
>
> "One would think they have an obligation to make more of their business
> public, especially such things as how much they're spending on
promotion,"
> said Larry Noble of the Center for Responsive Politics.
>
> The Postal Service began its Tour de France sponsorship in 1997 with a
> three-year contract worth \$3 million. The announcement came less than
four
> years after the agency spent \$122 million sponsoring the 1992 Olympic
Games
>
> -- a move criticized by some in Congress.
>
> In 2001, the agency signed a new, \$25 million Tour de France contract
that
> lasts through 2004.
>
> Through its sponsorship, experts said, the Postal Service hopes to
remain
> competitive in the overseas market. Lawmakers made the agency
> self-sustaining
> in 1971, asking it to act more like an independent business. But that
> approach can conflict with the unprofitable task of delivering mail to
> remote
> locations.
>
> Besides first-class mail, the Postal Service offers two- to three-day
and
> next-day delivery domestically. It also offers a number of air-mail
> overseas
> services.
>
> "They have no choice but to act like a competitive firm," said Phil
Powell,
> a
> business economics professor at the Kelley School of Business at
Indiana
> University. "Advertising is a natural part of competing as a business."
>
> Sisson, with the Tour de France team, agreed: "We're hoping they sign
up
> again."
>
>

This thread:

- **[SISSON-L] Cindy Sisson- Tour De France by ScismGenie@aol.com**
 - Fwd: [SISSON-L] Cindy Sisson- Tour De France by "Elaine J. McGhee"
<ejsmmadcity@iopener.net>

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The Board

Mark Gorski, Olympian

1984 Olympic cycling gold-medalist, Mark Gorski is CEO and Managing Director of Tailwind Cycling. Gorski was formerly General Manager of Montgomery Sports in San Francisco, which has become part of Tailwind Sports.

Among his responsibilities, Gorski oversees one of the world's top cycling teams - the U.S. Postal Service Pro Cycling Team, the only American team to win the prestigious Tour de France and the team viewed around the world as "America's Team."

Since 1982, Gorski has worked extensively in corporate sponsorship development, negotiation, management and representation. He has served as a corporate spokesperson and representative, motivational speaker, television commentator and writer. At Montgomery Sports, Gorski recruited top athletes and negotiated and managed all corporate sponsorship relationships, which include the U.S. Postal Service, VISA U.S.A. and VISA International, Yahoo!, Coca-Cola, Volkswagen of America, Trek Bicycles, Bank of America, and Montgomery Securities.

Gorski has a 17-year competitive career in the sport of cycling and has participated in three Olympic Games. Following his retirement from competitive cycling in 1989, Gorski joined Wells Fargo Bank's Trust and Investment Division, where he became a Vice President, before returning to the sports marketing arena in 1993. Among his other distinctions, Gorski was named to the U.S. Bicycling Hall of Fame in 1995.

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All Sport® To Fuel U.S. Postal Service Pro Cycling Team

New Sports Beverage Closes the Competitive Gap with Key Product Sponsorship

ATLANTA, April 22, 2002 – All Sport Body Quencher® announced today a major sponsorship relationship with the United States Postal Service Pro Cycling Team, the only American cycling team to have won the Tour de France. The relationship represents the first major product sponsorship news for All Sport after its relaunch earlier this month by The Monarch Company, Inc., the Atlanta-based international beverage company. All Sport will kick off the sponsorship with exciting consumer promotions, featuring a grand prize trip for two to the 100th Tour de France in 2003.

“All Sport’s sponsorship of the USPS cycling team unites a winning sports beverage with a winning team,” said Jim Hoagland, vice president of marketing for The Monarch Company. “Aligning All Sport with the USPS cycling team creates a global platform to enhance brand awareness and drive sales in the United States and internationally.”

Owned and managed by Tailwind Sports, the U.S. Postal Service Pro Cycling team has won the last three editions of the Tour de France, cycling’s premier event and one of the world’s most prestigious sporting events. The team features 20 elite cyclists from eight different countries and competes in more than 60 races throughout the world.

“We are extremely proud of the fact that All Sport has chosen our successful program to help relaunch their brand,” said Cindy Sisson, managing director of Tailwind Sports. “Tailwind Sports is currently aligning the USPS team with leading brands that want to leverage our association with their key retail partners. We are excited about the commitment All Sport is making to activate their sponsorship and believe we will mutually benefit from this strategic alliance.”

Since purchasing the beverage from PepsiCo in the second half of 2001, Monarch reformulated All Sport into a non-carbonated beverage and introduced eight new formulas with three new flavors, including Powerplay Punch™, Citrus Slam™ and Breakaway Berry™. The product currently ranks third among its competitors in the dynamic and growing sports beverage market, which -- on a wholesale basis -- grew to \$2.2 billion in 2001, according to Beverage Marketing Corporation.

All Sport hit store shelves nationwide earlier this month, and The Monarch Company is currently rolling out several consumer promotions related to the sponsorship, the first of which is The All Sport Breakaway Sweepstakes. This summer-long, national sweepstakes kicks off after Memorial Day and features a grand prize of an all-expense paid trip for two to see the 100th Tour de France in 2003. The trip includes VIP hospitality arrangements, a chance to meet the USPS Pro Cycling Team members and more.

“Everyone at All Sport admires the incredible success of the entire USPS cycling team,” continued Hoagland. “All Sport celebrates people of all ages and athletic abilities who enjoy cycling and other sports.”

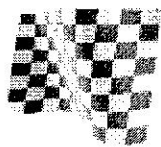
About All Sport All Sport was relaunched in the United States and Canada, and is available in eight flavors, including Powerplay Punch™, Citrus Slam™, Breakaway Berry™, Blue Ice™, Lemon-Lime, Orange, Fruit Punch and Grape. All Sport is the only leading sports beverage with 10 percent of the recommended daily value of vitamins C, B6 and B12.

About The Monarch Beverage Company The Monarch Beverage Company is a diversified, international beverage company based in Atlanta. The company produces a full range of Carbonated, New Age and Ready-To-Drink products in 35 countries and some of the largest markets in the world, including the United States, Latin America, Asia, Africa and Europe. The company's brand portfolio includes more than 200 products, including Rush! Energy™, Moxie®, Dad's®, Dr. Wells®, Suncrest® and Bubble Up®. Monarch subsidiaries are located in Mexico, Brazil, China, France, Ivory Coast and South Africa. For more information, visit the company's Web site at www.monarchbeverage.biz or call 800-241-3732.

About Tailwind Sports Tailwind Sports is a sports marketing agency that owns and manages the United States Postal Service Pro Cycling Team, the only American based cycling team to have won cycling's premier event, the Tour de France (1999, 2000 and 2001). The USPS team is led by the sport's preeminent figure and one of the world's best-known and admired athletes, Lance Armstrong. Currently, Tailwind Sports maintains sponsorship contracts with the United States Postal Service®, Trek®, Nike, All Sport Body Quencher®, Visa®, Yahoo!®, VM (Volkswagon of America), Giro®, Clif® Bar, Shimano®, CTSTM (Carmichael Training Systems), Vetta®, Hed., Interwoven®, Deda, Hutchinson®, Tacx, Selle San Marco, Wrench Force, Sapim, and Yakima. In 2001, Tailwind Sports moved into the event management side of cycling and co-produced the successful San Francisco Grand Prix. For more information on Tailwind Sports, visit www.tailwindsports.com. For more information on the U.S. Postal Service Pro Cycling Team, visit www.uspsprocycling.com.

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**Race 2 Win**[Home](#)[Winston Cup](#)[Grand National](#)[Bill Elliott Racing](#)[Raycefan's Rave](#)[In-Car Radios](#)[Silly Season](#)[Forum](#)[Photo Gallery](#)[Newsletter](#)[In the Pits](#)[Click Here!](#)

Winston Cup Series

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Tailwind Sports Names Bill Korbus Vice President

(Mooresville, NC) Tailwind Sports, a national sports marketing agency, has hired marketing veteran Bill Korbus as a Vice President for the company. Korbus will head new business efforts for both the motorsports and cycling divisions. Korbus will be based in the Mooresville, NC office.

Korbus brings 15 years of motorsports marketing planning, execution and sponsorship integration experience to Tailwind Sports. Most recently, Korbus was the Director, Commercial Partnerships for the NASCAR and CART teams of PPI Motorsports. Among his many accomplishments, Korbus was formerly the senior manager of Motorsports Alliances for McDonald's and was responsible for all facets of their global motorsports involvement in NASCAR, CART, NHRA, and F1. He was also an Account Supervisor at Campbell & Company handling strategic planning and national dealer promotions for Ford Motor Company.

"We are very excited to have someone with Bill's experience join our team," said Cindy Sisson, Managing Director of the motorsports division. "I have admired his work for many years and his understanding of integrating sponsorship programs will be a tremendous asset to our company."

"I have great respect for Cindy Sisson and the quality work that they do here at Tailwind Sports," said Korbus. "The opportunity to combine forces and help add to the high profile accounts this agency manages was the professional challenge I was looking for. This is an exciting time for both the motorsports and cycling industries here in the United States, and as the leaders in these areas, I am looking forward to working with everyone here and continuing to build innovative marketing programs."

The motorsports division of Tailwind Sports handles major marketing, hospitality and public relations programs in NASCAR, Formula One, CART and the IRL. Some of its clients include Nestle, ConAgra and International Trucks. The cycling division of the company owns and manages the U.S. Postal Service Pro Cycling Team, which features Lance Armstrong.

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[Next story \(http://www.motorsport.com/automotive/news/champcar-cart-firestone-becomes-title-sponsor-of-texas-race/\)](#)

Tailwind Sports to develop partnerships for Team Taurus

(Mooresville, NC) Tailwind Sports, a national sports marketing agency, has signed an agreement with Ford Division, the marketing and advertising department of Ford Motor Company, to develop "powerbrand" partnerships for the "Race Team Taurus ...

Added: April 4, 2001 at 11:45pm This page has been viewed: 79 times

(Mooresville, NC) Tailwind Sports, a national sports marketing agency, has signed an agreement with Ford Division, the marketing and advertising department of Ford Motor Company, to develop "powerbrand" partnerships for the "Race Team Taurus Sweepstakes" during the 2001 Winston Cup racing season. Tailwind Sports will recruit Ford team sponsors and other major companies to participate in the Team Taurus on-line racing competition and sweepstakes.

The Team Taurus Sweepstakes allows entrants chances to win a new 2002 SES Sport Taurus vehicle and a trip to Atlanta's 2002 Cracker Barrel 400 NASCAR race provided by Ford Motor Company. Participants can also earn extra points toward additional entries by visiting Team Taurus' promotional partners web sites.

"The management team at Tailwind Sports has long been a fan of Ford's motorsports marketing activities," says Cindy Sisson, managing director of the motorsports division. "This new charge to help them with their innovative Team Taurus web site and sweepstakes is an exciting challenge and privilege for us."

Tailwind Sports has already helped secure partnerships with McDonald's and Tide for the Team Taurus program. Tailwind Sports' marketing efforts with the on line sweepstakes will assist Ford and their lead agency, J. Walter Thompson, in maximizing and strengthening relationships with their racing team partners. "The Team Taurus web site (www.raceteamtaurus.com) is exciting and fun for the public and it's an important way for us to deepen the professional relationships with sponsors of our Ford Taurus racing teams," says Sam Scott, Racing Manager, Marketing Communications Office, Ford Division.

The motorsports division of Tailwind Sports handles major marketing, hospitality and public relations programs in NASCAR, Formula One, CART and the IRL. Some of its clients include Nestle, ConAgra and International Trucks. The cycling division of the company owns and manages the U.S. Postal Service Pro Cycling Team, which features Lance Armstrong.

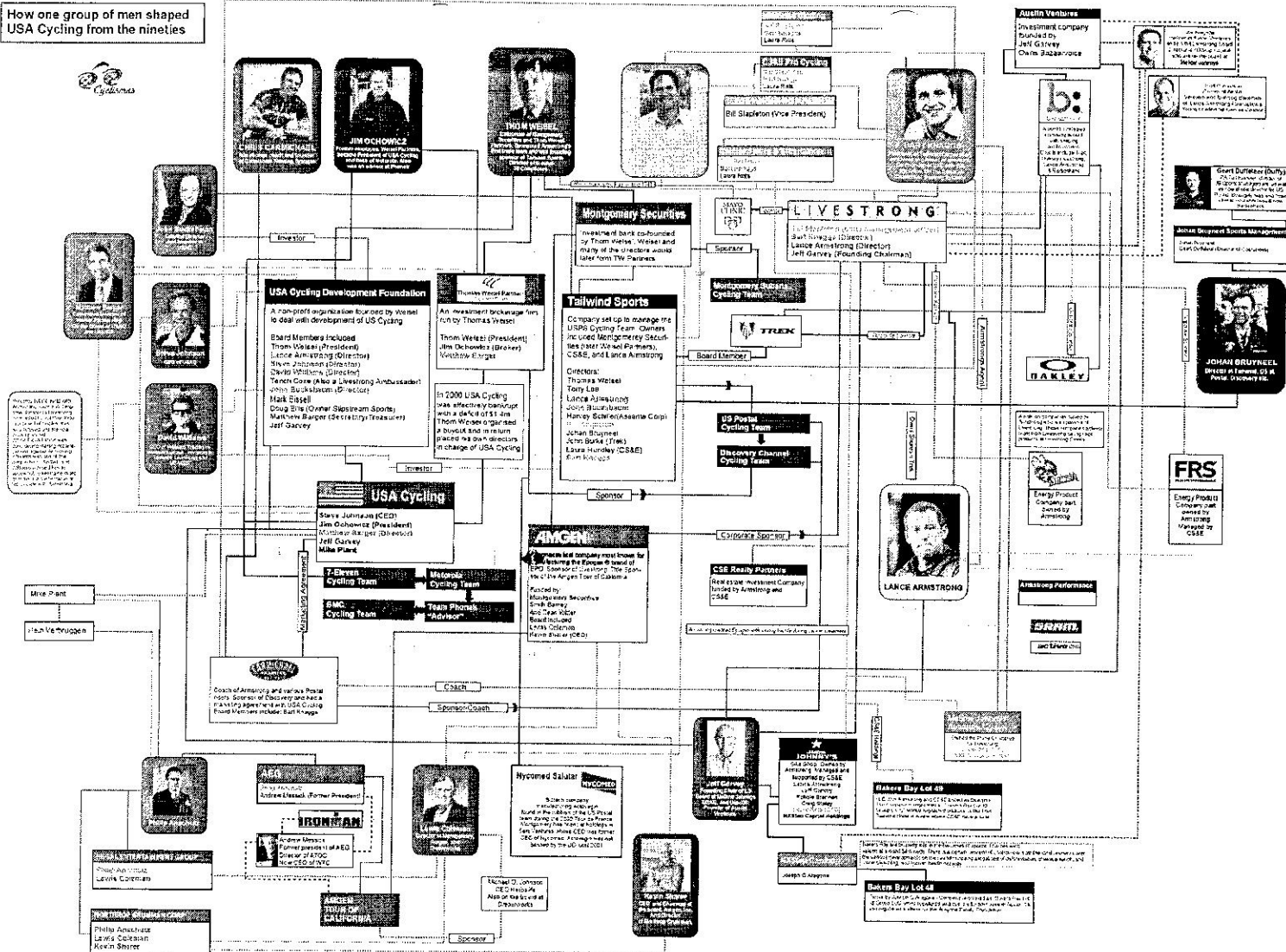
Tailwind Sports is a national sports marketing agency that creates and manages fully integrated marketing programs for corporations. With offices in the Washington DC, San Francisco, CA, Charlotte, NC, and Daytona Beach, FL, areas, Tailwind Sports is the leader in cycling and motorsports marketing.

-Tailwind Sports

April 4, 2001 at 11:45pm

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Notes:
This plan is intended to show business links over the period 1990 to 2012. Directorships, or business involvements may not be current but are intended to reflect past and ongoing relationships.

Companies not detailed:
 San Francisco Cycling - Owned by Tailwind Sports and Capital Sports and Entertainment
 Threshold Sports (David Chauner and Jerry Casale) - Part Owner in Tailwind Cycling

1 Thomas Weise!	16 Mark Gurski (Owner and Team Manager)
2 John Buckstamm (GGP) 7.7%	17 Dan Ostropow (Owner and Team Manager)
3 Terry Lee (Bell Sports Corp) 4%	
4 Harvey Schiller	
5 Lance Armstrong 10% <i>owner</i>	
6 Bill Stapleton (CS&E)	
7 John E. Stuymer	
8 John Burke (Trek)	
9 Bart Knagge (CS&E)	
10 Laura Hundley?? (CS&E)	
11 David Williams (Williams Trading)	
12 Matthew Barger (Weiss Partners)	
13 Richard Coshin, Jr. (P. Morgan Chase)	
14 Ward W Woods (Bearstern Securities)	
15 Kenneth Barnett (Michigan marketing executive who was an investor but claimed he had no voice in Taiwan negotiations)	

*There are conflicting reports on the number of owners. Most seem to list 15, some other sources say 20. I have done a rough tally according to the Floyd's Press June 1998.

[illegible]

2009 CHAMPIONS CLUB

Anthony Quinn, Mervyn Levy and Eugene Mark	Robert L. Kennedy Boyd W. Taylor	Michael Rottenberg Greg Pappas
Shirley Basile	Art Garfunkel	Richard Schickel
Mark Bonnell	Peter Gubash	J. B. S. Haldane
Michael Brecker	Mike Hoffman	E. S. Jellison
John Buckman	Howard Hirsch	Thomas Mann
Richard Calais	Joe Jacoby	David W. Martin
Tommy Chalk	Thomas Kennerly	Regina Winkler
Andrew Davis	Tony Love	Eric R. Woods
Marjorie Deane	Colin Macaulay	
Donna Dele	Robert Orr	

The "Millionaires Club," long time donors to USA Cycling, many were owners of Tailwind Sports, sponsors of Fundraisers soft-licensing, and most are on the board of USA Cycling. These are the men that controlled the sport in America. All enjoy the trappings of these associations, rides with Lance, contact with the Pro's as well as being members of the USA Development Foundation pinning through the young American Riders in the sport. Many such as Michael Patterson, Robson Walton and Bennett Dorrance also compete as Masters racers.

Notable members include John Doerr (Board member at Google), Walton (Chairman of Wal-Mart) and Don

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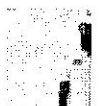
Lance Armstrong accuses former UCI president Hein Verbruggen of helping him cheat during 1999 Tour de France



Disgraced cyclist accuses governing body of concealing his doping

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I-TEAM

Lance Armstrong accuses former cycling chief Hein Verbruggen of covering up his positive drug tests

Armstrong said that Verbruggen, as head of the International Cycling Union, helped minimize the impact of some of his suspicious drug test results. 'I'm not going to lie to protect these guys. I hate them,' Armstrong said of Verbruggen and other UCI members past and present.

Comments (3)

BY NATHANIEL VINTON / NEW YORK DAILY NEWS

PUBLISHED: MONDAY, NOVEMBER 18, 2013, 6:01 PM

UPDATED: TUESDAY, NOVEMBER 19, 2013, 12:01 AM

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SPORT
SPC



FRANCK FIFE/AFP/GETTY IMAGES

Lance Armstrong (r.) turns on former ally Hein Verbruggen (l.), accusing the former International Cycling Union head of covering up his positive drug tests on the tour.

One of the few remaining mysteries of the Lance Armstrong saga is whether aftershocks from his downfall will ever topple any of his big-shot cronies — the money men who financed his fraud, or the leaders of sports organizations who were supposed to be lookouts but instead looked the other way.

Now the earth is rumbling just a little under Hein Verbruggen, an "Honorary Member" of the International Olympic Committee who chaired the IOC's coordination of the Beijing Games in 2008. Before that, during his feeble reign as president of cycling's governing body throughout the dope-saturated period of 1991-2005, Verbruggen was a vigorous Armstrong backer.

The Dutchman attacked Armstrong's accusers in the media, accepted cash donations from the tainted American and even reportedly did personal investment business with Thom Weisel, the Silicon Valley financier who funded Armstrong's corrupt Tour de France teams.

On Monday, Armstrong accused Verbruggen of helping minimize the impact of some of Armstrong's suspicious drug test results that, if revealed, might have stopped Armstrong's career before he could wreak lasting havoc on the sport's credibility.

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4 LOS ANGELES, CA 90067-2518
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7 Attorneys for Plaintiff Don Hanks

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF VENTURA, UNLIMITED CIVIL JURISDICTION**

10
11 DON HANKS, an individual,)
12 Plaintiff,) **CASE NO.: 56-2009-00342748-CU-WT-VTA**
13 vs.) **FIRST AMENDED COMPLAINT FOR:**
14 AMGEN USA, INC., a California)
15 corporation; and DOES 1 through 40,)
16 inclusive;) **1. RETALIATION IN VIOLATION OF**
17 Defendants.) **LABOR CODE SECTION 1102.5;**
18) **2. WRONGFUL TERMINATION IN**
19) **VIOLATION OF PUBLIC POLICY;**
20) **3. UNFAIR COMPETITION IN**
21) **VIOLATION OF BUSINESS AND**
22) **PROFESSIONS CODE SECTION**
23) **17200 FOR RESTITUTION AND**
24) **INJUNCTIVE RELIEF; AND**
25) **DEMAND FOR JURY TRIAL**
26)
27) **DATE FILED: April 20, 2009**
28) **DEPT.: 42**
JUDGE: Hon. Henry J. Walsh

29 **GENERAL ALLEGATIONS**

30 **Introduction**

31 1. This is a whistleblower lawsuit. Plaintiff Don Hanks (hereinafter "Plaintiff"
32 or "Hanks") files this Complaint for Damages related to Plaintiff's former employment with
33 Defendant Amgen USA, Inc. (hereinafter "Defendant Amgen" or "Amgen"). Plaintiff Hanks was
34 an eighteen year employee of Amgen who merely did a computer search concerning the False
35 Claims Act and was then terminated within weeks of doing so. Plaintiff Hanks brings causes of

1 action for violation of Labor Code section 1102.5, wrongful termination in violation of public
2 policy, and Business and Professions Code section 17200 *et seq.*, against Defendant Amgen and
3 Does 1 through 40.

4
5 **Parties and jurisdiction**

6 2. At all times material to this complaint, Plaintiff is informed and believes
7 Defendant Amgen was and is a California corporation doing business in the County of Ventura
8 and, in fact, headquartered in the County of Ventura.

9 3. Defendant Does One through Forty are sued under fictitious names pursuant
10 to California Code of Civil Procedure section 474. Plaintiff is informed and believes, and on that
11 basis alleges, that each defendant sued under such fictitious names is in some manner responsible
12 for the wrongs and damages as alleged below, and in so acting was functioning as the agent,
13 servant, manager, supervisor, and/or employee of Amgen, and in doing the actions mentioned
14 below was acting within the course and scope of his or her authority as such agent, servant,
15 manager, supervisor, and/or employee with the permission and consent of the Defendant Amgen.

16 4. This Court is the proper court and this action is properly filed in Ventura
17 County and in this judicial district because (a) Defendant Amgen transacts business in Ventura
18 County; (b) contracts of employment between Plaintiff and Amgen were made and terminated in
19 Ventura County; (c) the termination of Plaintiff occurred by and through Amgen's actions in
20 Ventura County; (d) records including records relating to Plaintiff's employment were and are
21 maintained by Amgen in Ventura County; and (e) material transactions between Plaintiff and
22 Defendants took place within Ventura County.

23 5. Plaintiff is a former employee of Defendant Amgen and a resident of the State
24 of Florida. Plaintiff voluntarily submits to the jurisdiction of Ventura County Superior Court in
25 the State of California.

26 6. Plaintiff Hanks sues under California law. California law is the applicable
27 law for this lawsuit because at the beginning of Mr. Hanks' employment with Amgen, Inc. (later
28 succeeded by Defendant Amgen USA, Inc.), Amgen imposed California law on the employment

1 relationship between Amgen and Hanks by and through its use of California law in the
2 "Proprietary Information and Inventions Agreement" contract between Amgen and Mr. Hanks.
3 Defendant Amgen specifically chose California law in a choice of law provision (see, p. 6 to the
4 Agreement at paragraph 15.1: "Governing Law. This Agreement will be governed by and
5 construed according to the laws of the State of California." Defendant Amgen then reaffirmed the
6 choice of California law when, after it terminated Mr. Hanks, it sent him a letter by and through
7 Stephanie Murray, Human Resource Operations of Defendant Amgen, on or about May 29, 2007
8 reminding him "[Your] obligations are described more fully in the enclosed Proprietary
9 Information and Inventions Agreement" and enclosing a copy of this agreement. A true and
10 correct copy of this agreement and a true and correct copy of the Amgen letter to Mr. Hanks of
11 May 29, 2007 (without the attachment) are attached hereto and incorporated herein as Exhibit A.

12 7. At all relevant times alleged herein Plaintiff was employed by Defendant
13 Amgen under an employment agreement that was partly written, partly oral, and partly implied.

14 8. As a direct and proximate result of the unlawful acts of Defendants, Plaintiff
15 has suffered and continues to suffer from loss of earnings and other damages in amounts not yet
16 ascertained, but subject to proof at trial.

17 9. Plaintiff is informed and believes, and thereon alleges, that Defendant Amgen
18 engaged in malice, fraud, and/or oppression in its actions against Plaintiff.

19
20 **Facts**

21 10. When Plaintiff Hanks first began working for Amgen as a sales representative
22 in 1989, Amgen and its employees were committed to the best traditions of medicine and saving
23 lives. Amgen was seeking Food and Drug Administration (hereinafter "FDA") approval of
24 Epogen for dialysis patients to save these patients from needing risky transfusions. At the time,
25 blood borne pathogens, including the HIV virus, created a serious risk for transfusion patients
26 receiving tainted blood with potentially deadly consequences.

27 11. Over time, the tremendous profits obtained from blockbuster drugs altered
28 Amgen. In search of ever greater profits, Amgen began seeking alternate markets and new

1 patients for several of its drugs. In particular, Amgen began to promote "overfill." Overfill was a
2 concept where a drug would be filled in an amount significantly greater than its recommended
3 dose. That way, a provider could use the extra amount on a new patient – still billing the new
4 patient and Medicare for the dosing – but not having to pay for the additional drug provided.

5 12. Amgen also began to use other marketing techniques to boost sales including
6 rebates, off invoice discounts, volume discounts, free goods, extravagant dinners and lavish
7 retreats for doctors. Amgen began payments to physicians (\$1,000), pharmacists (\$750), nurses
8 (\$500), and office billing staff (\$350) that were characterized as "honorariums" or for "roundtable
9 discussions."

10 13. Amgen also promoted and sold its drugs on "spread" or "margin" using
11 elaborate spread sheets provided to doctors including the potential "monthly income per patient"
12 for the prescription of Amgen drugs. Amgen knew or should have know that to sell on "spread"
13 or "margin" is unethical and illegal. Amgen counseled its sales representatives to hide these
14 activities by reporting them as "business reviews" or "economics" in Orion and in Gelco expense
15 reports.

16 14. Amgen also began to promote "off-label" marketing of its drugs to doctors.
17 Off-label marketing is a strategy of deliberately selling a drug for purposes other than the FDA
18 approved use. While a doctor can prescribe a drug for an off-label use, it is illegal for a
19 pharmaceutical company to market a drug for an off-label use. Amgen promoted off-label
20 marketing of its drugs in patient populations including myelodysplastic syndromes ("MDS"),
21 HIV/AIDS, and peri-surgery.

22 15. Amgen also began aggressively promoting the use of higher doses of its
23 drugs. Higher doses meant greater sales and larger profits. Unfortunately, these higher dosing
24 promotions would often lead to significantly higher side-effects for the patient. An influential
25 study – that Amgen delayed releasing – showed that these higher dosing levels actually resulted
26 in a higher mortality rate. In short, Amgen began to seek greater profits at the expense of patient
27 care and safety.

28 ///

1 16. In October 2001, Amgen launched Aranesp for chronic renal failure. Sales of
2 Aranesp were modest and below expectations. In July 2002, Amgen received FDA approval of
3 Aranesp in chemotherapy induced anemia patients. Aranesp was approved by the FDA for once a
4 week dosing for chemotherapy induced anemia patients. Amgen aggressively marketed Aranesp
5 to be used for every other week dosing – an illegal off-label marketing of non-approved dosing.

6 17. Amgen developed a very sophisticated contract tier system for marketing
7 Aranesp and Neulasta. In short, these marketing contracts created an enormous incentive to sell
8 more product – in the form of ever larger rebates and off-invoice discounts for greater use of
9 these drugs by physicians and hospitals. These tiers created a strong incentive to sell more and
10 more of Amgen's products.

11 18. Although Amgen sold its pharmaceutical products to doctors and hospitals,
12 the United States Government is the single largest payer in the form of Medicare reimbursements
13 for the drugs that Plaintiff Hanks marketed on Amgen's behalf. Indeed, these off-label marketing
14 tactics and other illegal actions of Amgen had a significant and fraudulent impact upon Medicare
15 reimbursement of these drug costs.

16 19. Plaintiff Hanks resisted many of Amgen's illegal marketing tactics. Plaintiff
17 Hanks complained that his customer were unfairly locked in to rigid contracts with Amgen.
18 Plaintiff Hanks brought his concerns directly to Amgen management located in its Thousand
19 Oaks headquarters such as Mr. Joe Turgeon, Amgen's national Marketing Sales Director.

20 20. On or about March 6, 2007, Plaintiff Hanks had his annual performance
21 evaluation. His review was outstanding, as usual, with recognition for his great sales year.

22 21. Around this time, medical data had now become public that Erythropoietic
23 Stimulating Agents such as Amgen's Epogen and Aranesp as well as its competitor, Johnson &
24 Johnson's Procrit, had significant safety issues including increased mortality at higher, off-label
25 dosing.

26 22. At this point, Plaintiff Hanks began to seek information regarding Amgen's
27 practices via his an Amgen internet connection. Plaintiff Hanks began to seek news releases
28 concerning Amgen, other whistleblowers and whistleblower claims, and False Claims Act claims

1 in the pharmaceutical business. Indeed, Plaintiff Hanks filled out a *qui tam* case evaluation with
2 the law firms Phillips and Cohen, LLP on or about April 18, 2007.

3 23. On or about May 1, 2007, Plaintiff Hanks was told to come to Thousand
4 Oaks, California to Amgen's corporate headquarters, for a meeting. In a meeting on or about
5 May 3, 2007, an Amgen Human Resources Manager, Ms. Elizabeth Egel, informed Plaintiff that
6 he had done nothing wrong, but that Amgen had pulled some of his expenses in the past six
7 months and had some questions to ask him. Plaintiff Hanks was actually verbally reprimanded
8 for having too much detail on his expense reports. Since Plaintiff Hanks often detailed in his
9 expense reports the illegal marketing tactics of Amgen such as off-label marketing. Plaintiff
10 Hanks was told by Ms. Egel that he was a "compliance risk" if the Office of Inspector General or
11 the Internal Revenue Service ever saw his expense reports.

12 24. Plaintiff Hanks was then subsequently terminated by Ms. Egel on or about
13 May 23, 2007. Ms. Egel called Mr. Hanks, firing him on the telephone from, presumably, her
14 office at Defendant Amgen's headquarters in Thousand Oaks, CA. The pre-textual reasons
15 offered by Ms. Egel was that Plaintiff Hanks represented a "risk."

16 25. Plaintiff Hanks brings this complaint based upon his attempts to counter and
17 prevent illegal actions on the part of Amgen.

18 26. The actions of Amgen described herein constitute unfair business practices in
19 violation of Business and Professions Code section 17200 *et seq.* In particular, Amgen's policy
20 and practice of terminating any whistleblower – indeed anyone who does not "toe the line" in
21 fully and unquestionably participating in Amgen's illegal off-label marketing practices –
22 constitutes a violation of Business and Professions Code section 17200 *et seq.*

23 27. Plaintiff Hanks resisted many of Amgen's illegal and unfair practices. As a
24 result, despite Hanks's laudatory employment record, he began to experience retaliation involving
25 adverse employment actions, specifically his termination. Indeed, Hanks was ultimately
26 terminated in retaliation for his refusal to engage in illegal and unfair practices and/or for his
27 complaints of fraud, inefficiency, and waste involving federal government contracts.

28 ///

Exhibit: 27

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THE UNITED STATES OF AMERICA
ex rel. KASSIE WESTMORELAND,

Plaintiff,

v.

AMGEN, INC.; INTERNATIONAL
NEPHROLOGY NETWORK renamed
INTEGRATED NEPHROLOGY NETWORK,
a d/b/a of DIALYSIS PURCHASING
ALLIANCE, INC.; and ASD
HEALTHCARE,

Defendants.

CIVIL ACTION
NO. 06-10972-WGY

MEMORANDUM

YOUNG, D.J.

September 15, 2011

I. INTRODUCTION

Relator Kassie Westmoreland ("the Relator") brings this qui tam action against Amgen, Inc. ("Amgen"), International Nephrology Network ("INN"), and ASD Healthcare ("ASD") (collectively, "the Defendants") for violations of the federal False Claims Act, 31 U.S.C. §§ 3729-33. In her Fourth Amended Complaint, the Relator alleges that the Defendants knowingly caused health care providers to make false representations material to the payment of Medicare claims and conspired to get

false claims paid by Medicare. Specifically, the Relator alleges that, in violation of the federal Anti-Kickback Statute, the Defendants encouraged providers to submit claims for payment by Medicare for the value of the excess product, or "overfill," contained in the vials of their drug Aranesp but not included in Aranesp's average sales price ("ASP"). This Court has upheld the Relator's allegations as sufficient to state a claim under the False Claims Act.

There are now a number of other motions pending decision by the Court. First, the Defendants move for partial judgment on the pleadings under Federal Rule of Civil Procedure 12(c). It is undisputed that health care providers, in signing mandatory Medicare Enrollment Form CMS-855 ("the Provider Agreement"), agree to comply with the Anti-Kickback Statute as a precondition of Medicare payment. The Defendants, however, argue (1) that the clause in the Provider Agreement requiring a certification of compliance with the Anti-Kickback Statute is contrary to the Medicare statutes and regulations, which do not establish Anti-Kickback Statute compliance as a precondition of payment, and (2) that the adoption by the Centers for Medicare and Medicaid Services ["CMS"] of the version of the Provider Agreement that includes the certification clause was procedurally improper and outside the scope of its authority. The Relator, in opposition to the Defendants' motion, argues (1) that the Anti-Kickback

Statute itself establishes compliance as a precondition of Medicare payment, and (2) that the certification of compliance in the Provider Agreement is a valid agency interpretation of the regulations. The United States, while not a party to the action, has filed a statement of interest supporting the Relator's position.

Second, the Relator and Amgen bring cross-motions for partial summary judgment as to Count IV of the Fourth Amended Complaint, which alleges that Amgen artificially inflated Aranesp's ASP by failing to include overfill as a "price concession," in violation of the False Claims Act, 31 U.S.C. § 3729(a)(1)(A). In her memorandum in support of her motion, the Relator argues that, because Aranesp's ASP was artificially inflated, claims submitted by providers based on this ASP were false and fraudulent as matter of law. Amgen asserts that federal rules and regulations make clear that overfill is not to be included in a drug's ASP and that there is no evidence that Amgen intended to submit an inaccurate ASP for Aranesp.

Third, INN and ASD move for partial summary judgment on the theory that they are shielded from liability by the Anti-Kickback Statute's "safe harbor" provisions for group purchasing organizations ("GPOs"), 42 U.S.C. § 1320a-7b(b)(3)(C), and discounts, *id.* § 1320a-7b(b)(3)(A). The Relator brings a cross-motion for partial summary judgment, arguing that the GPO safe

harbor is inapplicable to INN due to its failure to comply with the formalities set forth in the federal regulations and due to its impermissibly close relationships with Amgen and ASD. With respect to ASD and the discount safe harbor, the Relator argues that the "pass through" of an administrative fee paid by Amgen to INN to ASD, who utilized the funds to provide discounts to providers, was unlawful and indicative of the conspiracy to defraud Medicare in which the Defendants allegedly have engaged.

A. Procedural Posture

In June 2006, the Relator filed this qui tam action against Amgen, INN, ASD, and two other corporate defendants under the federal False Claims Act and various related state laws on behalf of the United States, fifteen states, and the District of Columbia. Relator's Compl., ECF No. 1. In September 2009, the United States notified the Court that it was not intervening in the action at that time. U.S. Notice Non-Intervention, ECF No. 71. The states and the District of Columbia (collectively, the "States") intervened by filing a separate Multi-State Complaint in October 2009, which they amended in December 2009. Multi-State Compl. Intervention, ECF No. 85; Multi-State First Am. Compl., ECF No. 112. Subsequently, several states voluntarily dismissed, including Delaware, Florida, Louisiana, Nevada, New Hampshire, and Texas. Notices Voluntary Dismissal, ECF Nos. 120, 123, 148, 153, 156, 163.

The Relator filed her Third Amended Complaint in December 2009, bringing claims on behalf of herself, the United States, Georgia, and New Mexico. Relator's Third Am. Compl., ECF No. 113. The Defendants subsequently moved to dismiss Counts I-VI of the Third Amended Complaint and the entirety of the Multi-State First Amended Complaint. Amgen's Mot. Dismiss Relator's Third Am. Compl., ECF No. 139; Amgen's Mot. Dismiss Multi-State First Am. Compl., ECF No. 142; INN & ASD's Mot. Dismiss Relator's Third Am. Compl., ECF No. 138; INN & ASD's Mot. Dismiss Multi-State First Am. Compl., ECF No. 135. The Court dismissed the Multi-State First Amended Complaint and some of the Relator's federal claims under the federal False Claims Act's first-to-file bar and the remainder of her claims without prejudice under Federal Rule of Civil Procedure 12(b)(6). United States ex rel. Westmoreland v. Amgen, Inc., 707 F. Supp. 2d 123 (D. Mass. 2010). The First Circuit has since reversed the dismissal of the States' claims under the state False Claims Acts of California, Illinois, Indiana, Massachusetts, New Mexico, and New York, and affirmed the dismissal of the States' claims under Georgia's False Claims Act. New York v. Amgen, Inc., Nos. 10-1629, 10-1630, 10-1633, 10-1634, 10-1635, 10-1636, 10-1954, 10-1955, 2011 WL 2937420 (1st Cir. July 22, 2011).

In May 2010, the Relator filed her Fourth Amended Complaint, and the Defendants again moved to dismiss. Relator's Fourth Am.

Compl., ECF No. 238; Amgen's Mots. Dismiss Relator's Fourth Am. Compl., ECF Nos. 251, 253; INN & ASD's Mot. Dismiss Relator's Fourth Am. Compl., ECF. No. 256. On July 21, 2010, the Court denied the Defendants' Motions to Dismiss the Relator's Fourth Amended Complaint. See United States ex rel. Westmoreland v. Amgen, Inc., 738 F. Supp. 2d 267 (D. Mass. 2010). On August 4, 2010, the Defendants answered the Relator's Fourth Amended Complaint. Amgen's Answer Relator's Fourth Am. Compl., ECF No. 286; INN & ASD's Answer Relator's Fourth Am. Compl., ECF No. 285. INN and ASD asserted their compliance with certain safe harbor provisions of the federal Anti-Kickback Statute as their Ninth Affirmative Defense. INN & ASD's Answer Relator's Fourth Am. Compl., Affirmative Defenses ¶ 15.

On February 18, 2011, INN and ASD filed their Motion for Partial Judgment on the Pleadings. INN & ASD's Mot. Partial J. Pleadings, ECF No. 367; Mem. Supp. INN & ASD's Mot. Partial J. Pleadings, ECF No. 368. Amgen then moved to join INN and ASD's motion on March 1, 2011, and this Court allowed it the following day. Amgen's Mot. Joinder INN & ASD's Mot. Partial J. Pleadings, ECF No. 385; Mem. Supp. Amgen's Mot. Joinder INN & ASD's Mot. Partial J. Pleadings, ECF No. 387. On March 11, 2011, the Relator opposed the Defendants' joint motion. Mem. Opp'n Defs.' Mot. Partial J. Pleadings, ECF No. 408. The Court granted the Defendants leave to file a joint reply brief, which they did on

Exhibit: 28

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SETTLEMENT AGREEMENT

This Settlement Agreement (Agreement) is entered into among the United States of America, acting through the United States Department of Justice and on behalf of the Office of Inspector General ("OIG-HHS") of the Department of Health and Human Services ("HHS"); the TRICARE Management Activity ("TMA"), through its General Counsel; the Office of Personnel Management ("OPM"), which administers the Federal Employees Health Benefits Program ("FEHBP") (collectively the "United States"), Amgen Inc. ("Amgen"), and Frank Kurnik (hereafter collectively referred to as "the Parties") through their authorized representatives.

RECITALS

A. Amgen is a Delaware corporation with its principal place of business located in California. At all relevant times, Amgen developed, manufactured, distributed, marketed, and sold biologic products, including the biologic Aranesp.

B. On June 14, 2011, Frank Kurnik filed a *qui tam* action in the United States District Court for the District of South Carolina captioned *United States et al., ex rel. Frank Kurnik v. Amgen, Inc., et al.*, Civil Action No. 3:11-cv-01464-JFA, pursuant to the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b) (the "Civil Action").

C. Amgen has entered into or will be entering into separate settlement agreements (hereinafter referred to as the "Medicaid State Settlement Agreements") with certain States, Commonwealths, and the District of Columbia in settlement of the Covered Conduct, as defined in Paragraph E, below. States with which Amgen executes a Medicaid State Settlement Agreement in the form to which Amgen and the National Association of Medicaid Fraud Control Units ("NAMFCU") Negotiating Team have

agreed, or in a form otherwise agreed to by Amgen and an individual State, shall be defined as "Medicaid Participating States."

D. The United States contends that Amgen submitted or caused to be submitted claims for payment to the Medicare Program (Medicare), Title XVIII of the Social Security Act, 42 U.S.C. §§ 1395-1395kkk-1; the Medicaid Program (Medicaid), 42 U.S.C. §§ 1396-1396w-5; the TRICARE Program, 10 U.S.C. §§ 1071-1110a, and the FEHBP, 5 U.S.C. §§ 8901-8914.

E. The United States contends that it has certain civil claims against Amgen for engaging in the following conduct (hereinafter referred to as the "Covered Conduct") during the period from September 1, 2003 through December 31, 2011. The United States alleges that Amgen offered and paid illegal remuneration to long-term care pharmacy providers Omnicare Inc. (Omnicare), PharMerica Corporation (PharMerica), and Kindred Healthcare Inc. (Kindred) in the form of purported market-share rebates, purported volume-based rebates, grants, honoraria, speaker fees, consulting services, dinners, travel, or the purchase of unnecessary data, and that this illegal remuneration was offered and paid for the purpose of inducing Omnicare, PharMerica, and Kindred to recommend Aranesp and to influence health care providers' selection and utilization of Aranesp within nursing homes, skilled nursing facilities, and long-term care settings. The United States alleges that Amgen encouraged the implementation of "Therapeutic Interchange" programs (also known as "switching" programs) intended to identify patients who were taking a competitor drug and switch those patients to Aranesp. The United States further alleges that Amgen urged Omnicare, PharMerica, and Kindred to expand the market for Aranesp by: (a) pressuring consultant pharmacists employed by

Omnicare, PharMerica, and Kindred to recommend Aranesp for patients for whom no physician had diagnosed anemia associated with chronic renal failure, the patient had no prior history of anemia associated with chronic renal failure, and the patient had no outward symptoms of anemia associated with chronic renal failure; and (b) promoting the use of protocols, distributing materials, and sponsoring programs designed to recommend Aranesp's use in patients who did not have "anemia associated with chronic renal failure," as specified in the approved labeling for Aranesp. The United States alleges that as a result of the foregoing Covered Conduct, Amgen knowingly caused false and/or fraudulent claims for Aranesp to be submitted to Medicare, Medicaid, and other Federal health care programs.

F. This Settlement Agreement is made in compromise of disputed claims. This Settlement Agreement is neither an admission of liability by Amgen nor a concession by the United States that its claims are not well founded. Amgen expressly denies the allegations of the United States and the Relator set forth herein and in the Civil Action and denies that it, or its subsidiaries or affiliates, have engaged in any wrongful conduct in connection with the Covered Conduct.

G. Relator claims entitlement under 31 U.S.C. § 3730(d) to a share of the proceeds of this Settlement Agreement and to Relator's reasonable expenses, attorneys' fees, and costs.

H. To avoid the delay, uncertainty, inconvenience, and expense of protracted litigation of the above claims, and in consideration of the mutual promises and obligations of this Settlement Agreement, the Parties agree and covenant as follows:

TERMS AND CONDITIONS

1. Amgen shall pay to the United States and the Medicaid Participating States, collectively, \$24,900,000 plus accrued interest on the Settlement Amount at a rate of 1.25% from September 7, 2012, continuing until and including the day before the payment is made (the "Settlement Amount"). The Settlement Amount shall constitute a debt immediately due and owing to the United States and the Medicaid Participating States on the Effective Date of this Agreement. This debt shall be discharged by payments to the United States and the Medicaid Participating States, under the following terms and conditions:

- a. Amgen shall pay the United States the sum of \$17,804,210.88 plus accrued interest at the rate of 1.25% per annum from September 7, 2012, continuing until and including the day before payment is made (the "Federal Settlement Amount"). The Federal Settlement Amount shall be paid no later than seven (7) business days after this Agreement is fully executed by the Parties and delivered to Amgen's attorneys. The Federal Settlement Amount shall be paid by electronic funds transfer pursuant to written instructions to be provided by the Civil Division of the United States Department of Justice.
- b. Amgen shall pay the Medicaid Participating States the sum of \$7,095,789.12 plus accrued interest in accordance with the Medicaid State Settlement Agreements.

2. Subject to the exceptions in Paragraph 7 (concerning excluded claims), below, and conditioned upon Amgen's full payment of the Settlement Amount, the United States releases Amgen, together with its current and former parent corporations; direct and indirect subsidiaries; brother or sister corporations; divisions; current or former owners; and officers, directors, employees, and affiliates; and the successors, transferees, and assigns of any of them, from any civil or administrative monetary claim the United States has for the Covered Conduct under the False Claims Act, 31 U.S.C. §§ 3729-3733; the Civil Monetary Penalties Law, 42 U.S.C. § 1320a-7a; the Program Fraud Civil Remedies Act, 31 U.S.C. §§ 3801-3812; any statutory provision creating a cause of action for civil damages or civil penalties that the Civil Division of the Department of Justice has actual and present authority to assert and compromise pursuant to 28 C.F.R. Part O, Subpart I, 28 C.F.R. § 0.45(d), or the common law theories of payment by mistake, unjust enrichment, and fraud.

3. Subject to the exceptions in Paragraph 7, below, and conditioned upon Amgen's full payment of the Settlement Amount in accordance with the terms of Paragraph 1, above, Relator, for himself and for his heirs, successors, attorneys, agents, assigns, and any other person or entity acting on his behalf or asserting his rights, agrees to dismiss with prejudice any currently pending claims against Amgen in any federal or state court or in any other forum, and fully and finally release, waive and forever discharge Amgen, its predecessors, and its current and former divisions, parents, subsidiaries, related entities, affiliates, successors, and assigns, and their current and former directors, trustees, agents, officers, employees, representatives, attorneys, consultants, successors, heirs, executors, administrators, assigns, individually and

collectively, (collectively, the "Amgen Entities") from any claims or allegations that Relator has standing to bring or would have standing to bring as of the date of this Agreement, or which Relator may now have or claim to have against the Amgen Entities, from any and all claims, claims for relief, actions, rights, causes of action, suits, debts, obligations, liabilities, demands, losses, damages (including treble damages and any civil penalties), punitive damages, costs and expenses of any kind, character or nature whatsoever, known or unknown, fixed or contingent, in law or in equity, in contract or tort, or under any state or federal statute or regulation or arising in any way out of or connected in any way with the facts, claims, and circumstances alleged in, arising under, or arising from the filing of the Civil Actions or from any past activities and actions of the Amgen Entities, or from any civil monetary claim the United States has or may have for the Covered Conduct under the False Claims Act, 31 U.S.C. §§ 3730(b) and (d) or any similar federal or state statute. Relator's release of the Amgen Entities does not extend to any claim by Relator and/or his counsel for: (1) reasonable attorneys' fees, expenses and costs resulting from the Civil Actions pursuant to 31 U.S.C. § 3730(d); (2) any claims Relator may have pursuant to 31 U.S.C. § 3730(h); or (3) any claims arising out of conduct that occurs after the date of this Agreement.

4. In consideration of the obligations of Amgen in this Agreement and the Corporate Integrity Agreement (CIA) entered into between OIG-HHS and Amgen, and conditioned upon Amgen's full payment of the Settlement Amount, the OIG-HHS agrees to release and refrain from instituting, directing, or maintaining any administrative action seeking exclusion from Medicare, Medicaid, and other Federal health care programs (as defined in 42 U.S.C. § 1320a-7b(f)) against Amgen under 42 U.S.C. § 1320a-7a (Civil

Monetary Penalties Law) or 42 U.S.C. § 1320a-7(b)(7) (permissive exclusion for fraud, kickbacks, and other prohibited activities) for the Covered Conduct, except as reserved in Paragraph 7 (concerning excluded claims), below, and as reserved in this Paragraph. The OIG-HHS expressly reserves all rights to comply with any statutory obligations to exclude Amgen from Medicare, Medicaid, and other Federal health care programs under 42 U.S.C. § 1320a-7(a) (mandatory exclusion) based upon the Covered Conduct. Nothing in this Paragraph precludes the OIG-HHS from taking action against entities or persons, or for conduct and practices, for which claims have been reserved in Paragraph 7, below.

5. In consideration of the obligations of Amgen set forth in this Agreement, and conditioned upon Amgen's full payment of the Settlement Amount, TMA agrees to release and refrain from instituting, directing, or maintaining any administrative action seeking exclusion from the TRICARE program against Amgen under 32 C.F.R. § 199.9 for the Covered Conduct, except as reserved in Paragraph 7 (concerning excluded claims), below, and as reserved in this Paragraph. TMA expressly reserves authority to exclude Amgen from the TRICARE Program under 32 C.F.R. §§ 199.9(f)(1)(i)(A), (f)(1)(i)(B), and (f)(1)(iii), based upon the Covered Conduct. Nothing in this Paragraph precludes TMA or the TRICARE Program from taking action against entities or persons, or for conduct and practices, for which claims have been reserved in Paragraph 7, below.

6. In consideration of the obligations of Amgen in this Agreement, and conditioned upon Amgen's full payment of the Settlement Amount, OPM agrees to release and refrain from instituting, directing, or maintaining any administrative action against Amgen, its predecessors and current and former parents, affiliates, divisions,

subsidiaries, successors, transferees, heirs and assigns, and their current and former directors, officers and employees, individually and collectively, under 5 U.S.C. § 8902a or 5 C.F.R. Part 970 for the Covered Conduct, except as reserved in Paragraph 7 (concerning excluded claims), below, and except if required by 5 U.S.C. § 8902a(b). Nothing in this Paragraph precludes OPM from taking action against entities or persons, or for conduct and practices, for which claims have been reserved in Paragraph 7, below.

7. Notwithstanding the releases given in Paragraphs 2 through 6 of this Agreement, or any other term of this Agreement, the following claims of the United States are specifically reserved and are not released:

- a. Any liability arising under Title 26, U.S. Code (Internal Revenue Code);
- b. Any criminal liability;
- c. Except as explicitly stated in this Agreement, any administrative liability, including mandatory exclusion from Federal health care programs;
- d. Any liability to the United States (or its agencies) for any conduct other than the Covered Conduct;
- e. Any liability based upon obligations created by this Agreement;
- f. Any liability of individuals other than those specifically released in Paragraph 2;
- g. Any liability for express or implied warranty claims or other claims for defective or deficient products or services, including quality of goods and services;

- h. Any liability for failure to deliver goods or services due; or
- i. Any liability for personal injury or property damages or for other consequential damages arising from the Covered Conduct.

8. Relator and his heirs, successors, attorneys, agents, and assigns shall not object to this Agreement but agree and confirm that this Agreement is fair, adequate, and reasonable under all the circumstances, pursuant to 31 U.S.C. § 3730(c)(2)(B). In connection with this Agreement and this Civil Action, Relator and his heirs, successors, attorneys, agents, and assigns agree that neither this Agreement, any intervention by the United States in the Civil Action in order to dismiss the Civil Action, nor any dismissal of the Civil Action, shall waive or otherwise affect the ability of the United States to contend that provisions in the False Claims Act, including 31 U.S.C. §§ 3730(d)(3) and 3730(e), bar Relator from sharing in the proceeds of this Agreement. Moreover, the United States and Relator and his/her heirs, successors, attorneys, agents, and assigns agree that they each retain all of their rights pursuant to the False Claims Act on the issue of the share percentage, if any, that Relator should receive of any proceeds of the settlement of his claims, and that no agreements concerning Relator share have been reached to date.

9. Amgen waives and shall not assert any defenses Amgen may have to any criminal prosecution or administrative action relating to the Covered Conduct that may be based in whole or in part on a contention that, under the Double Jeopardy Clause in the Fifth Amendment of the Constitution, or under the Excessive Fines Clause in the Eighth Amendment of the Constitution, this Agreement bars a remedy sought in such criminal prosecution or administrative action. Nothing in this paragraph or any other provision of

this Agreement constitutes an agreement by the United States concerning the characterization of the Settlement Amount for purposes of the Internal Revenue laws, Title 26 of the United States Code.

10. Amgen fully and finally releases the United States, its agencies, officers, agents, employees, and servants from any claims (including attorney's fees, costs, and expenses of every kind and however denominated) that Amgen has asserted, could have asserted, or may assert in the future against the United States, its agencies, officers, agents, employees, and servants, related to the Covered Conduct and the United States' investigation and prosecution thereof.

11. In consideration of the obligations of the Relator set forth in this Agreement, Amgen, on behalf of itself, its predecessors, and its current and former divisions, parents, subsidiaries, agents, successors, assigns, and their current and former directors, officers and employees, fully and finally release, waive and forever discharge the Relator and his respective heirs, successors, assigns, agents, and attorneys from any claims or allegations Amgen has asserted or could have asserted, arising from the Covered Conduct and from all liability, claims, demands, actions or causes of action whatsoever, whether known or unknown, fixed or contingent, in law or in equity, in contract or in tort, under any federal or state statute or regulation, or in common law, that they, their heirs, successors, attorneys, agents and assigns otherwise would have standing to bring as of the date of this Agreement, including any liability to Amgen arising from or relating to the claims Relator asserted or could have asserted in the Civil Actions. Provided, however, that Amgen expressly reserves any defenses or claims related to: (1) Relator's and Relator's counsel's claims for reasonable attorneys' fees, expenses and

costs pursuant to 31 U.S.C. § 3730(d); (2) to any claims Relator may have pursuant to 31 U.S.C. § 3730(h); (3) to any claims arising out of conduct that occurs after the date of this Agreement; or (4) any claims which are reserved pursuant to Paragraph 3 above.

12. The Settlement Amount shall not be decreased as a result of the denial of claims for payment now being withheld from payment by any Medicare carrier or intermediary, TRICARE or FEHBP carrier or payor, or any state payer, related to the Covered Conduct; and Amgen agrees not to resubmit to any Medicare carrier or intermediary, TRICARE or FEHBP carrier or payor, or any state payer any previously denied claims related to the Covered Conduct, and agrees not to appeal any such denials of claims.

13. Amgen agrees to the following:

a. Unallowable Costs Defined: All costs (as defined in the Federal Acquisition Regulation, 48 C.F.R. § 31.205-47; and in Titles XVIII and XIX of the Social Security Act, 42 U.S.C. §§ 1395-1395kkk-1 and 1396-1396w-5; and the regulations and official program directives promulgated thereunder) incurred by or on behalf of Amgen, its present or former officers, directors, employees, shareholders, and agents in connection with:

- (1) the matters covered by this Agreement;
- (2) the United States' audit(s) and civil investigation(s) of the matters covered by this Agreement;
- (3) Amgen's investigation, defense, and corrective actions undertaken in response to the United States' audit(s) and civil investigation(s) in

connection with the matters covered by this Agreement (including attorney's fees);

- (4) the negotiation and performance of this Agreement;
- (5) the payment Amgen makes to the United States pursuant to this Agreement and any payments that Amgen may make to Relator, including costs and attorney's fees; and
- (6) the negotiation of, and obligations undertaken pursuant to the CIA to:

- (i) retain an independent review organization to perform annual reviews as described in Section III of the CIA; and
- (ii) prepare and submit reports to the OIG-HHS,

are unallowable costs for government contracting purposes and under the Medicare Program, Medicaid Program, TRICARE Program, and Federal Employees Health Benefit Program ("FEHBP") (hereinafter referred to as Unallowable Costs). However, nothing in this Paragraph 13.a.(6) that may apply to the obligations undertaken pursuant to the CIA affects the status of costs that are not allowable based on any other authority applicable to Amgen.

b. Future Treatment of Unallowable Costs: Unallowable Costs shall be separately determined and accounted for by Amgen, and Amgen shall not charge such Unallowable Costs directly or indirectly to any contracts with the United States or any State Medicaid program, or seek payment for such Unallowable Costs through any cost report, cost statement, information statement, or payment request submitted by Amgen or

any of its subsidiaries or affiliates to the Medicare, Medicaid, TRICARE, or FEHBP Programs.

c. Treatment of Unallowable Costs Previously Submitted for Payment:

Amgen further agrees that within 90 days of the Effective Date of this Agreement it shall identify to applicable Medicare and TRICARE fiscal intermediaries, carriers, and/or contractors, and Medicaid and FEHBP fiscal agents, any Unallowable Costs (as defined in this Paragraph) included in payments previously sought from the United States, or any State Medicaid program, including, but not limited to, payments sought in any cost reports, cost statements, information reports, or payment requests already submitted by Amgen or any of its subsidiaries or affiliates, and shall request, and agree, that such cost reports, cost statements, information reports, or payment requests, even if already settled, be adjusted to account for the effect of the inclusion of the Unallowable Costs. Amgen agrees that the United States, at a minimum, shall be entitled to recoup from Amgen any overpayment plus applicable interest and penalties as a result of the inclusion of such Unallowable Costs on previously-submitted cost reports, information reports, cost statements, or requests for payment.

Any payments due after the adjustments have been made shall be paid to the United States pursuant to the direction of the Department of Justice and/or the affected agencies. The United States reserves its rights to disagree with any calculations submitted by Amgen or any of its subsidiaries or affiliates on the effect of inclusion of Unallowable Costs (as defined in this Paragraph) on Amgen or any of its subsidiaries or affiliates' cost reports, cost statements, or information reports.

d. Nothing in this Agreement shall constitute a waiver of the rights of the United States to audit, examine, or re-examine Amgen's books and records to determine that no Unallowable Costs have been claimed in accordance with the provisions of this Paragraph.

14. This Agreement is intended to be for the benefit of the Parties only. The Parties do not release any claims against any other person or entity, except to the extent provided for in Paragraph 15 (waiver for beneficiaries paragraph), below.

15. Amgen agrees that it waives and shall not seek payment for any of the health care billings covered by this Agreement from any health care beneficiaries or their parents, sponsors, legally responsible individuals, or third party payors based upon the claims defined as Covered Conduct.

16. After this Agreement is executed and the Settlement Amount is paid by Amgen to the United States in accordance with Paragraph 1 of this Agreement, the United States will file a Notice of Intervention in the Civil Action to intervene as to claims asserted against Amgen concerning the Covered Conduct. In addition, the Parties will file a stipulation in the Civil Action requesting that, pursuant to and consistent with the terms of this Agreement: (a) the civil monetary claims asserted on behalf of the United States against Amgen for the Covered Conduct be dismissed with prejudice; (b) any other claims asserted on behalf of the United States against Amgen be dismissed without prejudice to the United States; (c) all claims against Amgen be dismissed with prejudice to Relators; and (d) no claims against any other defendant in the civil action will be dismissed.

THE UNITED STATES OF AMERICA

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JEFFREY WERTKIN
Trial Attorney
Commercial Litigation Branch
Civil Division
United States Department of Justice

DATED: _____ BY: _____
FRAN TRAPP
Assistant United States Attorney
District of South Carolina
Department of Justice

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ROBERT K. DECONTI
Assistant Inspector General for Legal Affairs
Office of Counsel to the Inspector General
Office of Inspector General
United States Department of
Health and Human Services

DATED: 4/3/2013 BY: 
DAVID COPE
Assistant Inspector General for Legal Affairs
United States Office of Personnel Management

DATES: 4/3/2013 BY: 
SHIRLEY R. PATTERSON
Assistant Director for Federal Employee
Insurance Operations
United States Office of Personnel Management

DATED: _____ BY: _____
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General Counsel
TRICARE Management Agency
United States Department of Defense

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Civil Division
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Assistant United States Attorney
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Assistant Director for Federal Employee
Insurance Operations
United States Office of Personnel Management

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TRICARE Management Agency
United States Department of Defense

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DATED: 4/2/13

BY: 
DAVID J. SCOTT
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Amgen Inc.

DATED: _____

BY: _____
DAVID ROSENBLOOM
Counsel for Amgen Inc.

DATED: _____

BY: _____
DWIGHT DRAKE
Counsel for Amgen Inc.

AMGEN INC.

DATED: _____

BY: _____
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Sr. Vice President, General Counsel
Amgen Inc.

DATED: 3-4-13

BY: David Rosenbloom /s/
DAVID ROSENBLOOM
Counsel for Amgen Inc.

DATED: 3-4-13

BY: Dwight Drake /s/
DWIGHT DRAKE
Counsel for Amgen Inc.

RELATOR FRANK KURNIK

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FRANK KURNIK
Relator

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TRACI BUSCHNER
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Counsel for Frank Kurnik

RELATOR FRANK KURNIK

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FRANK KURNIK
Relator

DATED: 9/7/2017 BY: 
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Jul 25, 2013 - **Amgen** Inc. paid the United States more than \$15 million this month as part of a settlement agreement to resolve allegations that the ...

Amgen Faces Whistleblower Suit - WSJ.com ✓

online.wsj.com/.../SB123575906458796121 ▾ The Wall Street Journal

A **whistleblower lawsuit** against **Amgen** accuses the biotechnology company of illegal marketing of its blockbuster drugs Enbrel and Aranesp.

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Dec 19, 2012 - Seven of these **cases** currently are **pending** in the Eastern District of New ... as well as several other **whistleblower**-filed suits against **Amgen**.

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bergermontague.com/.../amgen-to-pay-u-s-24-9-million-to-resolve-false-... ▾

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Amgen to pay \$25M to wrap up Aranesp kickbacks case ...

www.fiercepharma.com/story/amgen-pay-25m-wrap.../2013-04-17

Apr 17, 2013 - As Reuters notes, the whistleblower **lawsuit** prompting the **settlement** was the fourth of five that **Amgen** has disclosed. One was **settled** and two ...

Amgen Says it Set Aside \$780 Million to Settle Drug Sale Kickback

www.bloomberg.com/.../amgen-says-it-set-aside-780-... Bloomberg L.P.

Oct 25, 2011 - **Amgen** said it expects the accord to resolve 10 whistle-blower **lawsuits**, including one claiming fraudulent overbilling tied to Aranesp sales.

More drug companies to pay billions for fraud, join the "dishonor roll ...

www.forbes.com/.../more-pharma-companies-to-join-the-dishon... Forbes

May 10, 2012 - Meanwhile, **Amgen** said last October that it had reached an agreement in principle to pay \$780 million to **settle litigation** involving state ...

Amgen Settles Kickbacks Lawsuit for \$25M | InvestorPlace

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Apr 17, 2013 - **Amgen** Settles Kickbacks **Lawsuit** for \$25M On Tuesday, government regulators announced that they had reached a **settlement** ...

Amgen to pay \$25 million to settle kickback allegations | Reuters

www.reuters.com/.../us-usa-amgen-settlement-idUSBRE93F1A2... Reuters

Apr 16, 2013 - (Reuters) - **Amgen** Inc has agreed to pay \$24.9 million to **settle** allegations ... The civil **settlement** resolves a **lawsuit** filed in District Court for the ...

DaVita to Settle Epogen Lawsuit - July 6, 2012 - Zacks.com

www.zacks.com/stock/news/78309/DaVita-to-Settle-Epogen-Lawsuit

Jul 6, 2012 - Recently, DaVita Inc. (DVA - Analyst Report) agreed to pay \$55 million in a bid to **settle a lawsuit**, indicting it for overuse of **Amgen** Inc's (AMGN ...

Amgen to Pay \$762 Million Whistleblower Lawsuit Settlement - Leg...

www.legafi.com/lawsuits/.../1175-amgen-to-pay-762-million-whistleblo...

Jan 1, 2013 - Improper practices leads to \$762 million **Amgen** whistleblower **lawsuit settlement**.

UPDATE: Amgen to Pay \$24.9 Million to Settle U.S. Allegations of ...

online.wsj.com/.../BT-CO-20130416-714306.... The Wall Street Journal

Apr 16, 2013 - --**Settlement** resolves whistleblower **lawsuit** related to sales of Aranesp ... The **settlement** resolves allegations that **Amgen** paid off Omnicare Inc.

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Lawsuits aim to kill Onyx-Amgen deal - San Francisco Business Tim...



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Tuskegee syphilis experiment

From Wikipedia, the free encyclopedia

The **Tuskegee syphilis experiment**^[1] was an infamous clinical study conducted between 1932 and 1972 by the U.S. Public Health Service to study the natural progression of untreated syphilis in rural African American men who thought they were receiving free health care from the U.S. government.^[1]

The Public Health Service, working with the Tuskegee Institute, began the study in 1932. Investigators enrolled in the study a total of 600 impoverished sharecroppers from Macon County, Alabama; 399 who had previously contracted syphilis before the study began, and 201^[2] without the disease. For participating in the study, the men were given free medical care, meals, and free burial insurance. They were never told they had syphilis, nor were they ever treated for it. According to the Centers for Disease Control, the men were told they were being treated for "bad blood", a local term for various illnesses that include syphilis, anemia, and fatigue.



A doctor draws blood from one of the Tuskegee test subjects.

The 40-year study was controversial for reasons related to ethical standards; primarily because researchers knowingly failed to treat patients appropriately after the 1940s validation of penicillin as an effective cure for the disease they were studying. Revelation of study failures by a whistleblower led to major changes in U.S. law and regulation on the protection of participants in clinical studies. Now studies require informed consent (though foreign consent procedures can be substituted which offer similar protections; such substitutions must be submitted to the Federal Register unless statute or Executive Order require otherwise),^[3] communication of diagnosis, and accurate reporting of test results.^[4]

By 1947, penicillin had become the standard treatment for syphilis. Choices available to the doctors involved in the study might have included treating all syphilitic subjects and closing the study, or splitting off a control group for testing with penicillin. Instead, the Tuskegee scientists continued the study without treating any participants and withholding penicillin and information about it from the patients. In addition, scientists prevented participants from accessing syphilis treatment programs available to others in the area.^[5] The study continued, under numerous US Public Health Service supervisors, until 1972, when a leak to the press eventually resulted in its termination on November 16.^[6] The victims of the study included numerous men who died of syphilis, wives who contracted the disease, and children born with congenital syphilis.^[7] Physicians in this time were fixated on African American sexuality, and the willingness of African Americans to have sexual relations with those who were infected led them to believe that the responsibility for the acquisition of the disease was solely upon the individual. This need to place blame blinded the physicians to find ways to help the innocent infants born with the disease through no fault of their own.^[8]

The Tuskegee Syphilis Study, cited as "arguably the most infamous biomedical research study in U.S. history,"^[9] led to the 1979 Belmont Report and the establishment of the Office for Human Research Protections (OHRP).^[10] It also led to federal laws and regulations requiring Institutional Review Boards for the protection of human subjects in studies involving human subjects. The Office for Human Research Protections (OHRP) manages this responsibility within the US Department of Health and Human Services (HHS).^[11]

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History

Study clinicians

“ For the most part, doctors and civil servants simply did their jobs. Some merely followed orders, others worked for the glory of science. ”

— John Heller, Director of the Public Health Service's Division of Venereal Diseases^[12]

The venereal disease section of the U.S. Public Health Service (PHS) formed a study group in 1932 at its national headquarters. Taliaferro Clark was credited with its origin. His initial goal was to follow untreated syphilis in a group of black men for 6 to 9 months, and then follow up with a treatment phase.^[citation needed] When he understood the intention of other study members to use deceptive practices, Clark disagreed with the plan to conduct an extended study. He retired the year after the study began.



Taliaferro Clark

Representing the PHS, Clark had solicited the participation of the Tuskegee Institute (a well-known historically black college in Alabama, now known as Tuskegee University) and also the inclusion of the Arkansas regional PHS office. Eugene Dibble, an African American doctor, was head of the John Andrew Hospital at the Tuskegee Institute. Oliver C. Wenger, a Caucasian, was director of the regional PHS Venereal Disease Clinic in Hot Springs, Arkansas. He and his staff took a lead in developing study procedures.

Wenger and his staff played a critical role in developing early study protocols. Wenger continued to advise and assist the Tuskegee Study when it turned into a long-term, no-treatment observational study.^[13]



Oliver Wenger

Raymond A. Vonderlehr was appointed on-site director of the research program and developed the policies that shaped the long-term follow-up section of the project. For example, he decided to gain the "consent" of the subjects for spinal taps (to look for signs of neurosyphilis) by depicting the diagnostic test as a "special free treatment". Vonderlehr retired as head of the venereal disease section in 1943, shortly after penicillin had first been shown to be a cure for syphilis.

Several African American health workers and educators associated with Tuskegee Institute helped the PHS to carry out its experimentation and played a critical role in its progression, though the extent to which they were aware of methodology of the study is not clear in all cases. Robert Russa Moton, the head of Tuskegee Institute at the time, and

Eugene Dibble, of the Tuskegee Medical Hospital, both lent their endorsement and institutional resources to the government study. Nurse Eunice Rivers, an African-American trained at Tuskegee Institute who worked at its affiliated John Andrew Hospital, was recruited at the start of the study.

Vonderlehr was a strong advocate for Nurse Rivers' participation, as she was the direct link to the community. During the Great Depression of the 1930s, the Tuskegee Study began by offering lower class African Americans, who often could not afford health care, the chance to join "Miss Rivers' Lodge". Patients were to receive free physical examinations at Tuskegee University, free rides to and from the clinic, hot meals on examination days, and free treatment for minor ailments.

Based on the available health care resources, Nurse Rivers believed that the benefits of the study to the men outweighed the risks.

As the study became long term, Nurse Rivers became the chief person with continuity. Unlike the changing state of national, regional and on-site PHS administrators, doctors, and researchers, Rivers stayed at Tuskegee University. She was the only study staff person to work with participants for the full 40 years. By the 1950s, Nurse Rivers had become pivotal to the study—her personal knowledge of the subjects enabled maintenance of long-term follow up.

Historians found evidence that most of the African American staff that assisted the Tuskegee Experiments were under the belief that they were part of a medical experiment that gave them the opportunity to act in the best interests of poor Black residents of Tuskegee.

In the study's later years, John R. Heller led the national division.

By the late 1940s, doctors, hospitals and public health centers throughout the country routinely treated diagnosed syphilis with penicillin. In the period following World War II, the revelation of the Holocaust and related Nazi medical abuses brought about changes in international law. Western allies formulated the Nuremberg Code to protect the rights of research subjects. No one appeared to have reevaluated the protocols of the Tuskegee Study according to the new standards.

In 1972 the Tuskegee Study was brought to public and national attention by a whistleblower, who gave information to the *Washington Star* and the *New York Times*. Heller of PHS still defended the ethics of the study, stating: "The longer the study, the better the ultimate information we would derive."^[14] Author James Jones remarks about this attitude: "The men's status did not warrant ethical debate. They were subjects, not patients; clinical material, not sick people."^[15]



Raymond A.
Vonderlehr (medical
doctor)



John Heller (medical
doctor)



Eugene Dibble
(medical doctor)



Eunice Rivers (nurse)

Study details

A Norwegian study in 1928 had reported on the pathologic manifestations of untreated syphilis in several hundred white males. This study is known as a retrospective study since investigators pieced together information from the



Subject blood draw, c. 1953

histories of patients who had already contracted syphilis but remained untreated for some time.

The Tuskegee study group decided to build on the Oslo work and perform a prospective study to complement it. In the earlier phases of the study this was not inherently unethical since there was nothing the investigators could do therapeutically at the time.



Subjects talking with study coordinator, Nurse Eunice Rivers

Researchers could study the natural progression of the disease as long as they did not harm their subjects. They reasoned that the knowledge gained would benefit humankind; however, it was determined afterward that the doctors did harm their subjects by depriving them of appropriate treatment once it had been discovered. The study was characterized as "the longest non-therapeutic experiment on human beings in medical history."^[5]

The US health service Tuskegee study began as a clinical trial of the incidence of syphilis in the Macon County population. At that time, it was believed that the effects of syphilis depended on the race of those affected. For African Americans, physicians believed that their cardiovascular system was more affected than the central nervous system.^[16] Initially, subjects were studied for six to eight months and then treated with contemporary methods including Salvarsan, mercurial ointments, and bismuth. These methods were, at best, mildly effective. The disadvantage that these treatments were all highly toxic was balanced by the fact that no other methods were known. The Tuskegee Institute participated in the study, as its representatives understood the intent was to benefit public health in the local poor population.^[17] The Tuskegee University-affiliated hospital effectively loaned the PHS its medical facilities and other predominantly black institutions and local black doctors participated as well. The Rosenwald Fund, a major Chicago-based philanthropy devoted to black education and community development in the South, provided financial support to pay for the eventual treatment of the patients. They had previously collaborated with Public Health Services in a study of syphilis prevalence in over 2,000 black workers in Mississippi's Delta Pine and Land Company in 1928, and helped provide treatment for 25% of the workers who had tested positive for syphilis.^[18] Study researchers initially recruited 399 syphilitic Black men, and 201 healthy Black men as controls.

Continuing effects of the Stock Market Crash of 1929 and the beginning of the Great Depression led the Rosenwald Fund to withdraw its offer of funding. Study directors issued a final report as they thought this might mean the end of the study once funding to buy medication for the treatment phase of the study was withdrawn.

Medical ethics considerations were limited from the start and rapidly deteriorated. To ensure that the men would show up for the possibly dangerous, painful, diagnostic, and non-therapeutic spinal taps, the doctors sent the 400 patients a misleading letter titled "Last Chance for Special Free Treatment". The study also required all participants to undergo an autopsy after death in order to receive funeral benefits. After penicillin was discovered as a cure, researchers continued to deny such treatment to many study participants. Many patients were lied to and given placebo treatments so researchers could observe the full, long-term progression of the fatal disease.^[17]

The Tuskegee Study published its first clinical data in 1934 and issued their first major report in 1936. This was prior to the discovery of penicillin as a safe and effective treatment for syphilis. The study was not secret since reports and data sets were published to the medical community throughout its duration.

During World War II, 250 of the subject men registered for the draft. These men were consequently diagnosed as having syphilis at military induction centers and ordered to obtain treatment for syphilis before they could be taken into the armed services.^[19]



Taking a blood sample as part of the Tuskegee Syphilis Study

PHS researchers attempted to prevent them from getting treatment, thus depriving them of chances for a cure. A PHS representative was quoted at the time as saying: "So far, we are keeping the known positive patients from getting treatment."^[19]

Despite this, 96% of the 90 original test subjects reexamined in 1963 had received either arsenical or penicillin treatments from

another health provider.^[20]

By 1947 penicillin had become standard therapy for syphilis. The US government sponsored several public health programs to form "rapid treatment centers" to eradicate the disease. When campaigns to eradicate venereal disease came to Macon County, study researchers prevented their patients from participating.^[19]

By the end of the study in 1972, only 74 of the test subjects were alive. Of the original 399 men, 28 had died of syphilis, 100 were dead of related complications, 40 of their wives had been infected and 19 of their children were born with congenital syphilis.

Table from U.S. Public Health Service summarising participants in the study

Data presented at 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 105, 110, 115, 120, 125, 130, 135, 140, 145, 150, 155, 160, 165, 170, 175, 180, 185, 190, 195, 200, 205, 210, 215, 220, 225, 230, 235, 240, 245, 250, 255, 260, 265, 270, 275, 280, 285, 290, 295, 300, 305, 310, 315, 320, 325, 330, 335, 340, 345, 350, 355, 360, 365, 370, 375, 380, 385, 390, 395, 400, 405, 410, 415, 420, 425, 430, 435, 440, 445, 450, 455, 460, 465, 470, 475, 480, 485, 490, 495, 500, 505, 510, 515, 520, 525, 530, 535, 540, 545, 550, 555, 560, 565, 570, 575, 580, 585, 590, 595, 600, 605, 610, 615, 620, 625, 630, 635, 640, 645, 650, 655, 660, 665, 670, 675, 680, 685, 690, 695, 700, 705, 710, 715, 720, 725, 730, 735, 740, 745, 750, 755, 760, 765, 770, 775, 780, 785, 790, 795, 800, 805, 810, 815, 820, 825, 830, 835, 840, 845, 850, 855, 860, 865, 870, 875, 880, 885, 890, 895, 900, 905, 910, 915, 920, 925, 930, 935, 940, 945, 950, 955, 960, 965, 970, 975, 980, 985, 990, 995, 1000, 1005, 1010, 1015, 1020, 1025, 1030, 1035, 1040, 1045, 1050, 1055, 1060, 1065, 1070, 1075, 1080, 1085, 1090, 1095, 1100, 1105, 1110, 1115, 1120, 1125, 1130, 1135, 1140, 1145, 1150, 1155, 1160, 1165, 1170, 1175, 1180, 1185, 1190, 1195, 1200, 1205, 1210, 1215, 1220, 1225, 1230, 1235, 1240, 1245, 1250, 1255, 1260, 1265, 1270, 1275, 1280, 1285, 1290, 1295, 1300, 1305, 1310, 1315, 1320, 1325, 1330, 1335, 1340, 1345, 1350, 1355, 1360, 1365, 1370, 1375, 1380, 1385, 1390, 1395, 1400, 1405, 1410, 1415, 1420, 1425, 1430, 1435, 1440, 1445, 1450, 1455, 1460, 1465, 1470, 1475, 1480, 1485, 1490, 1495, 1500, 1505, 1510, 1515, 1520, 1525, 1530, 1535, 1540, 1545, 1550, 1555, 1560, 1565, 1570, 1575, 1580, 1585, 1590, 1595, 1600, 1605, 1610, 1615, 1620, 1625, 1630, 1635, 1640, 1645, 1650, 1655, 1660, 1665, 1670, 1675, 1680, 1685, 1690, 1695, 1700, 1705, 1710, 1715, 1720, 1725, 1730, 1735, 1740, 1745, 1750, 1755, 1760, 1765, 1770, 1775, 1780, 1785, 1790, 1795, 1800, 1805, 1810, 1815, 1820, 1825, 1830, 1835, 1840, 1845, 1850, 1855, 1860, 1865, 1870, 1875, 1880, 1885, 1890, 1895, 1900, 1905, 1910, 1915, 1920, 1925, 1930, 1935, 1940, 1945, 1950, 1955, 1960, 1965, 1970, 1975, 1980, 1985, 1990, 1995, 2000, 2005, 2010, 2015, 2020, 2025, 2030, 2035, 2040, 2045, 2050, 2055, 2060, 2065, 2070, 2075, 2080, 2085, 2090, 2095, 2100, 2105, 2110, 2115, 2120, 2125, 2130, 2135, 2140, 2145, 2150, 2155, 2160, 2165, 2170, 2175, 2180, 2185, 2190, 2195, 2200, 2205, 2210, 2215, 2220, 2225, 2230, 2235, 2240, 2245, 2250, 2255, 2260, 2265, 2270, 2275, 2280, 2285, 2290, 2295, 2300, 2305, 2310, 2315, 2320, 2325, 2330, 2335, 2340, 2345, 2350, 2355, 2360, 2365, 2370, 2375, 2380, 2385, 2390, 2395, 2400, 2405, 2410, 2415, 2420, 2425, 2430, 2435, 2440, 2445, 2450, 2455, 2460, 2465, 2470, 2475, 2480, 2485, 2490, 2495, 2500, 2505, 2510, 2515, 2520, 2525, 2530, 2535, 2540, 2545, 2550, 2555, 2560, 2565, 2570, 2575, 2580, 2585, 2590, 2595, 2600, 2605, 2610, 2615, 2620, 2625, 2630, 2635, 2640, 2645, 2650, 2655, 2660, 2665, 2670, 2675, 2680, 2685, 2690, 2695, 2700, 2705, 2710, 2715, 2720, 2725, 2730, 2735, 2740, 2745, 2750, 2755, 2760, 2765, 2770, 2775, 2780, 2785, 2790, 2795, 2800, 2805, 2810, 2815, 2820, 2825, 2830, 2835, 2840, 2845, 2850, 2855, 2860, 2865, 2870, 2875, 2880, 2885, 2890, 2895, 2900, 2905, 2910, 2915, 2920, 2925, 2930, 2935, 2940, 2945, 2950, 2955, 2960, 2965, 2970, 2975, 2980, 2985, 2990, 2995, 3000, 3005, 3010, 3015, 3020, 3025, 3030, 3035, 3040, 3045, 3050, 3055, 3060, 3065, 3070, 3075, 3080, 3085, 3090, 3095, 3100, 3105, 3110, 3115, 3120, 3125, 3130, 3135, 3140, 3145, 3150, 3155, 3160, 3165, 3170, 3175, 3180, 3185, 3190, 3195, 3200, 3205, 3210, 3215, 3220, 3225, 3230, 3235, 3240, 3245, 3250, 3255, 3260, 3265, 3270, 3275, 3280, 3285, 3290, 3295, 3300, 3305, 3310, 3315, 3320, 3325, 3330, 3335, 3340, 3345, 3350, 3355, 3360, 3365, 3370, 3375, 3380, 3385, 3390, 3395, 3400, 3405, 3410, 3415, 3420, 3425, 3430, 3435, 3440, 3445, 3450, 3455, 3460, 3465, 3470, 3475, 3480, 3485, 3490, 3495, 3500, 3505, 3510, 3515, 3520, 3525, 3530, 3535, 3540, 3545, 3550, 3555, 3560, 3565, 3570, 3575, 3580, 3585, 3590, 3595, 3600, 3605, 3610, 3615, 3620, 3625, 3630, 3635, 3640, 3645, 3650, 3655, 3660, 3665, 3670, 3675, 3680, 3685, 3690, 3695, 3700, 3705, 3710, 3715, 3720, 3725, 3730, 3735, 3740, 3745, 3750, 3755, 3760, 3765, 3770, 3775, 3780, 3785, 3790, 3795, 3800, 3805, 3810, 3815, 3820, 3825, 3830, 3835, 3840, 3845, 3850, 3855, 3860, 3865, 3870, 3875, 3880, 3885, 3890, 3895, 3900, 3905, 3910, 3915, 3920, 3925, 3930, 3935, 3940, 3945, 3950, 3955, 3960, 3965, 3970, 3975, 3980, 3985, 3990, 3995, 4000, 4005, 4010, 4015, 4020, 4025, 4030, 4035, 4040, 4045, 4050, 4055, 4060, 4065, 4070, 4075, 4080, 4085, 4090, 4095, 4100, 4105, 4110, 4115, 4120, 4125, 4130, 4135, 4140, 4145, 4150, 4155, 4160, 4165, 4170, 4175, 4180, 4185, 4190, 4195, 4200, 4205, 4210, 4215, 4220, 4225, 4230, 4235, 4240, 4245, 4250, 4255, 4260, 4265, 4270, 4275, 4280, 4285, 4290, 4295, 4300, 4305, 4310, 4315, 4320, 4325, 4330, 4335, 4340, 4345, 4350, 4355, 4360, 4365, 4370, 4375, 4380, 4385, 4390, 4395, 4400, 4405, 4410, 4415, 4420, 4425, 4430, 4435, 4440, 4445, 4450, 4455, 4460, 4465, 4470, 4475, 4480, 4485, 4490, 4495, 4500, 4505, 4510, 4515, 4520, 4525, 4530, 4535, 4540, 4545, 4550, 4555, 4560, 4565, 4570, 4575, 4580, 4585, 4590, 4595, 4600, 4605, 4610, 4615, 4620, 4625, 4630, 4635, 4640, 4645, 4650, 4655, 4660, 4665, 4670, 4675, 4680, 4685, 4690, 4695, 4700, 4705, 4710, 4715, 4720, 4725, 4730, 4735, 4740, 4745, 4750, 4755, 4760, 4765, 4770, 4775, 4780, 4785, 4790, 4795, 4800, 4805, 4810, 4815, 4820, 4825, 4830, 4835, 4840, 4845, 4850, 4855, 4860, 4865, 4870, 4875, 4880, 4885, 4890, 4895, 4900, 4905, 4910, 4915, 4920, 4925, 4930, 4935, 4940, 4945, 4950, 4955, 4960, 4965, 4970, 4975, 4980, 4985, 4990, 4995, 5000, 5005, 5010, 5015, 5020, 5025, 5030, 5035, 5040, 5045, 5050, 5055, 5060, 5065, 5070, 5075, 5080, 5085, 5090, 5095, 5100, 5105, 5110, 5115, 5120, 5125, 5130, 5135, 5140, 5145, 5150, 5155, 5160, 5165, 5170, 5175, 5180, 5185, 5190, 5195, 5200, 5205, 5210, 5215, 5220, 5225, 5230, 5235, 5240, 5245, 5250, 5255, 5260, 5265, 5270, 5275, 5280, 5285, 5290, 5295, 5300, 5305, 5310, 5315, 5320, 5325, 5330, 5335, 5340, 5345, 5350, 5355, 5360, 5365, 5370, 5375, 5380, 5385, 5390, 5395, 5400, 5405, 5410, 5415, 5420, 5425, 5430, 5435, 5440, 5445, 5450, 5455, 5460, 5465, 5470, 5475, 5480, 5485, 5490, 5495, 5500, 5505, 5510, 5515, 5520, 5525, 5530, 5535, 5540, 5545, 5550, 5555, 5560, 5565, 5570, 5575, 5580, 5585, 5590, 5595, 5600, 5605, 5610, 5615, 5620, 5625, 5630, 5635, 5640, 5645, 5650, 5655, 5660, 5665, 5670, 5675, 5680, 5685, 5690, 5695, 5700, 5705, 5710, 5715, 5720, 5725, 5730, 5735, 5740, 5745, 5750, 5755, 5760, 5765, 5770, 5775, 5780, 5785, 5790, 5795, 5800, 5805, 5810, 5815, 5820, 5825, 5830, 5835, 5840, 5845, 5850, 5855, 5860, 5865, 5870, 5875, 5880, 5885, 5890, 5895, 5900, 5905, 5910, 5915, 5920, 5925, 5930, 5935, 5940, 5945, 5950, 5955, 5960, 5965, 5970, 5975, 5980, 5985, 5990, 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7655, 7660, 7665, 7670, 7675, 7680, 7685, 7690, 7695, 7700, 7705, 7710, 7715, 7720, 7725, 7730, 7735, 7740, 7745, 7750, 7755, 7760, 7765, 7770, 7775, 7780, 7785, 7790, 7795, 7800, 7805, 7810, 7815, 7820, 7825, 7830, 7835, 7840, 7845, 7850, 7855, 7860, 7865, 7870, 7875, 7880, 7885, 7890, 7895, 7900, 7905, 7910, 7915, 7920, 7925, 7930, 7935, 7940, 7945, 7950, 7955, 7960, 7965, 7970, 7975, 7980, 7985, 7990, 7995, 8000, 8005, 8010, 8015, 8020, 8025, 8030, 8035, 8040, 8045, 8050, 8055, 8060, 8065, 8070, 8075, 8080, 8085, 8090, 8095, 8100, 8105, 8110, 8115, 8120, 8125, 8130, 8135, 8140, 8145, 8150, 8155, 8160, 8165, 8170, 8175, 8180, 8185, 8190, 8195, 8200, 8205, 8210, 8215, 8220, 8225, 8230, 8235, 8240, 8245, 8250, 8255, 8260, 8265, 8270, 8275, 8280, 8285, 8290, 8295, 8300, 8305, 8310, 8315, 8320, 8325, 8330, 8335, 8340, 8345, 8350, 8355, 8360, 8365, 8370, 8375, 8380, 8385, 8390, 8395, 8400, 8405, 8410, 8415, 8420, 8425, 8430, 8435, 8440, 8445, 8450, 8455, 8460, 8465, 8470, 8475, 8480, 8485, 8490, 8495, 8500, 8505, 8510, 8515, 8520, 8525, 8530, 8535, 8540, 8545, 8550, 8555, 8560, 8565, 8570, 8575, 8580, 8585, 8590, 8595, 8600, 8605, 8610, 8615, 8620, 8625, 8630, 8635, 8640, 8645, 8650, 8655, 8660, 8665, 8670, 8675, 8680, 8685, 8690, 8695, 8700, 8705, 8710, 8715, 8720, 8725, 8730, 8735, 8740, 8745, 8750, 8755, 8760, 8765, 8770, 8775, 8780, 8785, 8790, 8795, 8800, 8805, 8810, 8815, 8820, 8825, 8830, 8835, 8840, 8845, 8850, 8855, 8860, 8865, 8870, 8875, 8880, 8885, 8890, 8895, 8900, 8905, 8910, 8915, 8920, 8925, 8930, 8935, 8940, 8945, 8950, 8955, 8960, 8965, 8970, 8975, 8980, 8985, 8990, 8995, 9000, 9005, 9010, 9015, 9020, 9025, 9030, 9035, 9040, 9045, 9050, 9055, 9060, 9065, 9070, 9075, 9080, 9085, 9090, 9095, 9100, 9105, 9110, 9115, 9120, 9125, 9130, 9135, 9140, 9145, 9150, 9155, 9160, 9165, 9170, 9175, 9180, 9185, 9190, 9195, 9200, 9205, 9210, 9215, 9220, 9225, 9230, 9235, 9240, 9245, 9250, 9255, 9260, 9265, 9270, 9275, 9280, 9285, 9290, 9295, 9300, 9305, 9310, 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Peter Buxtun, a PHS venereal disease investigator, the "whistleblower"

HEW. The cabinet-level department included the CDC. In *The Drum*, Jenkins called for an end to the Tuskegee Study. He did not succeed; it is not clear who read his work.^[24]

Buxtun finally went to the press in the early 1970s. The story broke first in the *Washington Star* on July 25, 1972. It became front-page news in the *New York Times* the following day. Senator Edward Kennedy called Congressional hearings, at which Buxtun and HEW officials testified. As a result of public outcry the CDC and PHS appointed an *ad hoc* advisory panel to review the study. It determined the study was medically unjustified and ordered its

termination. As part of the settlement of a class action lawsuit subsequently filed by the NAACP, the U.S. government paid \$9 million (unadjusted for inflation) and agreed to provide free medical treatment to surviving participants and to surviving family members infected as a consequence of the study.

A collection of materials compiled to investigate the study is held at the National Library of Medicine in Bethesda, Maryland.^[25]

Aftermath

In 1974 Congress passed the National Research Act and created a commission to study and write regulations governing studies involving human participants. On May 16, 1997, President Bill Clinton formally apologized and held a ceremony for the Tuskegee study participants: "What was done cannot be undone. But we can end the silence. We can stop turning our heads away. We can look at you in the eye and finally say on behalf of the American people, what the United States government did was shameful, and I am sorry ... To our African American citizens, I am sorry that your federal government orchestrated a study so clearly racist."^[26] Five of the eight remaining study survivors attended the White House ceremony.

The Tuskegee Syphilis Study significantly damaged the trust of the black community toward public health efforts in the United States.^[27] The study may also have contributed to the reluctance of many poor black people to seek routine preventive care.^[28] However, recent studies have challenged the degree to which knowledge of the Tuskegee experiments have kept black Americans from participating in medical research.^{[29][30][31][32]} Distrust of the government because of the study contributed to persistent rumors in the black community that the government was responsible for the HIV/AIDS crisis by introducing the virus to the black community.^[33]

An interview in February on ABC's PrimeTime Live between ABC's Jay Schadler and Dr. Sidney Olansky, Public Health Services director of the study from 1950 to 1957, further showed why the Tuskegee study had damaged the trust between medical personnel and much of the African American community. When asked about the lies that were told to the study subjects, Olansky replied with "The fact that they were illiterate was helpful, too, because they couldn't read the newspapers. If they were not, as things moved on they might have been reading newspapers and seen what was going on." ^[34]

Ethical implications

After penicillin was found to be an effective treatment for syphilis, the study continued for another 25 years without treating those suffering from the disease. After the study and its consequences became front-page news, it was ended



Group of Tuskegee Experiment test subjects



Charlie Pollard, survivor

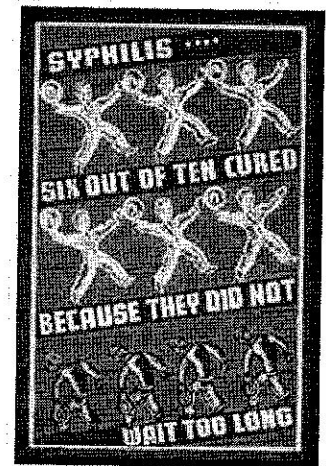


Herman Shaw, survivor

in a day.^[35] The aftershocks of this study, and other human experiments in the United States, led to the establishment of the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research and the National Research Act. The latter requires the establishment of institutional review boards (IRBs) at institutions receiving federal support (such as grants, cooperative agreements, or contracts).

In popular culture

- David Feldshuh wrote a stage play in 1992 based on the history of the Tuskegee study, titled *Miss Evers' Boys*. It was a runner-up for the 1992 Pulitzer Prize in drama.^[36] In 1997 it was adapted for an HBO made-for-TV movie. The HBO adaptation was nominated for eleven Emmy Awards,^[37] and won in four categories.^[38]
- A 33 second song "Tuskegee #626" featured on Gil Scott-Heron's 1977 Bridges LP with lyrics detailing and condemning the Tuskegee Syphilis Experiments.
- In the pilot episode of the TV series *House, M.D.*, the Dean of Medicine Dr. Lisa Cuddy makes reference to Dr. Gregory House that his treatment method of his patient by guessing has not been used since Tuskegee.
- In the movie *Half-Baked* Thurgood Jenkins (Dave Chappelle) mentions to a scientist that his grandfather was in the Tuskegee Experiments, in order to demonstrate his willingness to participate in the federal government's study of marijuana. Dave's grandfather in real life was in fact a subject of the Tuskegee Experiments, surviving the experiments led to him living with a permanent blindness.^[citation needed]
- On *Real Time with Bill Maher*, Spike Lee cited the government's past atrocities including the Tuskegee Study of Untreated Syphilis in the Negro Male when commenting on the federal government's lack of response to African-American community of New Orleans during the aftermath of the 2005 Hurricane Katrina catastrophe.^[39]



Depression-era U.S. poster advocating early syphilis treatment. Although treatments were available, participants in the study did not receive them.

See also

- Declaration of Geneva
- Declaration of Helsinki
- Eugenics in the United States
- Human experimentation in the United States
- Human subject research
- International Conference on Harmonisation for Registration of Pharmaceuticals
- Operation Whitecoat
- Nazi human experimentation
- Project 4.1
- Shiloh Missionary Baptist Church
- Unit 731
- World Medical Association

References

- ↑ ***a b*** "Tuskegee Study - Timeline" (http://www.cdc.gov/tuskegee/timeline.htm). *NCHHSTP*. CDC. 2008-06-25. Retrieved 2008-12-04.
- ↑ Center for disease control and prevention

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841 3

(a) For the purpose of this section—

(1) the term “public official” means Member of Congress, Delegate, or Resident Commissioner, either before or after such official has qualified, or an officer or employee or person acting for or on behalf of the United States, or any department, ~~agency or branch of Government thereof, including the District of Columbia, in any~~ official function, under or by authority of any such department, agency, or branch of Government, or a juror;

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(2) the term “person who has been selected to be a public official” means any person who has been nominated or appointed to be a public official, or has been officially informed that such person will be so nominated or appointed; and

(3) the term “official act” means any decision or action on any question, matter, cause, suit, proceeding or controversy, which may at any time be pending, or which may by law be brought before any public official, in such official's official capacity, or in such official's place of trust or profit.

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(1) directly or indirectly, corruptly gives, offers or promises anything of value to any public official or person who has been selected to be a public official, or offers or promises any public official or any person who has been selected to be a public official to give anything of value to any other person or entity, with intent—

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(A) to influence any official act; or

(B) to influence such public official or person who has been selected to be a public official to commit or aid in committing, or collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or

(C) to induce such public official or such person who has been selected to be a public official to do or omit to do any act in violation of the lawful duty of such official or person;

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(2) being a public official or person selected to be a public official, directly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity, in return for:

(A) being influenced in the performance of any official act;

(B) being influenced to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or

(C) being induced to do or omit to do any act in violation of the official duty of such official or person;

(3) directly or indirectly, corruptly gives, offers, or promises anything of value to any person, or offers or promises such person to give anything of value to any other person or entity, with intent to influence the testimony under oath or affirmation of such first-mentioned person as a witness upon a trial, hearing, or other proceeding, before any court, any committee of either House or both Houses of Congress, or any agency, commission, or officer authorized by the laws of the United States to hear evidence or take testimony, or with intent to influence such person to absent himself therefrom;

(4) directly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity in return for being influenced in testimony under oath or affirmation as a witness upon any such trial, hearing, or other proceeding, or in return for absenting himself therefrom;

shall be fined under this title or not more than three times the monetary equivalent of the thing of value, whichever is greater, or imprisoned for not more than fifteen years, or both, and may be disqualified from holding any office of honor, trust, or profit under the United States.

(c) Whoever—

(1) otherwise than as provided by law for the proper discharge of official duty—

(A) directly or indirectly gives, offers, or promises anything of value to any public official, former public official, or person selected to be a public official, for or because of any official act performed or to be performed by such public official, former public official, or person selected to be a public official; or

(B) being a public official, former public official, or person selected to be a public official, otherwise than as provided by law for the proper discharge of official duty, directly or indirectly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally for or because of any official act performed or to be performed by such official or person;

(2) directly or indirectly, gives, offers, or promises anything of value to any person, for or because of the testimony under oath or affirmation given or to be given by such person as a witness upon a trial, hearing, or other proceeding, before any court, any committee of either House or both Houses of Congress, or any agency, commission, or officer authorized by the laws of the United States to hear evidence or take testimony, or for or because of such person's absence therefrom;

(3) directly or indirectly, demands, seeks, receives, accepts, or agrees to receive or

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material delivered by any person in compliance with any such demand, such person may file, in the district court of the United States for the judicial district within which the office of such custodian is situated, and serve upon such custodian a petition for an order of such court requiring the performance by such custodian of any duty imposed upon him by this section.

(j) Whenever any petition is filed in any district court of the United States under this section, such court shall have jurisdiction to hear and determine the matter so presented, and to enter such order or orders as may be required to carry into effect the provisions of this section.

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18 USC § 224 - Bribery in sporting contests

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[Parallel Table of](#)Current through Pub. L. [113-36](#). (See [Public Laws for the current Congress](#).)

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(a) Whoever carries into effect, attempts to carry into effect, or conspires with any other person to carry into effect any scheme in commerce to influence, in any way, by bribery any sporting contest, with knowledge that the purpose of such scheme is to influence by bribery that contest, shall be fined under this title, or imprisoned not more than 5 years, or both.

(b) This section shall not be construed as indicating an intent on the part of Congress to occupy the field in which this section operates to the exclusion of a law of any State, territory, Commonwealth, or possession of the United States, and no law of any State, territory, Commonwealth, or possession of the United States, which would be valid in the absence of the section shall be declared invalid, and no local authorities shall be deprived of any jurisdiction over any offense over which they would have jurisdiction in the absence of this section.

(c) As used in this section—

(1) The term “scheme in commerce” means any scheme effectuated in whole or in part through the use in interstate or foreign commerce of any facility for transportation or communication;

(2) The term “sporting contest” means any contest in any sport between individual contestants or teams of contestants (without regard to the amateur or professional status of the contestants therein), the occurrence of which is publicly announced before its occurrence;

(3) The term “person” means any individual and any partnership, corporation, association, or other entity.

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18 U.S. CODE § 1001 - STATEMENTS OR ENTRIES GENERALLY

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US Code **Notes** **Updates** **Authorities (CFR)**

(a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully—

- (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;
- (2) makes any materially false, fictitious, or fraudulent statement or representation; or
- (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;

shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both. If the matter relates to an offense under chapter 109A, 109B, 110, or 117, or section 1591, then the term of imprisonment imposed under this section shall be not more than 8 years.

(b) Subsection (a) does not apply to a party to a judicial proceeding, or that party's counsel, for statements, representations, writings or documents submitted by such party or counsel to a judge or magistrate in that proceeding.

(c) With respect to any matter within the jurisdiction of the legislative branch, subsection (a) shall apply only to—

- (1) administrative matters, including a claim for payment, a matter related to the procurement of property or services, personnel or employment practices, or support services, or a document required by law, rule, or regulation to be submitted to the Congress or any office or officer within the legislative branch; or
- (2) any investigation or review, conducted pursuant to the authority of any committee, subcommittee, commission or office of the Congress, consistent with applicable rules of the House or Senate.





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18 U.S. CODE § 1031 - MAJOR FRAUD AGAINST THE UNITED STATES

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US Code **Notes** **Updates**

(a) Whoever knowingly executes, or attempts to execute, any scheme or artifice with the intent—

(1) to defraud the United States; or

(2) to obtain money or property by means of false or fraudulent pretenses, representations, or promises,

in any grant, contract, subcontract, subsidy, loan, guarantee, insurance, or other form of Federal assistance, including through the Troubled Asset Relief Program, an economic stimulus, recovery or rescue plan provided by the Government, or the Government's purchase of any troubled asset as defined in the Emergency Economic Stabilization Act of 2008, or in any procurement of property or services as a prime contractor with the United States or as a subcontractor or supplier on a contract in which there is a prime contract with the United States, if the value of such grant, contract, subcontract, subsidy, loan, guarantee, insurance, or other form of Federal assistance, or any constituent part thereof, is \$1,000,000 or more shall, subject to the applicability of subsection (c) of this section, be fined not more than \$1,000,000, or imprisoned not more than 10 years, or both.

(b) The fine imposed for an offense under this section may exceed the maximum otherwise provided by law, if such fine does not exceed \$5,000,000 and—

(1) the gross loss to the Government or the gross gain to a defendant is \$500,000 or greater; or

(2) the offense involves a conscious or reckless risk of serious personal injury.

(c) The maximum fine imposed upon a defendant for a prosecution including a prosecution with multiple counts under this section shall not exceed \$10,000,000.

(d) Nothing in this section shall preclude a court from imposing any other sentences available under this title, including without limitation a fine up to twice the amount of

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18 U.S. CODE § 641 - PUBLIC MONEY, PROPERTY OR RECORDS

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US Code **Notes** **Updates** **Authorities (CFR)**

Whoever embezzles, steals, purloins, or knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof; or

Whoever receives, conceals, or retains the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined or converted—

Shall be fined under this title or imprisoned not more than ten years, or both; but if the value of such property in the aggregate, combining amounts from all the counts for which the defendant is convicted in a single case, does not exceed the sum of \$1,000, he shall be fined under this title or imprisoned not more than one year, or both.

The word "value" means face, par, or market value, or cost price, either wholesale or retail, whichever is greater.

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18 U.S. CODE § 643 - ACCOUNTING GENERALLY FOR PUBLIC MONEY

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US Code **Notes** **Updates**

Whoever, being an officer, employee or agent of the United States or of any department or agency thereof, having received public money which he is not authorized to retain as salary, pay, or emolument, fails to render his accounts for the same as provided by law is guilty of embezzlement, and shall be fined under this title or in a sum equal to the amount of the money embezzled, whichever is greater, or imprisoned not more than ten years, or both; but if the amount embezzled does not exceed \$1,000, he shall be fined under this title or imprisoned not more than one year, or both.

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18 U.S. CODE § 663 - SOLICITATION OR USE OF GIFTS

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Whoever solicits any gift of money or other property, and represents that such gift is being solicited for the use of the United States, with the intention of embezzling, stealing, or purloining such gift, or converting the same to any other use or purpose, or whoever, having come into possession of any money or property which has been donated by the owner thereof for the use of the United States, embezzles, steals or purloins such money or property, or converts the same to any other use or purpose, shall be fined under this title or imprisoned not more than five years, or both.

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18 U.S. CODE § 666 - THEFT OR BRIBERY CONCERNING PROGRAMS RECEIVING FEDERAL FUNDS

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US Code **Notes** **Updates**

- (a) Whoever, if the circumstance described in subsection (b) of this section exists—
- (1) being an agent of an organization, or of a State, local, or Indian tribal government, or any agency thereof—
 - (A) embezzles, steals, obtains by fraud, or otherwise without authority knowingly converts to the use of any person other than the rightful owner or intentionally misapplies, property that—
 - (i) is valued at \$5,000 or more, and
 - (ii) is owned by, or is under the care, custody, or control of such organization, government, or agency; or
 - (B) corruptly solicits or demands for the benefit of any person, or accepts or agrees to accept, anything of value from any person, intending to be influenced or rewarded in connection with any business, transaction, or series of transactions of such organization, government, or agency involving any thing of value of \$5,000 or more; or
 - (2) corruptly gives, offers, or agrees to give anything of value to any person, with intent to influence or reward an agent of an organization or of a State, local or Indian tribal government, or any agency thereof, in connection with any business, transaction, or series of transactions of such organization, government, or agency involving anything of value of \$5,000 or more;
- shall be fined under this title, imprisoned not more than 10 years, or both.
- (b) The circumstance referred to in subsection (a) of this section is that the organization, government, or agency receives, in any one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, or other form of Federal assistance.
- (c) This section does not apply to bona fide salary, wages, fees, or other compensation

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paid, or expenses paid or reimbursed, in the usual course of business.

(d) As used in this section—

(1) the term “agent” means a person authorized to act on behalf of another person or a government and, in the case of an organization or government, includes a servant or employee, and a partner, director, officer, manager, and representative;

(2) the term “government agency” means a subdivision of the executive, legislative, judicial, or other branch of government, including a department, independent establishment, commission, administration, authority, board, and bureau, and a corporation or other legal entity established, and subject to control, by a government or governments for the execution of a governmental or intergovernmental program;

(3) the term “local” means of or pertaining to a political subdivision within a State;

(4) the term “State” includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States; and

(5) the term “in any one-year period” means a continuous period that commences no earlier than twelve months before the commission of the offense or that ends no later than twelve months after the commission of the offense. Such period may include time both before and after the commission of the offense.

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US Code	Notes	Updates	Authorities (CFR)
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(a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully—

- (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;
- (2) makes any materially false, fictitious, or fraudulent statement or representation; or
- (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;

shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both. If the matter relates to an offense under chapter 109A, 109B, 110, or 117, or section 1591, then the term of imprisonment imposed under this section shall be not more than 8 years.

(b) Subsection (a) does not apply to a party to a judicial proceeding, or that party's counsel, for statements, representations, writings or documents submitted by such party or counsel to a judge or magistrate in that proceeding.

(c) With respect to any matter within the jurisdiction of the legislative branch, subsection (a) shall apply only to—

- (1) administrative matters, including a claim for payment, a matter related to the procurement of property or services, personnel or employment practices, or support services, or a document required by law, rule, or regulation to be submitted to the Congress or any office or officer within the legislative branch; or
- (2) any investigation or review, conducted pursuant to the authority of any committee, subcommittee, commission or office of the Congress, consistent with applicable rules of the House or Senate.



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18 U.S. CODE § 1031 - MAJOR FRAUD AGAINST THE UNITED STATES

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US Code **Notes** **Updates**

(a) Whoever knowingly executes, or attempts to execute, any scheme or artifice with the intent—

(1) to defraud the United States; or

(2) to obtain money or property by means of false or fraudulent pretenses, representations, or promises,

in any grant, contract, subcontract, subsidy, loan, guarantee, insurance, or other form of Federal assistance, including through the Troubled Asset Relief Program, an economic stimulus, recovery or rescue plan provided by the Government, or the Government's purchase of any troubled asset as defined in the Emergency Economic Stabilization Act of 2008, or in any procurement of property or services as a prime contractor with the United States or as a subcontractor or supplier on a contract in which there is a prime contract with the United States, if the value of such grant, contract, subcontract, subsidy, loan, guarantee, insurance, or other form of Federal assistance, or any constituent part thereof, is \$1,000,000 or more shall, subject to the applicability of subsection (c) of this section, be fined not more than \$1,000,000, or imprisoned not more than 10 years, or both.

(b) The fine imposed for an offense under this section may exceed the maximum otherwise provided by law, if such fine does not exceed \$5,000,000 and—

(1) the gross loss to the Government or the gross gain to a defendant is \$500,000 or greater; or

(2) the offense involves a conscious or reckless risk of serious personal injury.

(c) The maximum fine imposed upon a defendant for a prosecution including a prosecution with multiple counts under this section shall not exceed \$10,000,000.

(d) Nothing in this section shall preclude a court from imposing any other sentences available under this title, including without limitation a fine up to twice the amount of

the gross loss or gross gain involved in the offense pursuant to 18 U.S.C. section 3571 (d).

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(e) In determining the amount of the fine, the court shall consider the factors set forth in 18 U.S.C. sections 3553 and 3572, and the factors set forth in the guidelines and policy statements of the United States Sentencing Commission, including—

- (1) the need to reflect the seriousness of the offense, including the harm or loss to the victim and the gain to the defendant;
- (2) whether the defendant previously has been fined for a similar offense; and
- (3) any other pertinent equitable considerations.

(f) A prosecution of an offense under this section may be commenced any time not later than 7 years after the offense is committed, plus any additional time otherwise allowed by law.

(g)

(1) In special circumstances and in his or her sole discretion, the Attorney General is authorized to make payments from funds appropriated to the Department of Justice to persons who furnish information relating to a possible prosecution under this section. The amount of such payment shall not exceed \$250,000. Upon application by the Attorney General, the court may order that the Department shall be reimbursed for a payment from a criminal fine imposed under this section.

(2) An individual is not eligible for such a payment if—

(A) that individual is an officer or employee of a Government agency who furnishes information or renders service in the performance of official duties;

(B) that individual failed to furnish the information to the individual's employer prior to furnishing it to law enforcement authorities, unless the court determines the individual has justifiable reasons for that failure;

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(C) the furnished information is based upon public disclosure of allegations or transactions in a criminal, civil, or administrative hearing, in a congressional, administrative, or GAO report, hearing, audit or investigation, or from the news media unless the person is the original source of the information. For the purposes of this subsection, "original source" means an individual who has direct and independent knowledge of the information on which the allegations are based and has voluntarily provided the information to the Government; or

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(D) that individual participated in the violation of this section with respect to which such payment would be made.

(3) The failure of the Attorney General to authorize a payment shall not be subject to judicial review.

(h) Any individual who—

(1) is discharged, demoted, suspended, threatened, harassed, or in any other

manner discriminated against in the terms and conditions of employment by an employer because of lawful acts done by the employee on behalf of the employee or others in furtherance of a prosecution under this section (including investigation for, initiation of, testimony for, or assistance in such prosecution), and

(2) was not a participant in the unlawful activity that is the subject of said prosecution, may, in a civil action, obtain all relief necessary to make such individual whole. Such relief shall include reinstatement with the same seniority status such individual would have had but for the discrimination, 2 times the amount of back pay, interest on the back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorney's fees.

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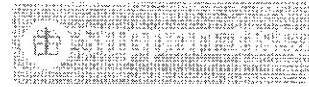
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Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, or to sell, dispose of, loan, exchange, alter, give away, distribute, supply, or furnish or procure for unlawful use any counterfeit or spurious coin, obligation, security, or other article, or anything represented to be or intimated or held out to be such counterfeit or spurious article, for the purpose of executing such scheme or artifice or attempting so to do, places in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Postal Service, or deposits or causes to be deposited any matter or thing whatever to be sent or delivered by any private or commercial interstate carrier, or takes or receives therefrom, any such matter or thing, or knowingly causes to be delivered by mail or such carrier according to the direction thereon, or at the place at which it is directed to be delivered by the person to whom it is addressed, any such matter or thing, shall be fined under this title or imprisoned not more than 20 years, or both. If the violation occurs in relation to, or involving any benefit authorized, transported, transmitted, transferred, disbursed, or paid in connection with, a presidentially declared major disaster or emergency (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act ([42 U.S.C. 5122](#))), or affects a financial institution, such person shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both.



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18 U.S. CODE § 1343 - FRAUD BY WIRE, RADIO, OR TELEVISION

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US Code **Notes** **Updates**

Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice, shall be fined under this title or imprisoned not more than 20 years, or both. If the violation occurs in relation to, or involving any benefit authorized, transported, transmitted, transferred, disbursed, or paid in connection with, a presidentially declared major disaster or emergency (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act ([42 U.S.C. 5122](#))), or affects a financial institution, such person shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both.

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18 U.S. CODE § 1349 - ATTEMPT AND CONSPIRACY

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Any person who attempts or conspires to commit any offense under this chapter shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy.

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18 U.S. CODE § 1350 - FAILURE OF CORPORATE OFFICERS TO CERTIFY FINANCIAL REPORTS

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US Code Notes Updates Authorities (CFR)

(a) **Certification of Periodic Financial Reports.**— Each periodic report containing financial statements filed by an issuer with the Securities Exchange Commission pursuant to section 13(a) or 15(d) of the Securities Exchange Act of 1934 ([15 U.S.C. 78m \(a\)](#) or [78o \(d\)](#)) shall be accompanied by a written statement by the chief executive officer and chief financial officer (or equivalent thereof) of the issuer.

(b) **Content.**— The statement required under subsection (a) shall certify that the periodic report containing the financial statements fully complies with the requirements of section 13(a) or 15(d) of the Securities Exchange Act of [1934 \(15 U.S.C. 78m or 78o \(d\)\)](#) and that information contained in the periodic report fairly presents, in all material respects, the financial condition and results of operations of the issuer.

(c) **Criminal Penalties.**— Whoever—

- (1) certifies any statement as set forth in subsections (a) and (b) of this section knowing that the periodic report accompanying the statement does not comport with all the requirements set forth in this section shall be fined not more than \$1,000,000 or imprisoned not more than 10 years, or both; or
- (2) willfully certifies any statement as set forth in subsections (a) and (b) of this section knowing that the periodic report accompanying the statement does not comport with all the requirements set forth in this section shall be fined not more than \$5,000,000, or imprisoned not more than 20 years, or both.

[1] So in original. Probably should be "of".

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18 U.S. CODE § 1510 - OBSTRUCTION OF CRIMINAL INVESTIGATIONS

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US Code Notes Updates

(a) Whoever willfully endeavors by means of bribery to obstruct, delay, or prevent the communication of information relating to a violation of any criminal statute of the United States by any person to a criminal investigator shall be fined under this title, or imprisoned not more than five years, or both.

(b)

(1) Whoever, being an officer of a financial institution, with the intent to obstruct a judicial proceeding, directly or indirectly notifies any other person about the existence or contents of a subpoena for records of that financial institution, or information that has been furnished in response to that subpoena, shall be fined under this title or imprisoned not more than 5 years, or both.

(2) Whoever, being an officer of a financial institution, directly or indirectly notifies—

(A) a customer of that financial institution whose records are sought by a subpoena for records; or

(B) any other person named in that subpoena;

about the existence or contents of that subpoena or information that has been furnished in response to that subpoena, shall be fined under this title or imprisoned not more than one year, or both.

(3) As used in this subsection—

(A) the term “an officer of a financial institution” means an officer, director, partner, employee, agent, or attorney of or for a financial institution; and

(B) the term “subpoena for records” means a Federal grand jury subpoena or a Department of Justice subpoena (issued under section 3486 of title 18), for customer records that has been served relating to a violation of, or a conspiracy to violate—

(i) section 215, 656, 657, 1005, 1006, 1007, 1014, 1344, 1956, 1957, or chapter 53 of title 31; or

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(ii) section 1341 or 1343 affecting a financial institution.

(c) As used in this section, the term "criminal investigator" means any individual duly authorized by a department, agency, or armed force of the United States to conduct or engage in investigations of or prosecutions for violations of the criminal laws of the United States.

(d)

(1) Whoever—

(A) acting as, or being, an officer, director, agent or employee of a person engaged in the business of insurance whose activities affect interstate commerce, or

(B) is engaged in the business of insurance whose activities affect interstate commerce or is involved (other than as an insured or beneficiary under a policy of insurance) in a transaction relating to the conduct of affairs of such a business,

with intent to obstruct a judicial proceeding, directly or indirectly notifies any other person about the existence or contents of a subpoena for records of that person engaged in such business or information that has been furnished to a Federal grand jury in response to that subpoena, shall be fined as provided by this title or imprisoned not more than 5 years, or both.

(2) As used in paragraph (1), the term "subpoena for records" means a Federal grand jury subpoena for records that has been served relating to a violation of, or a conspiracy to violate, section 1033 of this title.

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(e) Whoever, having been notified of the applicable disclosure prohibitions or confidentiality requirements of section 2709 (c)(1) of this title, section 626(d)(1) or 627(c)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681u (d)(1) or 1681v (c)(1)), section 1114(a)(3)(A) or 1114(a)(5)(D)(i) of the Right to Financial Privacy Act ^[1] (12 U.S.C. 3414 (a)(3)(A) or 3414 (a)(5)(D)(i)), or section 802(b)(1) of the National Security Act of 1947 (50 U.S.C. 436 (b)(1)), ^[2] knowingly and with the intent to obstruct an investigation or judicial proceeding violates such prohibitions or requirements applicable by law to such person shall be imprisoned for not more than five years, fined under this title, or both.

[1] So in original. Probably should be followed by "of 1978".

[2] See References in Text note below.



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› Title 18 › Part I › Chapter 73 › § 1519

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18 U.S. CODE § 1519 - DESTRUCTION, ALTERATION, OR
FALSIFICATION OF RECORDS IN FEDERAL
INVESTIGATIONS AND BANKRUPTCY

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US Code Notes Updates

Whoever knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States or any case filed under title 11, or in relation to or contemplation of any such matter or case, shall be fined under this title, imprisoned not more than 20 years, or both.

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18 USC Chapter 31 - EMBEZZLEMENT AND THEFT

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18 USC § 641 - Public money, property or records

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Whoever embezzles, steals, purloins, or knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof; or

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Whoever receives, conceals, or retains the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined or converted—

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Shall be fined under this title or imprisoned not more than ten years, or both; but if the value of such property in the aggregate, combining amounts from all the counts for which the defendant is convicted in a single case, does not exceed the sum of \$1,000, he shall be fined under this title or imprisoned not more than one year, or both.

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The word "value" means face, par, or market value, or cost price, either wholesale or retail, whichever is greater.

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18 USC § 663 - Solicitation or use of gifts

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Whoever solicits any gift of money or other property, and represents that such gift is being solicited for the use of the United States, with the intention of embezzling, stealing, or purloining such gift, or converting the same to any other use or purpose, or whoever, having come into possession of any money or property which has been donated by the owner thereof for the use of the United States, embezzles, steals or purloins such money or property, or converts the same to any other use or purpose, shall be fined under this title or imprisoned not more than five years, or both.

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18 USC § 666 - Theft or bribery concerning programs receiving Federal funds

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(a) Whoever, if the circumstance described in subsection (b) of this section exists—

(1) being an agent of an organization, or of a State, local, or Indian tribal government, or any agency thereof—

(A) embezzles, steals, obtains by fraud, or otherwise without authority knowingly converts to the use of any person other than the rightful owner or intentionally misapplies, property that—

(i) is valued at \$5,000 or more, and

(ii) is owned by, or is under the care, custody, or control of such organization, government, or agency; or

(B) corruptly solicits or demands for the benefit of any person, or accepts or agrees to accept, anything of value from any person, intending to be influenced or rewarded in connection with any business, transaction, or series of transactions of such organization, government, or agency involving any thing of value of \$5,000 or more; or

(2) corruptly gives, offers, or agrees to give anything of value to any person, with intent to influence or reward an agent of an organization or of a State, local or Indian tribal government, or any agency thereof, in connection with any business, transaction, or series of transactions of such organization, government, or agency involving anything of value of \$5,000 or more;

shall be fined under this title, imprisoned not more than 10 years, or both.

(b) The circumstance referred to in subsection (a) of this section is that the organization, government, or agency receives, in any one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, or other form of Federal assistance.

(c) This section does not apply to bona fide salary, wages, fees, or other compensation paid, or expenses paid or reimbursed, in the usual course of business.

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(d) As used in this section—

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(1) the term “agent” means a person authorized to act on behalf of another person or a government and, in the case of an organization or government, includes a servant or employee, and a partner, director, officer, manager, and representative;

(2) the term “government agency” means a subdivision of the executive, legislative, judicial, or other branch of government; including a department, independent establishment, commission, administration, authority, board, and bureau, and a corporation or other legal entity established, and subject to control, by a government or governments for the execution of a governmental or intergovernmental program;

(3) the term “local” means of or pertaining to a political subdivision within a State;

(4) the term “State” includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States; and

(5) the term “in any one-year period” means a continuous period that commences no earlier than twelve months before the commission of the offense or that ends no later than twelve months after the commission of the offense. Such period may include time both before and after the commission of the offense.

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18 USC Chapter 47 - FRAUD AND FALSE STATEMENTS

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18 USC § 1001 - Statements or entries generally

US Code Notes Updates Authorities (CFR)

Current through Pub. L. 113-36. (See [Public Laws for the current Congress.](#))

(a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully—

(1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;

(2) makes any materially false, fictitious, or fraudulent statement or representation; or

(3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;

shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both. If the matter relates to an offense under chapter 109A, 109B, 110, or 117, or section 1591, then the term of imprisonment imposed under this section shall be not more than 8 years.

(b) Subsection (a) does not apply to a party to a judicial proceeding, or that party's counsel, for statements, representations, writings or documents submitted by such party or counsel to a judge or magistrate in that proceeding.

(c) With respect to any matter within the jurisdiction of the legislative branch, subsection (a) shall apply only to—

(1) administrative matters, including a claim for payment, a matter related to the procurement of property or services, personnel or employment practices, or support services, or a document required by law, rule, or regulation to be submitted to the Congress or any office or officer within the legislative branch; or

(2) any investigation or review, conducted pursuant to the authority of any committee, subcommittee, commission or office of the Congress, consistent with applicable rules of the House or Senate.

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18 USC Chapter 63 - MAIL FRAUD AND OTHER FRAUD OFFENSES

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18 USC § 1341 - Frauds and swindles

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Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, or to sell, dispose of, loan, exchange, alter, give away, distribute, supply, or furnish or procure for unlawful use any counterfeit or spurious coin, obligation, security, or other article, or anything represented to be or intimated or held out to be such counterfeit or spurious article, for the purpose of executing such scheme or artifice or attempting so to do, places in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Postal Service, or deposits or causes to be deposited any matter or thing whatever to be sent or delivered by any private or commercial interstate carrier, or takes or receives therefrom, any such matter or thing, or knowingly causes to be delivered by mail or such carrier according to the direction thereon, or at the place at which it is directed to be delivered by the person to whom it is addressed, any such matter or thing, shall be fined under this title or imprisoned not more than 20 years, or both. If the violation occurs in relation to, or involving any benefit authorized, transported, transmitted, transferred, disbursed, or paid in connection with, a presidentially declared major disaster or emergency (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act ([42 U.S.C. 5122](#))), or affects a financial institution, such person shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both.

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18 USC § 1343 - Fraud by wire, radio, or television

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Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice, shall be fined under this title or imprisoned not more than 20 years, or both. If the violation occurs in relation to, or involving any benefit authorized, transported, transmitted, transferred, disbursed, or paid in connection with, a presidentially declared major disaster or emergency (as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)), or affects a financial institution, such person shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both.

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18 USC § 1349 - Attempt and conspiracy

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Any person who attempts or conspires to commit any offense under this chapter shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy.

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18 USC Chapter 73 - OBSTRUCTION OF JUSTICE

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18 USC § 1505 - Obstruction of proceedings before departments, agencies, and committees

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Whoever, with intent to avoid, evade, prevent, or obstruct compliance, in whole or in part, with any civil investigative demand duly and properly made under the Antitrust Civil Process Act, willfully withholds, misrepresents, removes from any place, conceals, covers up, destroys, mutilates, alters, or by other means falsifies any documentary material, answers to written interrogatories, or oral testimony, which is the subject of such demand; or attempts to do so or solicits another to do so; or

Whoever corruptly, or by threats or force, or by any threatening letter or communication influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States, or the due and proper exercise of the power of inquiry under which any inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress—

Shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both.

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18 USC § 1509 - Obstruction of court orders

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Whoever, by threats or force, willfully prevents, obstructs, impedes, or interferes with, or willfully attempts to prevent, obstruct, impede, or interfere with, the due exercise of rights or the performance of duties under any order, judgment, or decree of a court of the United States, shall be fined under this title or imprisoned not more than one year, or both.

No injunctive or other civil relief against the conduct made criminal by this section shall be denied on the ground that such conduct is a crime.

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18 USC § 1510 - Obstruction of criminal investigations

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(a) Whoever willfully endeavors by means of bribery to obstruct, delay, or prevent the communication of information relating to a violation of any criminal statute of the United States by any person to a criminal investigator shall be fined under this title, or imprisoned not more than five years, or both.

(b)

(1) Whoever, being an officer of a financial institution, with the intent to obstruct a judicial proceeding, directly or indirectly notifies any other person about the existence or contents of a subpoena for records of that financial institution, or information that has been furnished in response to that subpoena, shall be fined under this title or imprisoned not more than 5 years, or both.

(2) Whoever, being an officer of a financial institution, directly or indirectly notifies—

(A) a customer of that financial institution whose records are sought by a subpoena for records; or

(B) any other person named in that subpoena;

about the existence or contents of that subpoena or information that has been furnished in response to that subpoena, shall be fined under this title or imprisoned not more than one year, or both.

(3) As used in this subsection—

(A) the term “an officer of a financial institution” means an officer, director, partner, employee, agent, or attorney of or for a financial institution; and

(B) the term “subpoena for records” means a Federal grand jury subpoena or a Department of Justice subpoena (issued under section 3486 of title 18), for customer records that has been served relating to a violation of, or a conspiracy to violate—

(i) section 215, 656, 657, 1005, 1006, 1007, 1014, 1344, 1956, 1957, or chapter 53 of title 31; or

(ii) section 1341 or 1343 affecting a financial institution.

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(c) As used in this section, the term “criminal investigator” means any individual duly authorized by a department, agency, or armed force of the United States to conduct or engage in investigations of or prosecutions for violations of the criminal laws of the United States.

(d)

(1) Whoever—

(A) acting as, or being, an officer, director, agent or employee of a person engaged in the business of insurance whose activities affect interstate commerce, or

(B) is engaged in the business of insurance whose activities affect interstate commerce or is involved (other than as an insured or beneficiary under a policy of insurance) in a transaction relating to the conduct of affairs of such a business,

with intent to obstruct a judicial proceeding, directly or indirectly notifies any other person about the existence or contents of a subpoena for records of that person engaged in such business or information that has been furnished to a Federal grand jury in response to that subpoena, shall be fined as provided by this title or imprisoned not more than 5 years, or both.

(2) As used in paragraph (1), the term “subpoena for records” means a Federal grand jury subpoena for records that has been served relating to a violation of, or a conspiracy to violate, section 1033 of this title.

(e) Whoever, having been notified of the applicable disclosure prohibitions or confidentiality requirements of ~~section 2709(c)(1) of this title, section 626(d)(1) or 627(c)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681u (d)(1) or 1681v (c)(1)), section 1114(a)(3)(A) or 1114(a)(5)(D)(i) of the Right to Financial Privacy Act~~^[1] (12 U.S.C. 3414 (a)(3)(A) or 3414 (a)(5)(D)(i)), or section 802(b)(1) of the National Security Act of 1947 (50 U.S.C. 436 (b)(1)),^[2] knowingly and with the intent to obstruct an investigation or judicial proceeding violates such prohibitions or requirements applicable by law to such person shall be imprisoned for not more than five years, fined under this title, or both.

^[1] So in original. Probably should be followed by “of 1978”.

^[2] See References in Text note below.

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18 USC § 1513 - Retaliating against a witness, victim, or an informant

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(a)

(1) Whoever kills or attempts to kill another person with intent to retaliate against any person for—

(A) the attendance of a witness or party at an official proceeding, or any testimony given or any record, document, or other object produced by a witness in an official proceeding; or

(B) providing to a law enforcement officer any information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings,

shall be punished as provided in paragraph (2).

(2) The punishment for an offense under this subsection is—

(A) in the case of a killing, the punishment provided in sections 1111 and 1112; and

(B) in the case of an attempt, imprisonment for not more than 30 years.

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(b) Whoever knowingly engages in any conduct and thereby causes bodily injury to another person or damages the tangible property of another person, or threatens to do so, with intent to retaliate against any person for—

(1) the attendance of a witness or party at an official proceeding, or any testimony given or any record, document, or other object produced by a witness in an official proceeding; or

(2) any information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings given by a person to a law enforcement officer;

or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both.

(c) If the retaliation occurred because of attendance at or testimony in a criminal case,

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the maximum term of imprisonment which may be imposed for the offense under this section shall be the higher of that otherwise provided by law or the maximum term that could have been imposed for any offense charged in such case.

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(d) There is extraterritorial Federal jurisdiction over an offense under this section.

(e) Whoever knowingly, with the intent to retaliate, takes any action harmful to any person, including interference with the lawful employment or livelihood of any person, for providing to a law enforcement officer any truthful information relating to the commission or possible commission of any Federal offense, shall be fined under this title or imprisoned not more than 10 years, or both.

(f) Whoever conspires to commit any offense under this section shall be subject to the same penalties as those prescribed for the offense the commission of which was the object of the conspiracy.

(g) A prosecution under this section may be brought in the district in which the official proceeding (whether pending, about to be instituted, or completed) was intended to be affected, or in which the conduct constituting the alleged offense occurred.

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18 USC Chapter 96 - RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS

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18 USC § 1961 - Definitions

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(1) “racketeering activity” means (A) any act or threat involving murder, kidnapping, gambling, arson, robbery, bribery, extortion, dealing in obscene matter, or dealing in a controlled substance or listed chemical (as defined in section 102 of the Controlled Substances Act), which is chargeable under State law and punishable by imprisonment for more than one year; (B) any act which is indictable under any of the following provisions of title 18, United States Code: [Section 201 \(relating to bribery\)](#), [section 224 \(relating to sports bribery\)](#), [sections 471, 472, and 473 \(relating to counterfeiting\)](#), [section 659 \(relating to theft from interstate shipment\)](#) if the act indictable under [section 659](#) is felonious, [section 664 \(relating to embezzlement from pension and welfare funds\)](#), [sections 891–894 \(relating to extortionate credit transactions\)](#), [section 1028 \(relating to fraud and related activity in connection with identification documents\)](#), [section 1029 \(relating to fraud and related activity in connection with access devices\)](#), [section 1084 \(relating to the transmission of gambling information\)](#), [section 1341 \(relating to mail fraud\)](#), [section 1343 \(relating to wire fraud\)](#), [section 1344 \(relating to financial institution fraud\)](#), [section 1351 \(relating to fraud in foreign labor contracting\)](#), [section 1425 \(relating to the procurement of citizenship or nationalization unlawfully\)](#), [section 1426 \(relating to the reproduction of naturalization or citizenship papers\)](#), [section 1427 \(relating to the sale of naturalization or citizenship papers\)](#), [sections 1461–1465 \(relating to obscene matter\)](#), [section 1503 \(relating to obstruction of justice\)](#), [section 1510 \(relating to obstruction of criminal investigations\)](#), [section 1511 \(relating to the obstruction of State or local law enforcement\)](#), [section 1512 \(relating to tampering with a witness, victim, or an informant\)](#), [section 1513 \(relating to retaliating against a witness, victim, or an informant\)](#), [section 1542 \(relating to false statement in application and use of passport\)](#), [section 1543 \(relating to forgery or false use of passport\)](#), [section 1544 \(relating to misuse of passport\)](#), [section 1546 \(relating to fraud and misuse of visas, permits, and other documents\)](#), [sections 1581–1592 \(relating to peonage, slavery, and trafficking in persons\)](#), [\[1\] section 1951 \(relating to interference with commerce, robbery, or extortion\)](#), [section 1952 \(relating to racketeering\)](#), [section 1953 \(relating to interstate](#)

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transportation of wagering paraphernalia), section 1954 (relating to unlawful welfare fund payments), section 1955 (relating to the prohibition of illegal gambling businesses), section 1956 (relating to the laundering of monetary instruments), section 1957 (relating to engaging in monetary transactions in property derived from specified unlawful activity), section 1958 (relating to use of interstate commerce facilities in the commission of murder-for-hire), section 1960 (relating to illegal money transmitters), sections 2251, 2251A, 2252, and 2260 (relating to sexual exploitation of children), sections 2312 and 2313 (relating to interstate transportation of stolen motor vehicles), sections 2314 and 2315 (relating to interstate transportation of stolen property), section 2318 (relating to trafficking in counterfeit labels for phonorecords, computer programs or computer program documentation or packaging and copies of motion pictures or other audiovisual works), section 2319 (relating to criminal infringement of a copyright), section 2319A (relating to unauthorized fixation of and trafficking in sound recordings and music videos of live musical performances), section 2320 (relating to trafficking in goods or services bearing counterfeit marks), section 2321 (relating to trafficking in certain motor vehicles or motor vehicle parts), sections 2341–2346 (relating to trafficking in contraband cigarettes), sections 2421–24 (relating to white slave traffic), sections 175–178 (relating to biological weapons), sections 229–229F (relating to chemical weapons), section 831 (relating to nuclear materials), (C) any act which is indictable under title 29, United States Code, section 186 (dealing with restrictions on payments and loans to labor organizations) or section 501 (c) (relating to embezzlement from union funds), (D) any offense involving fraud connected with a case under title 11 (except a case under section 157 of this title), fraud in the sale of securities, or the felonious manufacture, importation, receiving, concealment, buying, selling, or otherwise dealing in a controlled substance or listed chemical (as defined in section 102 of the Controlled Substances Act), punishable under any law of the United States, (E) any act which is indictable under the Currency and Foreign Transactions Reporting Act, (F) any act which is indictable under the Immigration and Nationality Act, section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose) if the act indictable under such section of such Act was committed for the purpose of financial gain, or (G) any act that is indictable under any provision listed in section 2332b (g)(5)(B);

(2) “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, any political subdivision, or any department, agency, or instrumentality thereof;

(3) “person” includes any individual or entity capable of holding a legal or beneficial interest in property;

(4) “enterprise” includes any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity;

(5) “pattern of racketeering activity” requires at least two acts of racketeering activity, one of which occurred after the effective date of this chapter and the last of which occurred within ten years (excluding any period of imprisonment) after the commission of a prior act of racketeering activity;

(6) “unlawful debt” means a debt

(A) incurred or contracted in gambling activity which was in violation of the law of the

United States, a State or political subdivision thereof, or which is unenforceable under State or Federal law in whole or in part as to principal or interest because of the laws relating to usury, and

(B) which was incurred in connection with the business of gambling in violation of the law of the United States, a State or political subdivision thereof, or the business of lending money or a thing of value at a rate usurious under State or Federal law, where the usurious rate is at least twice the enforceable rate;

(7) "racketeering investigator" means any attorney or investigator so designated by the Attorney General and charged with the duty of enforcing or carrying into effect this chapter;

(8) "racketeering investigation" means any inquiry conducted by any racketeering investigator for the purpose of ascertaining whether any person has been involved in any violation of this chapter or of any final order, judgment, or decree of any court of the United States, duly entered in any case or proceeding arising under this chapter;

(9) "documentary material" includes any book, paper, document, record, recording, or other material; and

(10) "Attorney General" includes the Attorney General of the United States, the Deputy Attorney General of the United States, the Associate Attorney General of the United States, any Assistant Attorney General of the United States, or any employee of the Department of Justice or any employee of any department or agency of the United States so designated by the Attorney General to carry out the powers conferred on the Attorney General by this chapter. Any department or agency so designated may use in investigations authorized by this chapter either the investigative provisions of this chapter or the investigative power of such department or agency otherwise conferred by law.

[1] So in original.

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18 USC § 1962 - Prohibited activities

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(a) It shall be unlawful for any person who has received any income derived, directly or indirectly, from a pattern of racketeering activity or through collection of an unlawful debt in which such person has participated as a principal within the meaning of section 2, title 18, United States Code, to use or invest, directly or indirectly, any part of such income, or the proceeds of such income, in acquisition of any interest in, or the establishment or operation of, any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce. A purchase of securities on the open market for purposes of investment, and without the intention of controlling or participating in the control of the issuer, or of assisting another to do so, shall not be unlawful under this subsection if the securities of the issuer held by the purchaser, the members of his immediate family, and his or their accomplices in any pattern or racketeering activity or the collection of an unlawful debt after such purchase do not amount in the aggregate to one percent of the outstanding securities of any one class, and do not confer, either in law or in fact, the power to elect one or more directors of the issuer.

(b) It shall be unlawful for any person through a pattern of racketeering activity or through collection of an unlawful debt to acquire or maintain, directly or indirectly, any interest in or control of any enterprise which is engaged in, or the activities of which affect, interstate or foreign commerce.

(c) It shall be unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity or collection of unlawful debt.

(d) It shall be unlawful for any person to conspire to violate any of the provisions of subsection (a), (b), or (c) of this section.

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18 USC § 1963 - Criminal penalties

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~~(a) Whoever violates any provision of section 1962 of this chapter shall be fined under~~
this title or imprisoned not more than 20 years (or for life if the violation is based on a
racketeering activity for which the maximum penalty includes life imprisonment), or
both, and shall forfeit to the United States, irrespective of any provision of State law—

(1) any interest the person has acquired or maintained in violation of section 1962;

(2) any—

(A) interest in;

(B) security of;

(C) claim against; or

(D) property or contractual right of any kind affording a source of influence over;

any enterprise which the person has established, operated, controlled, conducted, or
participated in the conduct of, in violation of section 1962; and

(3) any property constituting, or derived from, any proceeds which the person
obtained, directly or indirectly, from racketeering activity or unlawful debt collection in
violation of section 1962.

The court, in imposing sentence on such person shall order, in addition to any other
sentence imposed pursuant to this section, that the person forfeit to the United States all
property described in this subsection. In lieu of a fine otherwise authorized by this section,
a defendant who derives profits or other proceeds from an offense may be fined not more
than twice the gross profits or other proceeds.

(b) Property subject to criminal forfeiture under this section includes—

(1) real property, including things growing on, affixed to, and found in land; and

(2) tangible and intangible personal property, including rights, privileges, interests,
claims, and securities.

(c) All right, title, and interest in property described in subsection (a) vests in the United
States upon the commission of the act giving rise to forfeiture under this section. Any

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such property that is subsequently transferred to a person other than the defendant may be the subject of a special verdict of forfeiture and thereafter shall be ordered forfeited to the United States, unless the transferee establishes in a hearing pursuant to subsection (l) that he is a bona fide purchaser for value of such property who at the time of purchase was reasonably without cause to believe that the property was subject to forfeiture under this section.

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(d)

~~(1) Upon application of the United States, the court may enter a restraining order or~~ injunction, require the execution of a satisfactory performance bond, or take any other action to preserve the availability of property described in subsection (a) for forfeiture under this section—

(A) upon the filing of an indictment or information charging a violation of section [1962](#) of this chapter and alleging that the property with respect to which the order is sought would, in the event of conviction, be subject to forfeiture under this section; or

(B) prior to the filing of such an indictment or information, if, after notice to persons appearing to have an interest in the property and opportunity for a hearing, the court determines that—

(i) there is a substantial probability that the United States will prevail on the issue of forfeiture and that failure to enter the order will result in the property being destroyed, removed from the jurisdiction of the court, or otherwise made unavailable for forfeiture; and

(ii) the need to preserve the availability of the property through the entry of the requested order outweighs the hardship on any party against whom the order is to be entered:

Provided, however, That an order entered pursuant to subparagraph (B) shall be effective for not more than ninety days, unless extended by the court for good cause shown or unless an indictment or information described in subparagraph (A) has been filed.

(2) A temporary restraining order under this subsection may be entered upon application of the United States without notice or opportunity for a hearing when an information or indictment has not yet been filed with respect to the property, if the United States demonstrates that there is probable cause to believe that the property with respect to which the order is sought would, in the event of conviction, be subject to forfeiture under this section and that provision of notice will jeopardize the availability of the property for forfeiture. Such a temporary order shall expire not more than fourteen days after the date on which it is entered, unless extended for good cause shown or unless the party against whom it is entered consents to an extension for a longer period. A hearing requested concerning an order entered under this paragraph shall be held at the earliest possible time, and prior to the expiration of the temporary order.

(3) The court may receive and consider, at a hearing held pursuant to this subsection, evidence and information that would be inadmissible under the Federal Rules of Evidence.

(e) Upon conviction of a person under this section, the court shall enter a judgment of forfeiture of the property to the United States and shall also authorize the Attorney General to seize all property ordered forfeited upon such terms and conditions as the court shall deem proper. Following the entry of an order declaring the property forfeited, the court may, upon application of the United States, enter such appropriate restraining orders or injunctions, require the execution of satisfactory performance bonds, appoint receivers, conservators, appraisers, accountants, or trustees, or take any other action to protect the interest of the United States in the property ordered forfeited. Any income accruing to, or derived from, an enterprise or an interest in an enterprise which has been ordered forfeited under this section may be used to offset ordinary and necessary expenses to the enterprise which are required by law, or which are necessary to protect the interests of the United States or third parties.

~~(f) Following the seizure of property ordered forfeited under this section, the Attorney~~
General shall direct the disposition of the property by sale or any other commercially feasible means, making due provision for the rights of any innocent persons. Any property right or interest not exercisable by, or transferable for value to, the United States shall expire and shall not revert to the defendant, nor shall the defendant or any person acting in concert with or on behalf of the defendant be eligible to purchase forfeited property at any sale held by the United States. Upon application of a person, other than the defendant or a person acting in concert with or on behalf of the defendant, the court may restrain or stay the sale or disposition of the property pending the conclusion of any appeal of the criminal case giving rise to the forfeiture, if the applicant demonstrates that proceeding with the sale or disposition of the property will result in irreparable injury, harm or loss to him. Notwithstanding 31 U.S.C. 3302 (b), the proceeds of any sale or other disposition of property forfeited under this section and any moneys forfeited shall be used to pay all proper expenses for the forfeiture and the sale, including expenses of seizure, maintenance and custody of the property pending its disposition, advertising and court costs. The Attorney General shall deposit in the Treasury any amounts of such proceeds or moneys remaining after the payment of such expenses.

(g) With respect to property ordered forfeited under this section, the Attorney General is authorized to—

- (1) grant petitions for mitigation or remission of forfeiture, restore forfeited property to victims of a violation of this chapter, or take any other action to protect the rights of innocent persons which is in the interest of justice and which is not inconsistent with the provisions of this chapter;
- (2) compromise claims arising under this section;
- (3) award compensation to persons providing information resulting in a forfeiture under this section;
- (4) direct the disposition by the United States of all property ordered forfeited under this section by public sale or any other commercially feasible means, making due provision for the rights of innocent persons; and
- (5) take appropriate measures necessary to safeguard and maintain property ordered forfeited under this section pending its disposition.

(h) The Attorney General may promulgate regulations with respect to—

- (1) making reasonable efforts to provide notice to persons who may have an interest in property ordered forfeited under this section;
- (2) granting petitions for remission or mitigation of forfeiture;
- (3) the restitution of property to victims of an offense petitioning for remission or mitigation of forfeiture under this chapter;
- (4) the disposition by the United States of forfeited property by public sale or other commercially feasible means;
- (5) the maintenance and safekeeping of any property forfeited under this section pending its disposition; and
- (6) the compromise of claims arising under this chapter.

Pending the promulgation of such regulations, all provisions of law relating to the disposition of property, or the proceeds from the sale thereof, or the remission or mitigation of forfeitures for violation of the customs laws, and the compromise of claims and the award of compensation to informers in respect of such forfeitures shall apply to forfeitures incurred, or alleged to have been incurred, under the provisions of this section, insofar as applicable and not inconsistent with the provisions hereof. Such duties as are imposed upon the Customs Service or any person with respect to the disposition of property under the customs law shall be performed under this chapter by the Attorney General.

- (i) Except as provided in subsection (l), no party claiming an interest in property subject to forfeiture under this section may—
 - (1) intervene in a trial or appeal of a criminal case involving the forfeiture of such property under this section; or
 - (2) commence an action at law or equity against the United States concerning the validity of his alleged interest in the property subsequent to the filing of an indictment or information alleging that the property is subject to forfeiture under this section.
- (j) The district courts of the United States shall have jurisdiction to enter orders as provided in this section without regard to the location of any property which may be subject to forfeiture under this section or which has been ordered forfeited under this section.
- (k) In order to facilitate the identification or location of property declared forfeited and to facilitate the disposition of petitions for remission or mitigation of forfeiture, after the entry of an order declaring property forfeited to the United States the court may, upon application of the United States, order that the testimony of any witness relating to the property forfeited be taken by deposition and that any designated book, paper, document, record, recording, or other material not privileged be produced at the same time and place, in the same manner as provided for the taking of depositions under Rule 15 of the Federal Rules of Criminal Procedure.
- (l)
 - (1) Following the entry of an order of forfeiture under this section, the United States shall publish notice of the order and of its intent to dispose of the property in such manner as the Attorney General may direct. The Government may also, to the extent

practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the order of forfeiture as a substitute for published notice as to those persons so notified.

(2) Any person, other than the defendant, asserting a legal interest in property which has been ordered forfeited to the United States pursuant to this section may, within thirty days of the final publication of notice or his receipt of notice under paragraph (1), whichever is earlier, petition the court for a hearing to adjudicate the validity of his alleged interest in the property. The hearing shall be held before the court alone, without a jury.

(3) The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the property, the time and circumstances of the petitioner's acquisition of the right, title, or interest in the property, any additional facts supporting the petitioner's claim, and the relief sought.

(4) The hearing on the petition shall, to the extent practicable and consistent with the interests of justice, be held within thirty days of the filing of the petition. The court may consolidate the hearing on the petition with a hearing on any other petition filed by a person other than the defendant under this subsection.

(5) At the hearing, the petitioner may testify and present evidence and witnesses on his own behalf, and cross-examine witnesses who appear at the hearing. The United States may present evidence and witnesses in rebuttal and in defense of its claim to the property and cross-examine witnesses who appear at the hearing. In addition to testimony and evidence presented at the hearing, the court shall consider the relevant portions of the record of the criminal case which resulted in the order of forfeiture.

(6) If, after the hearing, the court determines that the petitioner has established by a preponderance of the evidence that—

(A) the petitioner has a legal right, title, or interest in the property, and such right, title, or interest renders the order of forfeiture invalid in whole or in part because the right, title, or interest was vested in the petitioner rather than the defendant or was superior to any right, title, or interest of the defendant at the time of the commission of the acts which gave rise to the forfeiture of the property under this section; or

(B) the petitioner is a bona fide purchaser for value of the right, title, or interest in the property and was at the time of purchase reasonably without cause to believe that the property was subject to forfeiture under this section;

the court shall amend the order of forfeiture in accordance with its determination.

(7) Following the court's disposition of all petitions filed under this subsection, or if no such petitions are filed following the expiration of the period provided in paragraph (2) for the filing of such petitions, the United States shall have clear title to property that is the subject of the order of forfeiture and may warrant good title to any subsequent purchaser or transferee.

(m) If any of the property described in subsection (a), as a result of any act or omission of the defendant—

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty;

the court shall order the forfeiture of any other property of the defendant up to the value of any property described in paragraphs (1) through (5).

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18 USC § 1964 - Civil remedies

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(a) The district courts of the United States shall have jurisdiction to prevent and restrain violations of section [1962](#) of this chapter by issuing appropriate orders, including, but not limited to: ordering any person to divest himself of any interest, direct or indirect, in any enterprise; imposing reasonable restrictions on the future activities or investments of any person, including, but not limited to, prohibiting any person from engaging in the same type of endeavor as the enterprise engaged in, the activities of which affect interstate or foreign commerce; or ordering dissolution or reorganization of any enterprise, making due provision for the rights of innocent persons.

(b) The Attorney General may institute proceedings under this section. Pending final determination thereof, the court may at any time enter such restraining orders or prohibitions, or take such other actions, including the acceptance of satisfactory performance bonds, as it shall deem proper.

(c) Any person injured in his business or property by reason of a violation of section [1962](#) of this chapter may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee, except that no person may rely upon any conduct that would have been actionable as fraud in the purchase or sale of securities to establish a violation of section [1962](#). The exception contained in the preceding sentence does not apply to an action against any person that is criminally convicted in connection with the fraud, in which case the statute of limitations shall start to run on the date on which the conviction becomes final.

(d) A final judgment or decree rendered in favor of the United States in any criminal proceeding brought by the United States under this chapter shall estop the defendant from denying the essential allegations of the criminal offense in any subsequent civil proceeding brought by the United States.

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18 USC § 1965 - Venue and process

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(a) Any civil action or proceeding under this chapter against any person may be instituted

in the district court of the United States for any district in which such person resides, is found, has an agent, or transacts his affairs.

(b) In any action under section [1964](#) of this chapter in any district court of the United States in which it is shown that the ends of justice require that other parties residing in any other district be brought before the court, the court may cause such parties to be summoned, and process for that purpose may be served in any judicial district of the United States by the marshal thereof.

(c) In any civil or criminal action or proceeding instituted by the United States under this chapter in the district court of the United States for any judicial district, subpoenas issued by such court to compel the attendance of witnesses may be served in any other judicial district, except that in any civil action or proceeding no such subpoena shall be issued for service upon any individual who resides in another district at a place more than one hundred miles from the place at which such court is held without approval given by a judge of such court upon a showing of good cause.

(d) All other process in any action or proceeding under this chapter may be served on any person in any judicial district in which such person resides, is found, has an agent, or transacts his affairs.

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18 USC § 1966 - Expedition of actions

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In any civil action instituted under this chapter by the United States in any district court of the United States, the Attorney General may file with the clerk of such court a certificate stating that in his opinion the case is of general public importance. A copy of that certificate shall be furnished immediately by such clerk to the chief judge or in his absence to the presiding district judge of the district in which such action is pending. Upon receipt of such copy, such judge shall designate immediately a judge of that district to hear and determine action.

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18 USC § 1967 - Evidence

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In any proceeding ancillary to or in any civil action instituted by the United States under this chapter the proceedings may be open or closed to the public at the discretion of the court after consideration of the rights of affected persons.

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18 USC § 1968 - Civil investigative demand

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(a) Whenever the Attorney General has reason to believe that any person or enterprise may be in possession, custody, or control of any documentary materials relevant to a racketeering investigation, he may, prior to the institution of a civil or criminal proceeding thereon, issue in writing, and cause to be served upon such person, a civil investigative demand requiring such person to produce such material for examination.

(b) Each such demand shall—

- (1) state the nature of the conduct constituting the alleged racketeering violation which is under investigation and the provision of law applicable thereto;
- (2) describe the class or classes of documentary material produced thereunder with such definiteness and certainty as to permit such material to be fairly identified;
- (3) state that the demand is returnable forthwith or prescribe a return date which will provide a reasonable period of time within which the material so demanded may be assembled and made available for inspection and copying or reproduction; and
- (4) identify the custodian to whom such material shall be made available.

(c) No such demand shall—

- (1) contain any requirement which would be held to be unreasonable if contained in a subpoena duces tecum issued by a court of the United States in aid of a grand jury investigation of such alleged racketeering violation; or
- (2) require the production of any documentary evidence which would be privileged from disclosure if demanded by a subpoena duces tecum issued by a court of the United States in aid of a grand jury investigation of such alleged racketeering violation.

(d) Service of any such demand or any petition filed under this section may be made upon a person by—

- (1) delivering a duly executed copy thereof to any partner, executive officer, managing agent, or general agent thereof, or to any agent thereof authorized by appointment or by law to receive service of process on behalf of such person, or upon

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any individual person;

(2) delivering a duly executed copy thereof to the principal office or place of business of the person to be served; or

(3) depositing such copy in the United States mail, by registered or certified mail duly addressed to such person at its principal office or place of business.

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(e) A verified return by the individual serving any such demand or petition setting forth the manner of such service shall be prima facie proof of such service. In the case of service by registered or certified mail, such return shall be accompanied by the return post office receipt of delivery of such demand.

(f)

(1) The Attorney General shall designate a racketeering investigator to serve as racketeer document custodian, and such additional racketeering investigators as he shall determine from time to time to be necessary to serve as deputies to such officer.

(2) Any person upon whom any demand issued under this section has been duly served shall make such material available for inspection and copying or reproduction to the custodian designated therein at the principal place of business of such person, or at such other place as such custodian and such person thereafter may agree and prescribe in writing or as the court may direct, pursuant to this section on the return date specified in such demand, or on such later date as such custodian may prescribe in writing. Such person may upon written agreement between such person and the custodian substitute for copies of all or any part of such material originals thereof.

(3) The custodian to whom any documentary material is so delivered shall take physical possession thereof, and shall be responsible for the use made thereof and for the return thereof pursuant to this chapter. The custodian may cause the preparation of such copies of such documentary material as may be required for official use under regulations which shall be promulgated by the Attorney General. While in the possession of the custodian, no material so produced shall be available for examination, without the consent of the person who produced such material, by any individual other than the Attorney General. Under such reasonable terms and conditions as the Attorney General shall prescribe, documentary material while in the possession of the custodian shall be available for examination by the person who produced such material or any duly authorized representatives of such person.

(4) Whenever any attorney has been designated to appear on behalf of the United States before any court or grand jury in any case or proceeding involving any alleged violation of this chapter, the custodian may deliver to such attorney such documentary material in the possession of the custodian as such attorney determines to be required for use in the presentation of such case or proceeding on behalf of the United States. Upon the conclusion of any such case or proceeding, such attorney shall return to the custodian any documentary material so withdrawn which has not passed into the control of such court or grand jury through the introduction thereof into the record of such case or proceeding.

(5) Upon the completion of—

(i) the racketeering investigation for which any documentary material was produced under this chapter, and

(ii) any case or proceeding arising from such investigation, the custodian shall return to the person who produced such material all such material other than copies thereof made by the Attorney General pursuant to this subsection which has not passed into the control of any court or grand jury through the introduction thereof into the record of such case or proceeding.

(6) When any documentary material has been produced by any person under this section for use in any racketeering investigation, and no such case or proceeding arising therefrom has been instituted within a reasonable time after completion of the examination and analysis of all evidence assembled in the course of such investigation, such person shall be entitled, upon written demand made upon the Attorney General, to the return of all documentary material other than copies thereof made pursuant to this subsection so produced by such person.

(7) In the event of the death, disability, or separation from service of the custodian of any documentary material produced under any demand issued under this section or the official relief of such custodian from responsibility for the custody and control of such material, the Attorney General shall promptly—

- (i) designate another racketeering investigator to serve as custodian thereof, and
- (ii) transmit notice in writing to the person who produced such material as to the identity and address of the successor so designated.

Any successor so designated shall have with regard to such materials all duties and responsibilities imposed by this section upon his predecessor in office with regard thereto, except that he shall not be held responsible for any default or dereliction which occurred before his designation as custodian.

(g) Whenever any person fails to comply with any civil investigative demand duly served upon him under this section or whenever satisfactory copying or reproduction of any such material cannot be done and such person refuses to surrender such material, the Attorney General may file, in the district court of the United States for any judicial district in which such person resides, is found, or transacts business, and serve upon such person a petition for an order of such court for the enforcement of this section, except that if such person transacts business in more than one such district such petition shall be filed in the district in which such person maintains his principal place of business, or in such other district in which such person transacts business as may be agreed upon by the parties to such petition.

(h) Within twenty days after the service of any such demand upon any person, or at any time before the return date specified in the demand, whichever period is shorter, such person may file, in the district court of the United States for the judicial district within which such person resides, is found, or transacts business, and serve upon such custodian a petition for an order of such court modifying or setting aside such demand. The time allowed for compliance with the demand in whole or in part as deemed proper and ordered by the court shall not run during the pendency of such petition in the court. Such petition shall specify each ground upon which the petitioner relies in seeking such relief, and may be based upon any failure of such demand to comply with the provisions of this section or upon any constitutional or other legal right or privilege of such person.

(i) At any time during which any custodian is in custody or control of any documentary

material delivered by any person in compliance with any such demand, such person may file, in the district court of the United States for the judicial district within which the office of such custodian is situated, and serve upon such custodian a petition for an order of such court requiring the performance by such custodian of any duty imposed upon him by this section.

(j) Whenever any petition is filed in any district court of the United States under this section, such court shall have jurisdiction to hear and determine the matter so presented, and to enter such order or orders as may be required to carry into effect the provisions of this section.

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18 USC § 201 - Bribery of public officials and witnesses

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(a) For the purpose of this section—

(1) the term “public official” means Member of Congress, Delegate, or Resident Commissioner, either before or after such official has qualified, or an officer or employee or person acting for or on behalf of the United States, or any department, agency or branch of Government thereof, including the District of Columbia, in any official function, under or by authority of any such department, agency, or branch of Government, or a juror;

(2) the term “person who has been selected to be a public official” means any person who has been nominated or appointed to be a public official, or has been officially informed that such person will be so nominated or appointed; and

(3) the term “official act” means any decision or action on any question, matter, cause, suit, proceeding or controversy, which may at any time be pending, or which may by law be brought before any public official, in such official’s official capacity, or in such official’s place of trust or profit.

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(b) Whoever—

(1) directly or indirectly, corruptly gives, offers or promises anything of value to any public official or person who has been selected to be a public official, or offers or promises any public official or any person who has been selected to be a public official to give anything of value to any other person or entity, with intent—

(A) to influence any official act; or

(B) to influence such public official or person who has been selected to be a public official to commit or aid in committing, or collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or

(C) to induce such public official or such person who has been selected to be a public official to do or omit to do any act in violation of the lawful duty of such official or person;

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(2) being a public official or person selected to be a public official, directly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity, in return for:

- (A) being influenced in the performance of any official act;
- (B) being influenced to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or
- (C) being induced to do or omit to do any act in violation of the official duty of such official or person;

(3) directly or indirectly, corruptly gives, offers, or promises anything of value to any person, or offers or promises such person to give anything of value to any other person or entity, with intent to influence the testimony under oath or affirmation of such first-mentioned person as a witness upon a trial, hearing, or other proceeding, before any court, any committee of either House or both Houses of Congress, or any agency, commission, or officer authorized by the laws of the United States to hear evidence or take testimony, or with intent to influence such person to absent himself therefrom;

(4) directly or indirectly, corruptly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally or for any other person or entity in return for being influenced in testimony under oath or affirmation as a witness upon any such trial, hearing, or other proceeding, or in return for absenting himself therefrom;

shall be fined under this title or not more than three times the monetary equivalent of the thing of value, whichever is greater, or imprisoned for not more than fifteen years, or both, and may be disqualified from holding any office of honor, trust, or profit under the United States.

(c) Whoever—

(1) otherwise than as provided by law for the proper discharge of official duty—

(A) directly or indirectly gives, offers, or promises anything of value to any public official, former public official, or person selected to be a public official, for or because of any official act performed or to be performed by such public official, former public official, or person selected to be a public official; or

(B) being a public official, former public official, or person selected to be a public official, otherwise than as provided by law for the proper discharge of official duty, directly or indirectly demands, seeks, receives, accepts, or agrees to receive or accept anything of value personally for or because of any official act performed or to be performed by such official or person;

(2) directly or indirectly, gives, offers, or promises anything of value to any person, for or because of the testimony under oath or affirmation given or to be given by such person as a witness upon a trial, hearing, or other proceeding, before any court, any committee of either House or both Houses of Congress, or any agency, commission, or officer authorized by the laws of the United States to hear evidence or take testimony, or for or because of such person's absence therefrom;

(3) directly or indirectly, demands, seeks, receives, accepts, or agrees to receive or

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accept anything of value personally for or because of the testimony under oath or affirmation given or to be given by such person as a witness upon any such trial, hearing, or other proceeding, or for or because of such person's absence therefrom; shall be fined under this title or imprisoned for not more than two years, or both.

(d) Paragraphs (3) and (4) of subsection (b) and paragraphs (2) and (3) of subsection (c) shall not be construed to prohibit the payment or receipt of witness fees provided by law, or the payment, by the party upon whose behalf a witness is called and receipt by a witness, of the reasonable cost of travel and subsistence incurred and the reasonable value of time lost in attendance at any such trial, hearing, or proceeding, or in the case of expert witnesses, a reasonable fee for time spent in the preparation of such opinion, and in appearing and testifying.

(e) The offenses and penalties prescribed in this section are separate from and in addition to those prescribed in sections [1503](#), [1504](#), and [1505](#) of this title.

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18 USC § 224 - Bribery in sporting contests

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(a) Whoever carries into effect, attempts to carry into effect, or conspires with any other person to carry into effect any scheme in commerce to influence, in any way, by bribery any sporting contest, with knowledge that the purpose of such scheme is to influence by bribery that contest, shall be fined under this title, or imprisoned not more than 5 years, or both.

(b) This section shall not be construed as indicating an intent on the part of Congress to occupy the field in which this section operates to the exclusion of a law of any State, territory, Commonwealth, or possession of the United States, and no law of any State, territory, Commonwealth, or possession of the United States, which would be valid in the absence of the section shall be declared invalid, and no local authorities shall be deprived of any jurisdiction over any offense over which they would have jurisdiction in the absence of this section.

(c) As used in this section—

(1) The term "scheme in commerce" means any scheme effectuated in whole or in part through the use in interstate or foreign commerce of any facility for transportation or communication;

(2) The term "sporting contest" means any contest in any sport, between individual contestants or teams of contestants (without regard to the amateur or professional status of the contestants therein), the occurrence of which is publicly announced before its occurrence;

(3) The term "person" means any individual and any partnership, corporation, association, or other entity.

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18 USC Chapter 19 - CONSPIRACY

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- [§ 371. Conspiracy to commit offense or to defraud United States](#)
- [§ 372. Conspiracy to impede or injure officer](#)
- [§ 373. Solicitation to commit a crime of violence](#)

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18 USC § 371 - Conspiracy to commit offense or to defraud United States

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If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined under this title or imprisoned not more than five years, or both.

If, however, the offense, the commission of which is the object of the conspiracy, is a misdemeanor only, the punishment for such conspiracy shall not exceed the maximum punishment provided for such misdemeanor.

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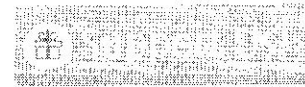
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U.S. Code > Title 28 > Part I > Chapter 3 > § 49

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28 U.S. CODE § 49 - ASSIGNMENT OF JUDGES TO DIVISION TO APPOINT INDEPENDENT COUNSELS

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US Code **Notes** **Updates**

(a) Beginning with the two-year period commencing on the date of the enactment of this section, three judges or justices shall be assigned for each successive two-year period to a division of the United States Court of Appeals for the District of Columbia to be the division of the court for the purpose of appointing independent counsels. The Clerk of the United States Court of Appeals for the District of Columbia Circuit shall serve as the clerk of such division of the court and shall provide such services as are needed by such division of the court.

[STA](#)

(b) Except as provided under subsection (f) of this section, assignment to such division of the court shall not be a bar to other judicial assignments during the term of such division.

(c) In assigning judges or justices to sit on such division of the court, priority shall be given to senior circuit judges and retired justices.

(d) The Chief Justice of the United States shall designate and assign three circuit court judges or justices, one of whom shall be a judge of the United States Court of Appeals for the District of Columbia, to such division of the court. Not more than one judge or justice or senior or retired judge or justice may be named to such division from a particular court.

(e) Any vacancy in such division of the court shall be filled only for the remainder of the two-year period in which such vacancy occurs and in the same manner as initial assignments to such division were made.

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(f) Except as otherwise provided in chapter [40](#) of this title, no member of such division of the court who participated in a function conferred on the division under chapter [40](#) of this title involving an independent counsel shall be eligible to participate in any judicial proceeding concerning a matter which involves such independent counsel while such independent counsel is serving in that office or which involves the exercise of such

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Armstrong's fraud paralleled EPO-makers' feud

By: Kathleen Sharp

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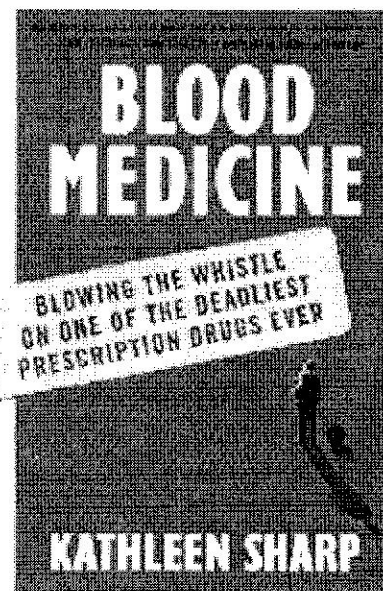
Amgen faces \$780 million fines for illegally promoting blood booster

This fall, Kathleen Sharp's book "Blood Medicine: Blowing the Whistle on One of the Deadliest Prescription Drugs Ever" (Plume) blew the lid off of decades of activities that were questionable at best, illegal and deadly at worst, by the pharmaceutical giants behind the blood-booster EPO. Lance Armstrong and his fellow competitors may have broken sporting rules and crushed the spirit of cycling through their cheating, but the seedy side of big business puts their fraud to shame. Sharp provides this brief synopsis for Cyclingnews.

The drug erythropoietin — better known as EPO — has been splashed across headlines lately, bringing down Tour de France legend Lance Armstrong and exposing the cycling world's biggest doping scandal. But less well known is the fact that EPO's drug maker, Amgen, is fighting several lawsuits about its alleged illegal drug deals, including pushing high doses on cancer patients. Indeed, the title sponsor of the Tour of California will soon pay nearly \$1 billion to settle charges that it gave "free" EPO to doctors and encouraged them to bill for the extra doses.

The company has spent more than a year trying to resolve 10 whistle-blower lawsuits with prosecutors from 15 different states. Sometime in the next few months, it's expected to pay up and, when it does, it'll put a capstone on EPO's remarkable commercial run.

In a way, Amgen lucked into selling what became the first biotech blockbuster. A researcher named Eugene Goldwasser had spent 20 years trying to isolate this protein, and his 1972 breakthrough was considered one of the great scientific contributions in the 20th century. Goldwasser wanted to work with a company to develop EPO's potential and, in the early 1980s, approached a high-tech start-up in California. As it was, financier Franklin "Pitch" Johnson, investment banker Bill Bowes and Abbott Labs' executive George Rathmann had just formed Amgen and needed a "hot" product. When Goldwasser offered to share his cache of the world's only supply of purified EPO, Amgen jumped. U.S. taxpayers may have spent decades and a king's ransom helping Goldwasser unlock the secrets of this protein. But Amgen grabbed the rights to it for a song.



Blood Medicine, by Kathleen Sharp



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The company spent years trying to clone the gene. In late 1983, Amgen raised \$40 million in an initial public offering underwritten by Smith Barney, Dean Witter and Montgomery Securities, founded by amateur cyclist Thom Weisel, who also financed the U.S. Postal Service Pro Cycling Team led by Armstrong.

By the mid-1980s, Amgen filed for the key patent on producing recombinant EPO. But to monetize its product, it needed regulatory approval. So, it cut a deal with health-care giant Johnson & Johnson. If Johnson & Johnson would help secure approval from the Food and Drug Administration (FDA), Johnson & Johnson could sell EPO for all medical markets except renal failure. Amgen thought it had the better part of the deal, but Johnson & Johnson would soon demonstrate otherwise.

That set the stage for escalating cutthroat competition between the pharmaceutical giants that mirrored the growth of EPO in the parallel world of cycling.

In Europe, EPO's clinical trials began, and marathon runners, Nordic skiers and Dutch cyclists were getting a hold of the drug on the black market. From 1987 to 1990, about 18 young cyclists died under mysterious circumstances, including 27-year-old Johannes Draaijer. He had finished 20th in the 1989 Tour de France and had competed in another race a few months later. Then, he died suddenly of a heart blockage. It wasn't clear if Draaijer had used blood-thickening EPO. But his widow told the media that she hoped her husband's death would warn other athletes about EPO's danger.

Amgen considered educating cyclists about EPO's risks. But many researchers believed that the dead athletes had simply been heavy dopers. A normal hematocrit level for a man was in the mid-40s. Yet, some cyclists had tested at extremely dangerous levels of 60 and above. Amgen insisted that EPO was "safe and effective if used properly."

But what was proper? Every drug carries risks and benefits, yet no one seemed certain what constituted a safe EPO dosage. Johnson & Johnson trials found that a 3,500 unit dose worked well. An FDA committee recommended a starting dose of 3,000 to 6,000 units. But Amgen pushed for a higher dose of 7,500 units, said Dr. Joseph Fratantoni, an FDA official who took part in the discussions. "They won the day," he added. In time, the drug's label would list a starting dose of 10,000 units and even higher—to 40,000 units a week.

Compare that with the 2-3,000 units used every few days by cyclists in the 1990s before microdosing strategies designed to defeat the EPO urine test dropped the dose to 4-500 units a day for . The sick and dying were being injected with anywhere between ten to 100 times more of the drug, often without even knowing it.

Profits push legal boundaries, safety

In 1989, Amgen's EPO brand, Epogen, was approved by the FDA. By 1991, Johnson & Johnson's brand, Procrit, followed. In 1993, Procrit was approved for the much bigger market of chemotherapy patients, and the race was on. Amgen racked up \$2 billion a year in EPO, which Johnson & Johnson vowed to match. The result was that Amgen reps such as Donald Hanks found himself in a drug war with Johnson & Johnson reps such as Dean McClellan. According to the legal claims of these veteran salesmen, each company started breaking the rules, including promoting EPO on the "spread."

Amgen, for example, used elaborate spread sheets to show doctors the difference between the price they'd pay for Epogen, and the higher amount they'd pocket by filing false insurance claims. Selling on the "spread" is illegal. But Amgen told its reps to hide these illegal promotions by reporting them as "business reviews," says Hanks' suit. Amgen also began to use "other marketing techniques to boost sales, including (offering) rebates, off-invoice discounts, volume discounts, free goods, extravagant dinners, and lavish retreats for doctors." It even paid physicians who helped promote its drug \$1,000 each and pharmacists \$750, he said, in violation of anti-kickback laws.

Johnson & Johnson rep McClellan said he was told to do similar things. Some of his doctor-clients made \$100,000 a year or more on Procrit's spread — or 25 percent of their profits. Marketing the spread was so common that between 1991 and 2003 the average EPO dose quadrupled, according to study published in Health Affairs. Yet, few

The drug was also becoming ubiquitous among cyclists. At the 1998 Tour de France, police found hundreds of EPO vials on members of the Festina team. Authorities raided cyclists' hotel rooms and found more vials on the TVM team's premises. It wasn't as if EPO was easy to transport. It couldn't be shaken or stirred, needed to be kept out of the sun and didn't travel well. Nor was it cheap. In the mid-1990s, a 30,000 unit injection of Procrit cost about \$300; Epogen cost slightly more. But by the mid 1990s, dopers on the black market paid as much as \$6,000 for 30,000 units — far more than the suggested list price.

Meanwhile, the drug makers began pushing EPO at even higher levels and for uses unapproved by the FDA. While a doctor can prescribe a drug for an unapproved, "off-label" use, it's illegal for a pharmaceutical company to do so. Yet Hanks and other sales reps claim that Amgen marketed Epogen off-label for patients with myelodysplastic syndromes ("MDS"), HIV/AIDS, cancer and for other conditions that the FDA had not approved.

Johnson & Johnson, meanwhile, began promoting higher doses of its drugs, according to whistle-blower McClellan. He was told to market doses of 40,000 units — 33 percent higher than what the FDA had approved. Worse was that the high doses could lead to aneurisms, heart attacks, and strokes. In fact, an Amgen study that it delayed releasing for years showed that higher doses resulted in more patient deaths. "In other words, Amgen (was seeking) greater profits at the expense of patient care and safety," Hanks explained in his suit.

But Johnson & Johnson's high-dose, high-profit strategy began to beat Epogen's sales. By 2000, Amgen changed a few molecules on its drug patent and unrolled a new EPO drug. In July 2002, Amgen received FDA approval to sell Aranesp in chemotherapy patients, which was Johnson & Johnson's market. At first, Aranesp sales were modest. But according to a 2006 suit filed by rep Kassie Westmoreland, Amgen solved that problem,

It began overfilling each Aranesp vial with 19-percent more drug. Hospitals paid for the standard dose. But they could keep the free "extra" drug, pool it, and collect enough to inject a "free" dose into a patient. Why would they do this? Because Amgen's doctor-clients could bill huge insurers such as U.S. Medicare and state Medicaid plans for the free drug. Westmoreland's suit claims that Aranesp's free sample worked like a kickback, paying clients to drop Procrit and buy Aranesp.

To sweeten the deal, Amgen sent doctors on paid weekend retreats and party "seminars" and taught them how to bill for the free drug. Westmoreland's 140-page suit describes an elaborate scheme that enlisted not just doctors, but drug distributor AmerisourceBergen and others. Such schemes inflate the cost of America's taxpayer-funded programs.

In 2006, just as Floyd Landis was winning his soon-to-be-stripped Tour title, EPO was selling \$12 billion a year globally — and much of it off-label. The following year, studies showed that the drug was so dangerous, the FDA was forced to slap a stern, black-box warning on it. By 2010, it became clear that in many cases the expensive drug worked no better than a placebo, and in some patients, it actually grew cancer cells.

Last fall, 15 states joined Westmoreland's "overfill" whistle-blowing case, and Amgen began negotiating a \$780 million settlement. "(Inducing) more and more prescriptions in higher and higher doses have become far too common courses of conduct," said a brief filed in a different Amgen suit. And it's true: drug fraud settlements have exploded in America recently: Eli Lilly paid \$1.4 billion, Abbott \$1.6 billion and Glaxo-SmithKline \$3 billion. Put in this context, Amgen's \$780 million settlement for EPO's fraud puts it at the end of the pack.

But that may change, depending on the fate of other pending lawsuits against the company.

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September 15, 2010

Mr. Fred Mauney has turned over documents From the United States District Court of Utah, Central Division, dated April 21, 2010 by Deputy Clerk D. Mark Jones. Also we have received a picture of Fred Mauney standing with a sign regarding fraud. Another document stated Google searches involving Lance Armstrong tailwind sports USPS fraud. We will pass these documents onto Agent Gordon Thompson to handle accordingly.

Cherry C. Hood

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fred mauney

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Interview: Fred Mauney, Roadside Pitch Artiste - Screenwriting

www.uncleanarts.com/writing/interviews/fred-mauney.htm

Fred Mauney, a.k.a. "The Phoenix," is a man who by his own account has had a long string of remarkable experiences. His speech is a rapid machine-gun fire ...

Aspen GrassRootTV Postal Reward Fraud Interview - Fred Mauney ...



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First to remember is that plaintiff, **Fred Mauney** has always been in communication with the Secret Service ...

Fred Augustus Mauney Jr. (2012 -) - Legacy.com

www.legacy.com/obituaries/shelbystar/obituary.aspx? Legacy.com

Jan 10, 2012 - **Fred Augustus Mauney Jr.**, went to join his wife, and their Lord on Jan. 9, 2012. He was one God's chosen men, who is at rest but can now justly ...

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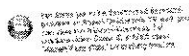
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Interview: Fred Mauney, Roadside Pitch Artiste - Screenwriting

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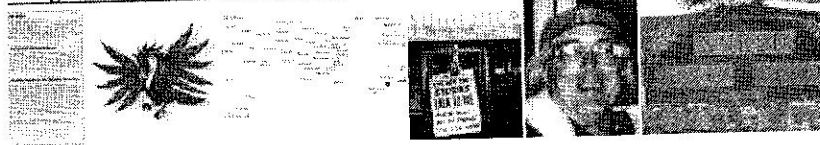
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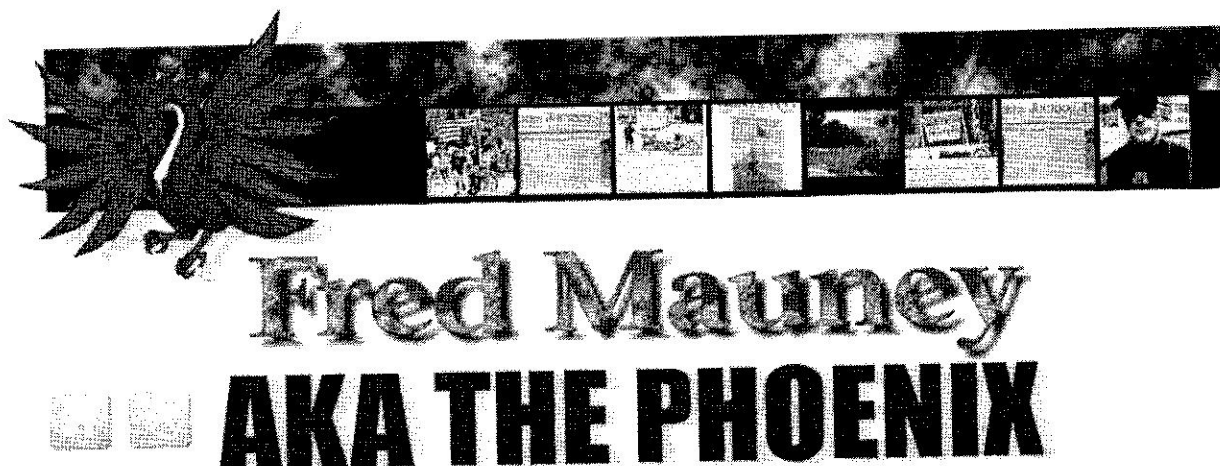
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Fred Augustus Mauney Jr. (2012 -) - Legacy.com



THE PHOENIX

Who is AKA THE PHOENIX? He is the average Joe, a true and publicly unremarkable native son. He is a synergistic product of the crazy quilt of borrowed cultures that is our national heritage. He is unassuming, yet self-willed. He is modest in his possessions, yet rich in his life experiences. He is an unattached molecule in the universe; at the same time he is connected to all things. He is the X that equals X. He is a survivor. He is the common man, the ordinary soul. He is you and me. He is Fred Woodrow Mauney...

The Postal Service Refuses Reward

Fred witnessed the murder of a US Postal Worker, Lee Parker. Fred's involvement led to the capture and conviction of the murderer. Therefore making Fred eligible for the posted US Postal Service \$100,000 reward offer. Fred's odyssey for this reward has uncovered massive corruption with the US Attorney General, the Justice Dept., the US Postal Service Inspectors' Office, and the Inspector General Office of the US Congress.

My name is Fred Mauney and I am called "The Phoenix"

My name is Fred Mauney and I am called "The Phoenix". I am credited as being the foremost paralegal investigator in the world. I've been the major player in numerous behind the scenes moves of national consequences. I was struck down with Transverse Myelitis in my lower spine October '93. It's a virus that eats up your spine. I was told I would never walk again by the best in the business. I left the rest home in October '95 under my own steam. I'm suppose to write something about myself, but in my world you don't go around showing off or God forbid... Talking. Staying alive is tough enough. Another thing is I am presently involved in 7 or more investigations. If you feel you need more go to GrassrootsTV (Aspen). For information from the source visit my website as read about why I now come forward. www.phoenixcharities.com

That to talk about one would jeopardize the others.
All I can say is stay tuned and watch The Phoenix at work.

Contact Fred Mauney



To view more of my Aspen Grassroots TV produce videos on the Postal Service law suit click this link to view them.



In a format styled as public service notices go, my You-Tube site contains more videos about my US Postal Service reward fraud law suit.

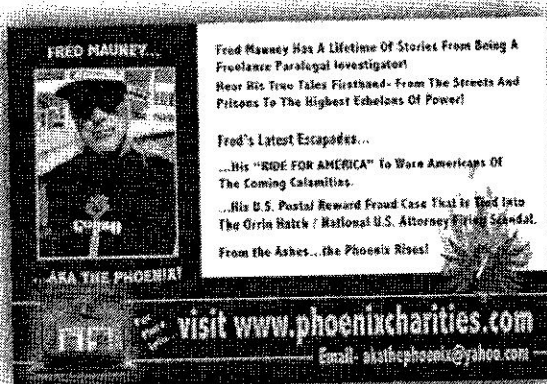
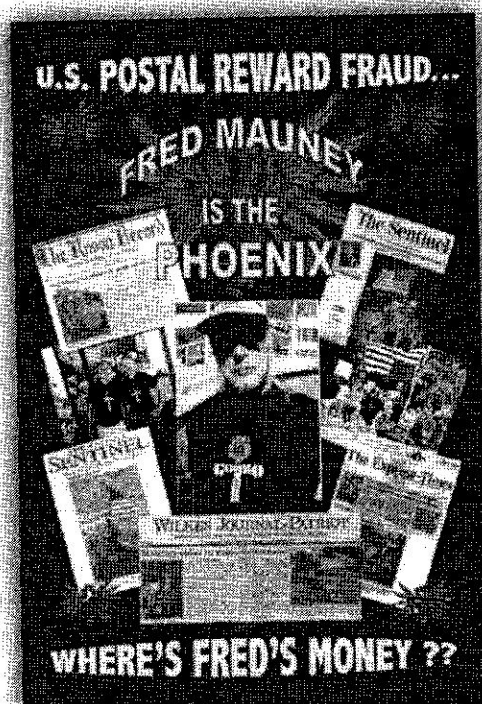


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The BannerBuggy – The First Amendment Machine
One man... times 100... times 1000...times 1 million. Yes we can... Yes we must...

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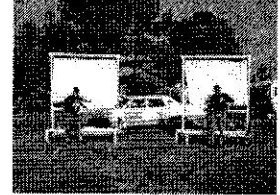
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The BannerBuggy – The First Amendment Machine®

Finally an authoritarian approved way to display your protest message to the world at large and while keeping your hands free to talk with other people.

You won't be hindering pedestrians as you ride your bicycle with your message in tow. The BannerBuggy (Phoenix Chariot) and the JohnBoy-BannerBuggy is the brainchild of Fred Mauney – AKA The PHOENIX of more than 15 years. The BannerBuggy is instantly moveable without being too big to be moved, totally disarming the law and still big enough to be read by the public 100's of feet away....now how about that!

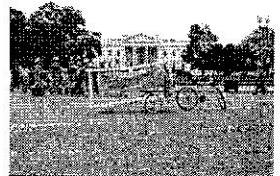
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Secret Service, DC Capitol Police, APPROVE

Towing the BannerBuggy or push/pulling the JohnBoy-BannerBuggy both are essentially approved by not only the Secret Service but the DC Capitol Police, the U. S. Parks Service and the Washington DC police departments.

The BannerBuggy and the JohnBoy-BannerBuggy can display your banner message at a public forum anytime, anywhere you can ride a bicycle or push a stroller and thus your hands are free to speak with other people or distribute handouts. Operating these unique banner display machines in public are considered rolling carts because the banner is just paint and is unrestricted by the First Amendment. Our video taken in front of the White House and the Capital stairs clearly demonstrates the use of the BannerBuggy / JohnBoy-BannerBuggy are none interfering to pedestrians and able to go anywhere you can ride your bicycle or push a baby stroller. See picture insert of Fred assisting 87 veteran Sam Winstead in his bicycle ride from Raleigh, NC to Washington, DC. (What a photo-op it helps create!)



Anytime the authorities tell or want you to move it...all you do is say where and then decide if you want to and if so in less than minutes your set up and back in business.

Occupy Wall Street

Occupy Wall Street occupiers George Ripley and Fred Mauney had the only 2 messages to the world left on the block...

The BannerBuggy / JohnBoy-BannerBuggy are law enforcement approved in the Nation's Capitol; you can't get any stronger than that! So now you know your local law enforcement does not have just cause to deny you your First Amendment Rights for ANY REASON when towing your BannerBuggy or push/pulling the JohnBoy-BannerBuggy in the manner of a bicycle or baby stroller.

During the Occupy Wall Street gathering occupiers George Ripley and Fred Mauney known as THE PHOENIX had the only 2 messages to the world allowed not only on the block but all around the block as the BannerBuggy's are instantly moveable; that George and Fred showed up at Zuccotti Park 3 days after the New York City's police department's infamous raid and passed muster. It took the NYPD by surprise! Once Fred was told to move his BannerBuggy off the sidewalk Fred promptly moved off the sidewalk, as they are instantly moveable, and away from the curb into the street and walked around the whole block in the street some 3 times and came back to the same spot he had been told to move from and put his John Boy right back totally disarming the law!

The NYPD who were under the 1% politicians orders just smiled because they knew they had been bested by a class act 'THE PHOENIX' in front of a crowd of hundred's... The classic American Patriot. To find out more about

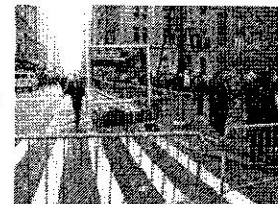


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Los Angeles Times

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Cycling officials consider reducing Lance Armstrong's lifetime ban



International cycling officials now say they might support reducing Lance Armstrong's lifetime ban if he cooperates with an investigation into wrongdoing within the sport.

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ridgeley at 9:42 AM January 23, 2014

Ridiculous. He lied for years, even if he does cooperate -- because it's the right think to do, his cycling ban should not be lifted.



CriminyGee at 9:57 AM January 23, 2014

I think they SHOULD lighten the lifetime ban. Make it 99 years with no chance of further reduction.



Alnilam1 at 10:35 AM January 23, 2014

Let him ride again but his penalty is he has to carry his bowling ball on his bike.



Fred Mauney The Phoenix at 11:39 AM January 23, 2014

It's clear now that the USPS not only had to know the cycling team they were sponsoring was cheating but that they were in on it. Is this an underlying reason why the LA U S Attorney stopped the grand jury investigation? If so would not this mean misconduct of the LA U S Attorney (bribery). The Landis whistleblower lawsuit in DC is now going into the stage to where the parties will begin filing interratories and discovery motions and some of the defendants have indicated the USPS was involved. Now CA REP Darrell Issa can do a real government investigation instead of wastig all our money and time on these phoney ones he has been doing.



Fred Mauney The Phoenix at 11:49 AM January 23, 2014 Darrell Issa can now do an investigation on the USPS involvement with Thom Weisel and Tailwind Sports. His first three witness's to subpoena and put under oath can be Lance Armstrong, Thom Weisel and Ex-Postmaster General John Potter.



Fred Mauney The Phoenix at 11:53 AM January 23, 2014

Of course Darrell Issa's excuse not to could be he's taking a Quid Pro Quo / Bribe also and therefore he has a conflict of interest.

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No. of Pages....2

Lance Armstrong's lifetime ban could be reduced, world cycling official says

3 6 0 1 AA



Lance Armstrong on the podium after winning the 15th stage of the 90th Tour de France on July 21, 2003 (Paolo Cocco/Getty Images)

The Associated Press

Published: 23 January 2014 07:05 PM

Updated: 23 January 2014 07:08 PM

ADELAIDE, Australia — The new president of cycling's world body says Lance Armstrong's lifetime ban for doping could be reduced if he provides information that assists other doping investigations.

Brian Cookson became UCI president in September and established the Cycling Independent Reform Commission which will examine the history of doping in professional cycling and probe allegations the UCI conspired to cover up doping activity.

Cookson said the commission's terms of reference might include an agreement with the World Anti-Doping Agency and the United States Anti-Doping Agency to reduce sanctions on cyclists who co-operate with the inquiry.

He said "there will be the possibility of a reduction" in Armstrong's case if he provides information which assists any investigation but stressed the UCI does not have the power to make such a deal.

"It all depends on what information Lance has and what he's able to reveal," Cookson said. "Actually that's not going to be in my hands. He's been sanctioned by USADA."

"They would have to agree to any reduction in his sanction based on the validity and strength of the information that he provided. If they're happy, if WADA are happy, then I will be happy."

Cookson the three members of the commission including Australian Peter Nicholson, a specialist investigator, were insistent their investigation would be thorough and impartial.

"They don't want their own personal reputation damaged by any hint of a suggestion that they've been involved in — let's call it a whitewash," he said.



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1 Comment



Fred Mauney 8 hours ago

It's clear now that the USPS not only had to know the cycling team they were sponsoring was cheating but that they were in no it. Is this an underlying reason why the LA U S Attorney's office stopped it's grand jury investigation? If so would not this mean misconduct of the LA U S Attorney (bribery). The Landis whistleblower lawsuit in DC is now going into the stage where the parties will begin filling interrogatories and discovery motions and some of the defendants have indicated the USPS was involved. Now U S Congressman Darrell Issa can do a real investigation instead of wasting our money on these phony ones and he can issue subpoena's and can swear under oath Lance Armstrong, Thom Weisel, USPS's Ex- Postmaster General John Potter along with the upper management of the USPS which now would include the current Postmaster General Patrick Donahoe.

Exhibit: 5

No. of Pages....68

List of doping cases in cycling

From Wikipedia, the free encyclopedia

This list is incomplete; you can help by expanding it (//en.wikipedia.org/w/index.php?title=List_of_doping_cases_in_cycling&action=edit).

The following is an incomplete list of doping cases and recurring accusations of doping in professional cycling, where doping means *"use of physiological substances or abnormal method to obtain an artificial increase of performance"*.^[1] It is neither a 'list of shame' nor a list of illegality, as the first laws weren't passed until 1965 and their implementation is an ongoing developing process. Thus the list contains doping incidents, those who have tested positive for illegal performance-enhancing drugs, prohibited recreational drugs or have been suspended by a sporting body for failure to submit to mandatory drug testing. It also contains and clarifies cases where subsequent evidence and explanation has shown the parties to be innocent of illegal practice.

In 1963 the Council of Europe gave a definition of doping.

"Doping means to make use of physiological substances in immoderate quantity or abnormal method from healthy people whose only aim is to obtain an artificial increase of the performance during the competition".^[1] or ...

"The administration of or use by a competing athlete of any substance foreign to the body or any physiologic substance taken in abnormal quantity or taken by an abnormal route of entry into the body with the sole intention of increasing in an artificial and unfair manner his/her performance in competition. When necessity demands medical treatment with any substance which, because of its nature, dosage, or application is able to boost the athlete's performance in competition in an artificial and unfair manner, this too is regarded as doping".^[2]

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1800s

1886

In 1886 a Welsh cyclist is popularly reputed to have died after drinking a blend of cocaine, caffeine and strychnine, supposedly in the Bordeaux–Paris race. This was included in the 1997 International Olympic Committee study on the *Historical Evolution of Doping Phenomenon*, and listed as the presumed first death due to doping during a competition. The report did allow that in this period it was common practice, and not illegal.^[1] This is alternatively reported as trimethyl poisoning.^[2] However, the main Bordeaux–Paris race did not start until 1891, and the cyclist who supposedly died in 1886, Arthur Linton, actually finished second in 1896 and died a few weeks later, reportedly from a combination of drug induced exhaustion and typhoid fever.^[3] Linton was managed by the notorious Choppy Warburton - See 1896 below.^[4] The story may be apocryphal.

1896

- Arthur Linton from Aberdare in Wales died aged 24 of 'exhaustion and typhoid fever' a few weeks after finishing second in the Bordeaux–Paris race and a race at Catford. Linton was managed by the notorious Choppy Warburton,^[4] whose success was questioned, with claims that he drugged his charges.^[5] Jimmy Michael is said to have accused Warburton of *poisoning him*, before he was taken to court for libel.^[6] Rudiger Rabenstein claims that Arthur Linton was "massively doped" for the 1896 Bordeaux–Paris.^[7] The British and French cycling union announced that Michael would be banned, even though there was no rule at that time against doping. In the end, Michael was not banned, but he left to ride in the United States.^[8]

Nitroglycerine was used to stimulate the heart after cardiac attacks and was credited with improving riders' breathing.^[9] Riders suffered hallucinations from the exhaustion and perhaps the drugs. The American champion Marshall Taylor refused to continue a New York race, saying: "I cannot go on with safety, for there is a man chasing me around the ring with a knife in his hand."^[10]

1897

- Choppy Warburton of Haslingden, England died aged 52. He was described by the Lancashire Family History Society:

“Choppy has been firmly identified as the instigator of drug-taking in the sport [cycling] in the 19th century.”^[11]”

Warburton was banned from the sport after unproven claims of *massive doping* in the 1896 Bordeaux–Paris. His activities may have contributed to the early deaths of Arthur Linton, Tom Linton and Jimmy Michael.^{[12][13]}

1900s

1904

- Jimmy Michael of Wales, world cycling champion, died aged 27, en voyage to New York. The cause of death was noted as delirium tremens, probably brought on by drinking.^[14] Michael was managed by the notorious Choppy Warburton^[4] whose success was questioned, with claims that he drugged his charges. Michael was reported to have taken a potion and within a few laps collapsed on the track, picked himself up and then in a daze, set off in the wrong direction.^[5] Michael is said to have accused Warburton of *poisoning him*, before he was taken to court for libel.^[6]

1910s

1911

- Paul Duboc of France was doped/poisoned during the Tour de France. He was favourite but collapsed in a ditch in the Pyrenees after drinking from a spiked/poisoned bottle, allegedly given by a rival team manager. He finished in second place.

1920s

1924

- Henri Pélissier, Francis Pélissier, Charles Pélissier of France. In 1924, following their abandon of the Tour de France, the first real drug scandal arose when the Pélissier brothers gave an extraordinary interview to journalist Albert Londres. They said that they used strychnine, cocaine, chloroform, aspirin, "horse ointment" and others drugs to keep going. The story was published in 'Le Petit Parisien' under the title 'Les Forçats de la Route' ('The Convicts of the Road'). Francis is reported as saying "In short, we run on dynamite." Henri is reported as saying "Do you know how we keep going? Look, this is cocaine, chloroform, too. And pills? You want to see pills? Here are three boxes - We run on dynamite." Francis Pélissier said much later: "Londres was a famous reporter but he didn't know about cycling. We kidded him a bit with our cocaine and our pills." Even so, the Tour de France in 1924 was no picnic.^{[15][16][17][18]} See Doping at the Tour de France - The Convicts of the Road.



Henri Pelissier, 1919

1930s

1930

The acceptance of drug-taking in the Tour de France was so complete by 1930 that the rule book, distributed by Henri Desgrange, reminded riders that drugs would not be provided by the organisers.^[19]

1940s

1949

- Fausto Coppi of Italy admitted in a television interview in 1952 that he used 'la Bomba' as there was no alternative if you wanted to remain competitive. This referred to amphetamines, which had been developed for military use during World War II to keep aircrew, merchant seamen and submariners awake, alert and energetic. After the war they found a ready market among endurance sportsmen.^[17] Coppi also said, "One day I will take the wrong pill and pedal backward."^[20] He also joked on camera that he only took drugs when absolutely necessary, which is nearly always.^{[21][22]}

1950s

1955

- Jean Malléjac of France collapsed on Mont Ventoux during the 1955 Tour de France; it was widely attributed to drug abuse. Ten kilometres from the summit he was: "Streaming with sweat, haggard and comatose, he was zigzagging and the road wasn't wide enough for him... He was already no longer in the real world, still less in the world of cyclists and the Tour de France."^[23] Malléjac collapsed, falling to the ground with one foot still trapped in a pedal. The other leg pedalled on in the air. He was "completely unconscious, his face the colour of a corpse, a freezing sweat ran on his forehead."^[24] He regained consciousness after 15 minutes attention, oxygen, water, and an injection of solucamphre (a decongestant).^[25] In the ambulance he insisted that he had been drugged against his will and that he wanted to start legal proceedings. He denied wrongdoing right up to his death in September 2000.

1956

- Following the 14th Stage of the 1956 Tour de France, the entire Belgian team went down with a mystery illness. It was officially attributed to their having eaten 'bad fish' at dinner, an excuse also used in 1962 and 1991.^[17]

1958

- Roger Rivière of France admitted, after his career was finished, to having taken "amphetamines and solucamphre" during his hour record of 1958—including taking tablets during the attempt.^[26]

1959

- Charly Gaul from Luxembourg was implicated in July when French customs confiscated pills that were destined for him.^[27]

1960s

1960

- Knud Enemark Jensen of Denmark participated in the 1960 Summer Olympic Games in Rome riding under the influence of amphetamines; he collapsed during the 100 km team time trial during the Games, fracturing his skull, and in a nearby Rome hospital shortly thereafter, he was pronounced dead. The autopsy showed he had taken amphetamine and another drug, Ronicol (Ronicol Retard) (nicotinyl alcohol tartrate), a direct-acting peripheral vasodilator that causes flushing and may decrease blood pressure.^[28] (He was also reported as swallowing 8 pills of phenylisopropylamine, 15 pills of amphetamine and coffee.^[11]) The chairman of the Dutch cycling federation, Piet van Dijk, said of Rome that "dope - whole cartloads -[were] used in such royal quantities."^{[29][30]} Jensen's death led to pressure on the International Olympic Committee, which studied a report on doping drawn up by doctors demanding dope controls.
- Gastone Nencini of Italy, was discovered by Tour de France doctor Pierre Dumas in his bedroom with plastic tubes running from each arm to a bottle of blood; retransfusion was a legal practice at the time.^[31] In the 1930s Scandinavian runners were believed to have used retransfusion to increase the number of corpuscles that carry oxygen to the muscles. In 1972, Dr Björn Ekblom of the Sport and Gymnastics Institute in Stockholm found that retransfusing cells increased oxygen uptake by nine per cent and athletic potential by 23 per cent.
- Roger Rivière of France, admitted that his career ending crash in the 1960 Tour de France was probably attributable to using Palfium (Dextromoramide), a painkiller that affects reflexes and judgment, during the descent of the Col de Perjuret on Mont Aigoual.^[26] Palfium was used to deaden pain in leg muscles where it was directly injected, (sometimes while riding). It was suggested that it had so numbed Rivière's fingers so that he couldn't feel the brake levers.^[17] He said he had an injection of solucamphor and amphetamine before the start and swallowed several amphetamine tablets.^[32] He said he was an addict who downed thousands of pills a year.

1962

The Wiel's-Groene Leeuw affair. At the stage from Luchon to Carcassonne of the 1962 Tour de France, twelve riders fell ill and said 'bad fish' was the cause. Tour doctor Pierre Dumas realized they had all been given the same drug by the same soigneur.^[17] Hans Junkermann of Germany had been ill overnight so the start was delayed by 10 minutes, but at the first hill he got off his bike and sat by the roadside, telling onlookers "I ate bad fish at the hotel last night."^[33] Eleven other riders abandoned the Tour that day, including the former leader, Willy Schroeders, the 1960 winner Gastone Nencini and a future leader, Karl-Heinz Kunde. Jacques Goddet wrote that he suspected doping but nothing was proven - other than that none of the hotels had served fish the previous night.

1964

France passed its first anti-doping law in November 1964^[34]

1965

- Jacques Anquetil of France never hid that he took drugs - a common practice at the time - and in a debate with a government minister on French television said that only a fool would imagine it was possible to ride Bordeaux–Paris on just water. He and other cyclists had to ride through "the cold, through heatwaves, in the rain and in the mountains", and they had the right to treat themselves as they wished, he said in a television interview, before adding: "Leave me in peace; everybody takes dope."^[35] There was implied acceptance of doping right to the top of the state: the president, Charles de Gaulle, said of Anquetil: "Doping? What doping? Did he or did he not make them play the Marseillaise [the French national anthem] abroad?"^[36] The veteran reporter Pierre Chany said: "Jacques had the strength - for which he was always criticised - to say out loud what others would only whisper. So, when I asked him 'What have you taken?' he didn't drop his eyes before replying. He had the strength of conviction."^[37]
- French amateurs André Bayssière and Charly Grosskost collapsed in the Tour de l'Avenir in July. They were banned when they confessed to using amphetamines.^[17]
- Peter Post of the Netherlands acknowledged that he had doped at the Tour de France.^[38]
- Luis Santamarina of Spain was disqualified from the Milk Race in Great Britain, as one of four competitors who were caught in the first official blood tests. (See below - *Performance-enhancing drugs became illegal*) Having won a stage which started at Scarborough and crossed Rosedale Chimney, riding ahead of the race on one of the race's hardest climbs. He rode into the back of a car parked beside the road as an official waited to time him. He remounted and won the stage and led the race. Two days later he and three others (Canet and Usamentiaga of Spain and Ken Hill of Great Britain were disqualified for doping.)^[39] The Spanish team went home.^{[40][41]}

Performance-enhancing drugs became illegal on 1 June 1965. The first riders to be caught were four amateurs, three Spanish (Luis Santamarina, Canet and Usamentiaga) and one Briton (Ken Hill), who were thrown out of the Milk Race when they tested positive for amphetamines after Professor Arnold Beckett first applied sensitive gas chromatographic techniques to monitor drug abuse.^{[2][17][40]}

1966

~~On 29 July testing began at the Tour de France. Raymond Poulidor was the first rider to be tested in~~ the Tour at the end of a stage to Bordeaux. He said "I was strolling down the corridor in ordinary clothes when I came across two guys who asked if I was a rider. They made me go into a room, I pissed into some bottles and they closed them without sealing them. Then they took my name, my date of birth, without asking for anything to check my identity. I could have been anyone, and they could have done anything they liked with the bottles."^[42] Next morning, on the way to the Pyrenees the riders climbed off, began walking and shouting protests.^[43]

1967

- Tom Simpson of Great Britain died of exhaustion on the slopes of Mont Ventoux during the 13th stage of the 1967 Tour de France. The post mortem found that he had taken amphetamines and alcohol, a diuretic combination which proved fatal when combined with the hot conditions, the notoriously hard climb of the Ventoux and a pre-existing stomach complaint. Investigators discovered more drugs in his hotel room at Sète and the pockets of his jersey.^{[44][45]}

- Evert Dolman of the Netherlands, was stripped of his 1967 Dutch National Road Race Championship title because of doping.^[46]

1969

- Eddy Merckx of Belgium tested positive for the stimulant Reactivan at Savona during the 1969 Giro d'Italia, after leading the race through 16 stages. Merckx was found positive at doping control and ~~expelled from the Giro. Merckx steadfastly denied the charges. The controversy began to swirl~~ when his test results were not handled in the ordinary manner. The positive doping control was released to the press before all parties (Merckx and team officials) involved were notified.^[47]
- Joaquim Agostinho of Portugal tested positive in the Tour of Portugal.^{[48][49]} He subsequently tested positive again in 1973,^[48] and the Tour de France of 1977.^[50]

1970s

1972

- Jaime Huélamo of Spain finished third in the 1972 Summer Olympics men's individual road race but was later disqualified after he tested positive for coramine.^{[51][52]}
- Aad van den Hoek^[53] of the Netherlands tested positive for Coramine at the Munich Olympics, a drug allowed by the International Cyclists' Union but not the IOC.^{[54][55][56]}

1973

- Eddy Merckx tested positive for a banned substance in the Giro di Lombardia classic. He was disqualified from first place. Runner-up Felice Gimondi was declared the winner.^[57]

1974

In 1974, an advance in testing caught 13 prominent riders including Herman van Springel.

- Roger Legeay of France tested positive for amphetamines at the Paris - Nice race.^[58]
- Claude Tollet of France tested positive for amphetamines at the Tour de France.^[59]

1975

- Bernard Thévenet of France won the 1975 Tour de France by using cortisone. In 1982, after retiring from racing, he said "I was doped with cortisone for three years and there were many like me. [...] The experience ruined my health".^[60]
- Erik de Vlaeminck of Belgium never failed a drugs test in his racing career, but he was treated after it for amphetamine addiction at a psychiatric institute. Many stories circulate about his reported wild behaviour after races and when he put his career on hold. When he returned to racing, the

Belgian federation would offer him a licence for only a day at a time until it saw how his life would progress. He refuses to speak of this period of his life.

1976

- Rachel Dard of France was reported to have raced across France to avoid a positive dope finding and then ended up in a row which exposed organised drug-taking in cycling in the 1970s.^[61] Dard and a team-mate, Bourreau, were caught trying to defraud the doping control with a condom of untainted urine in their shorts to give the impression they were urinating.^[62] A few weeks later Dard went to *L'Équipe* and spilled the inside story, including the prescriptions for dope that Bellocq, the team doctor, had given him.^[63] He said riders treated with cortisone and steroids were now in "a pitiful state".^[64]
- In the 1976 *Vuelta a España*, Belgian cyclist Eric Jacques took over the lead in the eighth stage, but it was later revealed that he failed a doping test, and he was penalized by having ten minutes added to his total competition time.^[65]

1977

- Bernard Thévenet of France won the 1977 Tour de France with the aid of cortisone.^[60]
- Joop Zoetemelk of the Netherlands tested positive for Pemoline in the 1977 Tour de France, although Pemoline was a legal substance at that time. In the 1979 Tour de France he tested positive for 'hormones'.^{[66][67]}
- A Belgian doctor, Professor Michel Debackere, perfected a test for the detection of Pemoline, an amphetamine-like drug, and caught three of the biggest names in Belgium: Eddy Merckx, Freddy Maertens and Michel Pollentier.

1978

- Michel Pollentier of Belgium was caught trying to cheat the drugs control with someone else's urine in a rubber bulb in his shorts after victory at Alpe d'Huez. He was ejected from the Tour. Ironically his own urine tested negative.^[17] *See Doping at the Tour de France - The Pollentier incident*
- José Nazabal of Spain anticipated a positive test at the Tour de France, and so left the race immediately after being tested. *See Doping at the Tour de France - The Pollentier incident*
- Antoine Gutierrez of Spain caused doctor Le Calvez to be suspicious during a test, thus raising his jersey to reveal a system of tubes and a bottle of urine. *See Doping at the Tour de France - The Pollentier incident*
- Gilbert Glaus of Switzerland, the World Amateur Champion, tested positive for steroids.
- Jean-Luc van den Broucke of Belgium confessed that "In the Tour de France, I took steroids. That is not a stimulant, just a strengthener. If I hadn't, I would have had to give up. What do you think? I'm on the bike all year from February onwards, I have to do well in the classics in all the little races, and also in the Tour de France. On the first rest day, before we went into the Pyrenees, I had a first hormone injection. I had another one on the second day, at the start of the last week. You can't call

that medically harmful, not if it's done under a doctor's control and within reason."^[68] *See Doping at the Tour de France - Steroids and allied drugs*

1979

During the 1979 Tour de France, the leader of the mountains classification Giovanni Battaglin tested positive for doping in stage 13. He was penalized by 10 minutes in the general classification, lost the points that he earned in stage 13 and received 10 penalty points in the mountains classification.^[69] Battaglin was still able to win the mountains classification.

Frans Van Looy and Gilbert Chaumaz also tested positive for doping during the Tour.^[70] After the Tour de France had finished, Joop Zoetemelk was found to have used doping, which he confessed later. Zoetemelk was penalized by 10 minutes in the general classification, but kept his second place.^[71]

1980s

1980

- Vicente López Carril of Spain, died on 29 March 1980 aged 37 from a heart attack. His death was noted by Willy Voet in his book *Massacre à la chaîne* although he acknowledged the impossibility of proving the link between these early deaths and the drugs taken while racing.^[72]
- Freddy Maertens of Belgium, admitted to the French newspaper L'Équipe, after his retirement, that "like everyone else", he had used amphetamines in round-the-houses races but he insisted that he had ridden without drugs in important races - not least because he knew he would be tested for them.
- Dietrich Thurau ("Didi") of Germany tested positive on 3 occasions in 1980 and again in 1987.^{[73][74]} After he stopped his career in 1989, he admitted in an interview in Bild that he used doping, and that most cyclists did.^[75]

1982

- Maarten Ducrot was a Dutch professional road bicycle racer. In January 2000, on the Dutch TV-show *Reporter*, he admitted that he had used cortisone and testosterone, as well as Synacthen, "a very bad medicine", and he still regrets using it. Ducrot said he experimented with synacthen in 1982 when he was an amateur.^[76]
- Ángel Arroyo of Spain, received a penalty for testing positive for the stimulant Methylphenidate (Ritalin) on stage 17 of the 1982 Vuelta a España.^[77] Three other riders also failed the doping test after stage 17 for the same drug: Alberto Fernández, Vicente Belda and Pedro Muñoz Machín Rodríguez.^[77] Methylphenidate was a popular performance-enhancing drug in cycling at that time. Arroyo and his team denied the allegations and asked for a second analysis of the sample. The B analysis confirmed the first positive test.^[77] Arroyo was assigned a 10 minute penalty and stripped of his Vuelta win which was given to Marino Lejarreta. With the 10 minute penalty Arroyo went down to 13th place in the overall classification.^[78] The disqualification of the winner of the Vuelta

has been called the worst scandal that has ever hit the race on the official La Vuelta website.^[77]

- Marc Demeyer of Belgium died on 20 January 1982, aged 31 from a heart attack. His death was noted by Willy Voet in his book *Massacre à la chaîne* although he acknowledged the impossibility of proving the link between these early deaths and the drugs taken while racing.^[72]
- Michel Pollentier of Belgium tested positive on stage 17 of the 1982 Vuelta a España for the stimulant Methylphenidate (Ritalin).^[77]
- Steven Rooks was a Dutch cyclist whose professional career ran from 1982–95. On the Dutch TV-show *Reporter* in 2000, Rooks admitted (together with Maarten Ducrot and Peter Winnen) that they had doped in their careers. Rooks said he used testosterone and amphetamines during his whole 13-year career.^[79] In 2009 he extended his confession, by also admitting the use of EPO after 1989, which was something he took together with two other Dutch riders Gert Jakobs and Mathieu Hermans.^[80]
- Willy Voet wrote about Bert Oosterbosch riding the 1982 Grand Prix des Nations in his 2002 book *Massacre à la Chaîne* ("Breaking The Chain"). *Oosterbosch was flat from the start due to the Synacten he had taken. The drugs initially blocked his ability to work hard. An hour after the injection it started working as planned and his tempo increased.*^[81] Note - Voet may have been referring to the 1979 or 1984 events.^[82]

1983

- Adri van der Poel the Dutch world cyclocross champion and Tour de France stage winner tested positive for strychnine. He said that his father-in-law had served a pigeon pie for Sunday lunch, and only when he tested positive did he realise that the pigeons had been doped with strychnine.^{[83][84][85]}

1984

- Francesco Moser of Italy broke the hour record of Eddy Merckx in 1984. In 1999, he admitted blood doping to prepare for the attempt, helped by sports doctor Francesco Conconi. Such doping had not been declared illegal at the time.
- John Beckman, Brent Emery, Steve Hegg, Pat McDonough, Leonard Nitz, Rebecca Twigg and Mark Whitehead of the U.S. admitted to receiving blood transfusions in preparation for the 1984 Summer Olympic Games in Los Angeles.^[86] (See *Systematic Blood Doping* below for details) The practice was not against Olympic rules although Games medical guidelines discouraged it. The U.S. team coach Eddie Borysewicz set up a clinic in motel room.^[87] The US federation banned blood-doping in January 1985.^[88]

Systematic blood doping at the 1984 Summer Olympic Games in Los Angeles. The U.S. cycling team's successes were coloured by revelations that riders had blood transfusions before their events, a practice known as blood-doping. The transfusions were to increase red blood cells in riders' blood. That would take more oxygen to their muscles. They received the blood of others with similar blood types.^[86] The practice, instigated by national coach Eddie Borysewicz, was not against Olympic rules although Games

medical guidelines discouraged it. Borysewicz and a colleague, Ed Burke, set up a clinic in a Los Angeles motel room and four of the seven athletes who had transfusions won medals.^[87] The U.S. federation banned blood-doping in January 1985. Borysewicz and Burke were fined a month's pay. Mike Fraysse, a former president of the federation, was demoted from first to third vice-president.^[88]

Steve Hegg, won a gold and a silver; Rebecca Twigg, Pat McDonough and Leonard Nitz won silver medals. The others were John Beckman, Mark Whitehead and Brent Emery. They were identified in the subsequent inquiry as having had transfusions. The rest of the team had refused.^[86]

1986

- Peter Winnen is a Dutch former road racing cyclist. He was professional from 1980 until 1991. In January 2000, on the Dutch TV-show *Reporter*, Winnen admitted that he had doped. He came third in the 1983 Tour de France (undoped) but he said that in the 1986 Tour de France "I was very bad and had the choice: go back to home or to provide me with testosterone." - Winnen reached Paris. During his career with Raleigh, Panasonic and Buckler, Winnen used testosterone, amphetamines and corticosteroids.^[79]

1987

- Kim Andersen of Denmark tested positive for doping in 1987, and was banned for life, a sentence that was later changed to a one year quarantine. In 1992 he was tested positive again, and fired from his team. He rode as an individual for the rest of the year, before finally retiring.^[89]

1988

- Pedro Delgado of Spain tested positive for probenecid at the 1988 Tour de France. Probenecid interferes with chemicals which the kidneys secrete, and thus aroused a suspicion that he was using it as a masking agent for steroid use. ~~Though other sports governing bodies, such as the IOC~~ recognized probenecid as a doping agent, the Union Cycliste Internationale (UCI), which oversaw cycling, did not, and thus Delgado was allowed to continue in the event without sanction.^[90]
- Gert-Jan Theunisse of the Netherlands tested positive for testosterone during the Tour de France and received a ten-minute penalty which moved him from fourth to eleventh place overall.^[91] He admitted in 2000 to using illegal substances during his career, according to an interview published by the Dutch regional newspaper Dutch "Eindhovens Dagblad". He confessed "to having used a great deal of Celestone", a corticoid, but he denied to having taken testosterone.^[92]
- Geert Van de Walle of Belgium died on 26 November 1988, aged 22, from a heart attack. His death was noted by Willy Voet in his book *Massacre à la chaîne* although he acknowledged the impossibility of proving the link between these early deaths and the drugs taken while racing.^[72]
- In 1988, the first rider was banned for using EPO.^[93]^[citation needed]

The emergence of EPO - In the late 1980s a recombinant drug created for people suffering from kidney failure became a substance abused by athletes seeking enhanced stamina and performance. The drug is recombinant erythropoietin, known as EPO, which was developed by the Amgen company. Recombinant

EPO is a bio-manufactured copy of a hormone normally produced in the kidney and was not detectable by any test at the time.^[94]

EPO stimulates the bone marrow in order to increase red blood cell production and thus the body's ability to carry oxygen. A study of 15 Swedish athletes by the Stockholm Institute of Gymnastics and Sports found an improvement of nearly 10 percent in aerobic performance. "Average" red blood cell volume of the population at sea level is about 45% red blood cells. About 5% of the population has less than 40% red blood cell, which is defined as "anemia" and 5% of the population, including many world class athletes, have a natural red blood cells volume of 50%... 1% of the population has 54% red blood cell volume.

The increased thickness of the blood (above 70% red blood cells) increases the risk of blood clotting which can block blood vessels causing a heart attack or stroke, especially in the middle of the night when the heart's rate is lowest. Doctors and blood specialists concluded that the drug could have been implicated in the deaths of as many as 18 European professional bicycle racers between 1987 and 1991. One of them was Johannes Draaijer, a 27-year-old Dutch rider who finished 130th in the 1989 Tour de France, and died from a heart attack in February 1990.^[94] Although the autopsy did not specify the cause of death, Draaijer's wife later told the German news magazine *Der Spiegel* that her husband became sick after using EPO.^{[94][95][96][97]}

- Laurent Fignon of France tested positive for amphetamines at the Grand Prix de la Liberation in Eindhoven on 17 September 1989.^{[98][99]}
- Bert Oosterbosch of the Netherlands died on 18 August 1989, aged 32, from a heart attack and poor health. His death was noted by Willy Voet in his book *Massacre à la chaîne* (translated as "Breaking the Chain") although he acknowledged the impossibility of proving the link between these early deaths and the drugs taken while racing.^[72] It is widely presumed, but not proven, that the death is attributable to EPO use^{[100][101]} but this is disputed.^[102] Voet also talked about Oosterbosch riding the 1982 Grand Prix des Nations. *Oosterbosch was flat from the start due to the Synacten he had taken. The drugs initially blocked his ability to work hard. An hour after the injection it started working as planned and his tempo increased.*^[81] In fact, Voet may have been referring to the 1979 or 1984 events.^[82]

~~Johan van der Velde of the Netherlands undertook hospital treatment for his addiction to amphetamines at the end of his career. He said in an interview with the author Jan Siebelink ("Pijn is genot") that he had trouble coping when that success began to dry up. Van der Velde said he remembered shivering at the start of an Italian race, the skin of his arms wrinkled in goosebumps, because of the amphetamine he had taken just to start. He was also disqualified from the 1981 Liège-Bastogne-Liège race.~~^[103]

- Sean Yates tested positive in the first stage of Torhout-Werchter.^[104]

1990s

1990

- Johannes Draaijer from the Netherlands. It is widely presumed, but not proven, that his death was attributable to EPO use.^{[94][100]} The autopsy did not specify the cause of death, but Draaijer's wife later told the German news magazine, *Der Spiegel*, that her husband became sick after using EPO.^[95]
- Belgian Nico Emonds tested positive after winning the third stage of the 1990 Vuelta a España. He was stripped from his victory and set to the last place of the stage.^[105]
- Steven Rooks was a Dutch cyclist whose professional career ran from 1982–95. On the Dutch TV-show *Reporter* in 2000, Rooks admitted (together with Maarten Ducrot and Peter Winnen) that they had doped in their careers. Rooks said he used testosterone and amphetamines during his whole 13-year career.^[79] In 2000 he extended his confession, by also admitting the use of EPO after 1989, which was something he took together with two other Dutch riders Gert Jakobs and Mathieu Hermans.^[80]

The PDM Affair, In November 1997, Cyclingnews.com reported about an inquiry that had just been made public in The Netherlands.^[106] This inquiry appeared to reveal doping in the PDM cycling team. The doctor of the team from between 1990 and 1991 was Wim Sanders who was the centre of the investigation which was reported to have been initiated when the General Manager of the team, Manfred Krikke, called the FIOD (Fiscal Information and Investigation Service) to investigate the medical business of the team. It was said that Wim Sanders supplied anabolic steroids and EPO to the team and was responsible for the '*intralipid affair*' of the 1991 Tour de France,^[106] when the entire team withdrew due to what was reported at the time as food poisoning.^[107] In a 2008 TV documentary,^[108] team members and team doctor Wim Sanders explain how the cause was in fact careless storage of Intralipid, a nutritional aid with which the team members had been injected.^[109]

According to cyclingnews.com, 1990 was the height of the drug taking in the team and during this year, two riders had to stop with acute heart problems;^[106] whether this refers to stopping with professional cycling or performance enhancing drugs is unclear. Team manager Gisbers denied any knowledge of doping in the team.^[109]

1991

- Carey Hall, the Australian track cyclist, tested positive for the use of banned substances and lost the medal he won in the World Championship at Stuttgart and placed on probation for 6 months.^[110]
- Sean Kelly of Ireland was described in Willy Voet's book '*Massacre à la Chaîne*': He won the Tour of Lombardy three times (1983, 1985, 1991 (also won amateur version in 1976)) and on at least one occasion he did it with the help of a corticoide injection. Kelly was controlled positive after Paris–Brussels in 1984 and that came as a surprise because he used the urine of a mechanic. But the mechanic was using a banned substance himself because he had to work long hours at night and needed the lift to stay awake.^[111]
- Stephen Pate, the Australian track cyclist, tested positive for the use of banned substances and lost the medal he won in the World Championship at Stuttgart and placed on probation for 6 months.^[110]
- Jesper Skibby of Denmark released his autobiography in November 2006, in which he confessed^[112] to having used doping for more than 10 years. In 1991 he started using steroids, in

1992 growth hormones and testosterone, and finally by 1995 he was also using EPO. He claimed that he requested the drugs himself, and he did not name any other riders or contacts in the book.

PDM. Some teams used sophisticated recovery techniques whereby riders were put on a drip during the night and fed nutrients such as Vitamin B12. This practice was blamed when the entire PDM team went down with a fever on the 10th Stage of the Tour de France. PDM management blamed a virus although only riders were infected. Ten days later a press release stated that the team had used recovery substances which were past their sell-by date.^[17]

1992

- Jesper Worre from Denmark tested positive for use of amineptine, a stimulant drug, which had been prohibited on 1 January that same year. He admitted the offence and received a conditional quarantine. He is now particularly known for his strong and uncompromising struggle against the use of doping in professional cycling.^{[113][114]}

1993

- Claudio Chiappucci from Italy, confessed in 1997 that he had used drugs from 1993–1995, but later retracted that statement.^[115] Chiappucci used the practice of Doctor Conconi,^[116] who was accused of applying EPO to cyclists.^{[117][118]} Conconi was found 'morally guilty', but was acquitted, because the crime had aged.^[119] The judge had looked at medical reports of 33 cyclists in the period 1993-1995, including Chiappucci's, and all blood tests showed largely fluctuating hematocrit-values, indicative for EPO-use.^[120]
- Lennie Kristensen from Denmark tested positive for a stimulant drug. The Danish Cycling organisation banned him but the UCI did not.^[121]
- Stephen Roche of Ireland. According to an investigation in Italy into the practices of Francesco Conconi, Roche was involved in the case, having received EPO in 1993.^[122] In May 1990, Paul Kimmage published *Rough Ride* exposing apparently endemic drug use in the peloton, and Roche threatened litigation. It was reported in the Rome newspaper, la Repubblica, in January 2000 that Francesco Conconi, a professor at the University of Ferrara involved with administering EPO to riders on the Carrera Jeans-Vagabond with which Roche had some of his best years, had provided riders including Roche with EPO. Roche denied the allegations.^[123] This was further reported in the Irish Times several days later, Roche again denying EPO.^[124] In March 2000 the Italian judge Franca Oliva published a report detailing the investigation into sports doctors including Conconi.^[125] This official judicial investigation concluded that Roche was administered EPO in 1993, his last year in the peloton.^[126] Files part of the investigation allegedly detail a number of aliases for Roche including Rocchi, Rossi, Rocca, Roncati, Righi and Rossini.^[127] In 2004 Judge Oliva alleged that Roche had taken EPO during 1993 but due to the statute of limitations, neither Roche nor his team-mates at Carrera would be prosecuted.^[128]

1994

- Joachim Halupczok from Poland - died, aged 26, on 5 February 1994. In 1988 he was the World

Champion cyclist, Olympic Silver medalist, and was voted 'best athlete in Poland'. In 1990 he turned professional and took part in the World Championships in Japan, but in autumn that year health problems (heart arrhythmia) caused his retirement from the sport, aged 24. It was suspected that the problems was associated with the abuse of drugs (EPO).^{[129][130]} His death was also noted by disgraced soigneur Willy Voet in his book *Massacre à la chaîne* although he acknowledged the impossibility of proving the link between these early deaths and the drugs taken while racing.^[72]

1995

- Bo Hamburger from Denmark admitted taking EPO from 1995–1997 in his 2007 autobiography. He had vociferously denied taking banned substances throughout his active career.^{[131][132]}
- Marco Pantani of Italy recorded a haematocrit level of 60.1% in the Milan-Turin race in October.^{[17][133]}

1996

- Rolf Aldag of Germany admitted having used Erythropoietin (EPO) in preparation for the 1996 Tour de France on 24 May 2007. In the press conference with Erik Zabel they said that he experimented with EPO.^{[134][135]}
- Udo Bölts of Germany confessed publicly on 23 May 2007 to having used EPO and growth hormones in preparation for the Tour de France in 1996 when he was with Team T-Mobile, and continued in 1997. Consequentially Bölts resigned as the sports director of Team Gerolsteiner on 24 May 2007.^[136]
- Bert Dietz of Germany confessed publicly on 23 May 2007 to having used EPO in preparation for the Tour de France in 1996 when he was with Team T-Mobile, and continued in 1997.^{[137][138][139]}
- Christian Henn of Germany used banned substances (including EPO) while riding for the T-Mobile team in the mid-1990s. He admitted this in May 2007.^[140]
- Brian Holm of Denmark admitted doping during the 1990s in his 2002 autobiography. This did not cost him his job as manager for the Danish national team, despite some concern about him being a role model for the young riders. In May 2007 he admitted having used erythropoietin (EPO) on two occasions in 1996 at Team Telekom.^[134]
- Levi Leipheimer of the United States used a banned substance as an amateur during the 1996 U.S. National Criterium Championships, when he lapped the field.^[141] It was later reported by *VeloNews*^[142] that Leipheimer tested positive for a banned substance after the Championship, and a disciplinary panel recommended that he return his title. The Leipheimer family confirmed the violation, claiming that Levi had innocently used the allergy medicine Claritin-D to relieve hay fever symptoms.^[143] The family claim that USA Cycling later relaxed its standards regarding the use of allergy medicines, however Ephedrine remains a banned substance. USA Cycling's official records name Matt Johnson as the 1996 event's champion.^[144]
- Rita Razmaite of Lithuania tested positive for Bromantan. She was suspended, along with a Russian

coach and a Belarussian doctor, by the International Olympic Committee.^[145]

- Bjarne Riis of Denmark won the 1996 Tour de France under the effects of EPO, growth hormone and cortisone. On 25 May 2007, he admitted "for a time doping was a part of everyday life for me".^[146]
- Filippo Simeoni of Italy admitted in 2002 that he was instructed by doctor Michele Ferrari in 1996 and 1997 on how to use the EPO and Human Growth Hormone that were prescribed. He also testified in court that he had used doping since 1993. Dr. Ferrari was also Lance Armstrong's doctor and this led to a public falling-out at the 2002 Tour de France.^[147] In 2001 and 2002 Simeoni was suspended for several months for doping use.
- Erik Zabel of Germany, on 24 May 2007, admitted having used Erythropoietin (EPO) in preparation for the 1996 Tour de France. In the press conference he said that he experimented with EPO for a week, but then stopped due to severe side effects. Zabel also publicly apologized for having lied about his use of EPO in the past.^{[134][135]}

The Telekom Affair – In May 2007, several former riders admitted to using banned substances (including EPO) while riding for the team in the mid-1990s, including Erik Zabel, Rolf Aldag, Brian Holm,^[140] Bjarne Riis,^[148] Bert Dietz, Udo Bölts and Christian Henn including the seasons in which Riis and Jan Ullrich won the Tour de France.^[137] Team doctors Andreas Schmid and Lothar Heinrich also confessed to participating and administering banned substances. The latter was Team Telekom's sporting director until 3 May 2007, when he was suspended following allegations published in former team member Jef d'Hont's book.^[149]

On 25 May 2007, Riis issued a statement confessing to taking EPO, growth hormone and cortisone for five years, from 1993 to 1998, including during his victory in the 1996 Tour de France.^[150] Earlier in the week, five of Riis' former teammates from Team Telekom confessed to having used banned substances during the 1990s when Riis won the Tour.^{[151][152]} Riis said that he bought and injected the EPO himself, and team coach Walter Godefroot turned a blind eye to the drug use on the team.^[153] Riis removed from the official record books of Tour de France,^[154] but in July 2008 he is written back into the books along with additional notes about his use of doping.

1997

- Djamolidine Abdoujaparov from Uzbekistan became the first rider to be disqualified from the 1997 Tour de France for taking banned substances after testing positive for Bromantan^{[155][156]} and the bronchodilator, Clenbuterol.^{[157][158]} It was later revealed that he had tested positive for drugs after six races in 1997, including the Tour de France. He was subsequently banned for a year after the International Cycling Union (UCI) appealed against a six-month ban imposed by the Uzbekistan Cycling Federation, claiming it was too lenient.^[159]
- Gilles Bouvard of France admitted on 28 July 1998 that he had doped when with his former team Festina.
- Brian Dalgaard Jensen of Denmark confessed in a DR TV documentary in March 2003, to using EPO during his career, especially during his 1997 success in Belgium. In 2004 he was awarded an

anti-doping prize for his openness.^[160]

- Rune Jogert of Norway tested positive for Ephedrine during a stage race in Germany (the Berliner 4-Etappen-Fahrt). He was suspended for 2 months from 1 February 1998, fined 500 Swiss francs (\$US345) and lost 15 UCI ranking points. Additionally the Norwegian Cycling Federation was fined 5,000 Swiss francs (about \$US3,500) because it had not taken any action against Rune Jogert and not told the UCI.^[161]
- Emmanuel Magnien of France admitted on 28 July 1998 that he had doped when with his former team Festina.
- Michael Skelde from Denmark tested positive for testosterone.^[162]

1998

- Laurent Brochard of France was ejected from the Tour de France on 17 July 1998 with the entire Festina team. ~~On 24 July he confessed being doped in the Tour by EPO, amphetamines,~~ corticosteroids, nandrolone and Human Growth Hormones (HGH). He was suspended by the French Cycling Federation for six months from 1 November 1998 until 1 May 1999.^[163]
- Francesco Casagrande of Italy was caught in March 1998 with a positive testosterone finding. He was suspended for 6 months, later increased to 9 months from September 1998 until June 1999, and sacked by Cofidis.^[164]
- Laurent Dufaux of Switzerland was ejected from the Tour de France on 17 July 1998 with the entire Festina team. On 24 July 1998 he confessed being doped throughout the past 3 years with EPO,^[165] and received a 8 month suspension from 1 October 1998 until 1 June 1999.^[166]
- Pascal Hervé of France was ejected from the Tour de France on 17 July 1998 with the entire Festina team. On 25 October 2000 he admitted to doping (with amphetamines, cortisone and EPO) during the 1998 Tour de France.^[167] Beside of a short self-imposed suspension, he was given a 2 month suspension from 1 February until 31 March 2001.^[168]
- Luc Leblanc of France, the 1994 world champion, admitted to the court in the Festina trial (after having retired in 1999), that he had used performance-enhancing EPO to prepare for the Tour de France, Giro d'Italia and Spanish Vuelta throughout 1994-1998.^[169] He claimed the reason he started to use EPO in 1994 (while riding at the Festina team), was because he achieved a clean 5th place in the 1991 Tour de France, and then for the subsequent two years suddenly found he could not keep up with the pace of the peloton without. "It is true, but I could have taken a lot more to win these races", said Leblanc. He was riding for Team Polti in the 1998 Tour, where he opted to abandon the race in sympathy with the Festina riders. Despite confessing to doping use when riding all the Grand Tours, he insisted to have won the Rainbow Jersey in 1994 without any help of illegal substances.^[170] As the statute of limitation was only 5 years back in 1994, his confession came at a time where he anyway did not risk to loose his title. As his confession moreover came at a time when he had retired, his national federation did not bother to launch disciplinary proceedings against him.^[171]
- Rodolfo Massi of Italy was arrested by the French police in the 1998 Tour de France for possession

of Cortisone, and alleged to have sold EPO to several riders. He was thrown out of the Tour while wearing the Mountain's jersey. Was however only convicted guilty of the first part of the charge, and along with a fine of \$US1800 he received a 6-month suspension from the Italian Cycling Federation from 1 November 1998 until 1 May 1999.^[172]

- Armin Meier of Switzerland was ejected from the Tour de France on 17 July 1998 with the entire Festina team. On 24 July he confessed using EPO throughout the past two years, along with amphetamines and growth hormones. He was suspended 8 months by the Swiss Cycling Federation from 1 October 1998 until 1 June 1999.^[173]
- Christophe Moreau of team Festina was ejected from the Tour de France on 17 July 1998 with the entire Festina team. On 24 July he confessed to using EPO and amphetamines.^{[174][175]} He served a six-month suspension by the French Cycling Federation from 1 November 1998 until 1 May 1999.^{[176][177]}
- Per Pedersen of Denmark who raced the Tour de France on four occasions in the 90s, and worked for Team CSC as a directeur sportif in 2001, confessed that he during his active career had used cortisone - but only in the days where it had not yet been added to the prohibited list of substances.^{[178][179]}
- Didier Rous of France was ejected from the Tour de France on 17 July 1998 with the entire Festina team. He confessed using EPO in the Tour, and was suspended by the French Cycling Federation for six months from 1 November 1998 until 1 May 1999.^[180]
- Neil Stephens of Australia was ejected from the Tour de France on 17 July 1998 with the entire Festina team, and although admitting he had taken EPO intravenously, he claimed to have doped unknowingly as the team had told him it was vitamin supplements.^{[181][182]} He was not suspended by his national federation, but decided to stop his active career at the same time he made his confession.^[183]
- Richard Virenque of France was ejected from the Tour de France on 17 July 1998 with the entire Festina team. On 24 October 2000, he admitted using doping (EPO, cortisone, ACTH, and growth hormones) at the 1998 Tour de France.^[184] On 22 December 2000, he was cleared by the French court from the criminal charge of "inciting the administration of doping and masking products to others and complicity in the importation of drugs".^[185] On December 30, 2000 the Swiss cycling federation gave him a nine-month ban and a 4,000 Swiss franc fine for his confessed doping use,^[186] which shortly afterwards was changed to a 6.5 months suspension by CAS from 1 February 2001 until 14 August 2001.^[187]
- Alex Zülle of Switzerland was ejected from the Tour de France on 17 July 1998 with the entire Festina team. On 24 July he confessed using EPO, growth hormones and amphetamines in the 1998 Tour. His hematacrit level was recorded as 52.3%, whereas the maximum allowed figure is 50%. He also stated in court by September 1998, that he has been employing EPO throughout the past four years (1994-1998); most lately it was administered to him by the Festina team doctor Eric Rijkaert, and while riding for ONCE it was administered to him by the two team doctors Nicolás Terrados and José Aremendi.^[188] He was suspended 8 months by the Swiss Cycling Federation from 1 October 1998 until 1 June 1999.^[189]

- Stuart O'Grady admitted in July 2013, after publication that a retrospective test had found one of his samples from the 1998 Tour de France positive for EPO, that he indeed had used this substance intensively during the two weeks ahead of the Tour.^[190] At this point of time, the positive test was not perceived as an individual rider scandal - but more as proof for a collective peloton behavior, as the retrospective test actually had found 92% of the tested riders (35 out of 38) positive for EPO in this edition of the Tour. As the statute of limitation is 8 years, a disciplinary proceeding was not launched, but the rider decided to retire, and he was also asked to retire from his recently appointed post in the Australian Olympic Committee.

The Festina Affair is the events that surround several doping scandals, doping investigations and confessions of riders to doping that occurred during and shortly after the 1998 Tour de France. The affair began when a large haul of doping products was found in a car of the Festina cycling team just before the start of the race, which led to a big-scale police investigation against the Festina Team; this was followed by the re-opening of a separate police investigation case into the TVM team, and a subsequent searching of many teams during the race for possession of illicit doping substances. The affair highlighted systematic doping and suspicion of a widespread network of doping in many teams of the Tour de France, and was characterised by the constant negative publicity of the cases, police searches of hotels, a spate of confessions by retired and current riders to doping, the detainment and arrest of many team personnel, protests by riders in the race, as well as mass withdrawal of several teams from the race.

1999

- Uwe Ampler tested positive for steroids and high testosterone level during the Sachsen Tour in August 1999. He admitted his error, blaming a cocktail of drugs taken during a bout of influenza.^[191]
- Frankie Andreu admitted in September 2006 that he had taken EPO to help prepare for the 1999 Tour de France, when he was riding for the US Postal team.^{[192][193]}
- Lance Armstrong tested positive for corticoids during the 1999 Tour de France. The small amounts of corticoids in a urine sample were explained by the prescription for skin cream (saddle sores / boil / allergy) that he subsequently presented to the UCI, thus he was cleared of any offence. He later admitted that saddle sores were a cover story for actually doping.^[194]
- Ludo Dierckxsens was removed from the Tour de France by his Lampre team after winning the 11th stage. At the post race drugs test he told the race doctor about his use of the corticoid Synacthene (Tetracosactide) under prescription to treat a knee injury from the previous month.^[195]
- Claus Michael Møller of the Dutch TVM team tested positive for banned substances and received a 2-year ban^[196]
- Marco Pantani, winner of the 1998 Giro d'Italia and the Tour de France, faced an automatic two-week suspension while leading the 1999 Giro d'Italia for a suspiciously high red blood cell count (52%) which could have meant that the rider had taken the banned substance EPO.^[197] He died of a cocaine overdose in 2004.
- Laurent Roux is a French former road bicycle racer. In 1999, he was found guilty of using amphetamines in the Flèche Wallonne race, and was suspended for six months.^[198] In 2002, he was

again tested positive for amphetamines after an out of competition control,^[199] and received a 4 year suspension.^[198] In June 2006 he confessed at a doping trial in Bordeaux, that while being suspended he had both consumed and sold the drug known in the peloton as "pot Belge" (a mixture of amphetamines, caffeine, and sometimes cocaine and heroin), and he also confessed, that throughout his active career from 1994-2002 he had used EPO, human growth hormone, cortisone and testosterone.^[198]

1999 Tour de France - In 2005 the French sports daily L'Équipe accused Lance Armstrong of using the performance-enhancing drug EPO during 1999 Tour de France. For years, it had been impossible to detect the drug, called erythropoietin, until UCI began using a urine test for EPO in 2001. According to the newspaper, tests on 1999 urine samples were done to help scientists improve their detection methods. The newspaper said 12 samples had revealed EPO use, including six from Armstrong.^{[200][201]} In 2006 a UCI appointed independent lawyer, Emile Vrijman, released a report in 2006 claiming that Lance Armstrong should be cleared of any suspicion surrounding the retrospective testing of the 1999 Tour de France. Vrijman denounced the manner in which the doping laboratory in Châtenay-Malabry carried out its research, claiming that there were too many procedural and chain of custody gaps.^{[202][203]} The World Anti-Doping Agency (WADA) rejected it, calling it *defamatory* to WADA and its officers and employees, as well as the accredited laboratory involved. In January 2013, Armstrong admitted doping in an interview with Oprah Winfrey^[204]

In 2005, French daily 'Le Journal du Dimanche' reported that Spanish rider Manuel Beltrán, Danish Bo Hamburger and Colombian Joaquim Castellanico were suspected of being among those whose frozen urine samples reportedly tested positive.^[205]

2000s

2000

- Eugeni Berzin was prevented from starting the 2000 Giro d'Italia because of Haematocrit level (due to the use of EPO) above 50%.^{[206][207]}
- Neil Campbell tested positive at a World Cup track meeting in Turin on 13 July and at the British Championships on 29 July. Both samples showed higher concentrations of human chorionic gonadotrophin (HCG) than permitted.^[208]
- Jan Hruška from the Czech Republic was thrown out of the 2000 Sydney Olympic Games after testing positive for an unspecified banned substance.^[209]
- Emmanuel Magnien of France was banned for three months by the International Cycling Union (UCI) after testing positive for corticoids during Tour de France.^{[209][210]}
- Tammy Thomas, US track cyclist, tested positive for testosterone at the 2000 US Olympic trials, and in 2001 tested positive for a previously unseen steroid Norbolethone. She received a lifetime ban from the sport.^[211] She was sentenced to five years of probation and six months of home confinement.^[212]

2001

- Niklas Axelsson tested positive for EPO in the 2001 UCI Road World Championships in Lisbon and later admitted his guilt.^[213] He was suspended for four years by the Swedish Cycling Federation but made an early comeback in 2004.
- Riccardo Forconi tested positive for blood doping/EPO use prior to the Giro d'Italia.^[214]
- Dario Frigo was expelled from the Giro d'Italia after police discovered banned substances in his hotel room.^{[215][216]} In 2005 he was arrested and banned from the Tour de France after police found 10 doses of erythropoietin (EPO) in his wife's car.^[217]
- Marcin Gębka of Poland was excluded from the 2001 Peace Race after failing a hematocrit test prior to the event. He was one of three riders for the Polish CCC Mat team who received a two-week ban.^[218]
- Bjoern Glasner of Germany and Team Cologne was excluded from the 2001 Peace Race after failing a hematocrit test prior to the event. He received a two-week ban.^[218]
- Bo Hamburger becomes the first rider to test positive for EPO under a new system introduced by the UCI in 2001. Hamburger was later acquitted by the Danish Sports Federation after irregularities in the handling of Hamburger's B sample analysis.^[219] Hamburger denied ever taking any banned substances, but in 2007 he published a book and revealed that he took EPO from 1995 to 1997.^[220]
- Pascal Hervé tested positive for EPO after the prologue in 2001 Giro d'Italia.
- Roland Meier from Switzerland tested positive for EPO at the end of la Flèche Wallonne on April 18. The Swiss Cycling Federation (SRB) stated that the B sample 'counter-evaluation' was carried out by the IUML (University Institute of Forensic medicine) in Lausanne and it confirmed the first analysis.^[221] He was suspended for 8 months by the SRB.^[222]
- Marco Pantani was banned for six months after an insulin syringe was found in his room at the Giro d'Italia. On appeal the ban was lifted.^{[223][224]}
- Piotr Przydział of Poland was excluded from the 2001 Peace Race after failing a hematocrit test prior to the event. He was one of three riders for the Polish CCC Mat team who received a two-week ban.^[218]
- Ondřej Sosenka of the Czech Republic was excluded from the 2001 Peace Race after failing a hematocrit test prior to the event. He was one of three riders for the Polish CCC Mat team who received a two-week ban.^{[218][225]}
- Tammy Thomas, US track cyclist, tested positive for a previously unseen steroid Norbolethone. She received a lifetime ban from the sport.^[211]

2001 Giro d'Italia - The Giro was overshadowed by a series of scandals related to doping. Police raided the hotels of several teams during the race, uncovering a variety of banned substances. Italian Dario Frigo, who was fighting for the race lead at the time, was expelled from the race as a result.^[226] The week prior

to the raid saw Pascal Hervé and Riccardo Forconi expelled from the race after testing positive for EPO. Italian police carried out anti-drugs raids on a number of hotels in the town of San Remo where the participants of the race were staying. About 200 officers were involved in the raid. Police officers search the rooms of riders from all 20 teams, confiscating medicines. The organizers decided to cancel the 18th stage after second-placed Dario Frigo was sacked by Fassa Bortolo team after illegal drugs were found in his room. Frigo later admitted carrying them as security in case he needed a boost during the final stages of the race. Italian Marco Pantani was banned for six months after an insulin syringe was found in his room. On appeal the ban was lifted.^[224]

2002

- Nicola Chesini was detained by Italian police as part of an investigation into the supply of performance-enhancing drugs during the 2002 Giro d'Italia. Chesini was taken from his hotel near Cuneo after the fifth stage of the Giro d'Italia.^[227]
- Stefano Garzelli, the 2000 Giro d'Italia winner, tested positive for the banned diuretic and masking agent probenecid, and was expelled from the Giro d'Italia. He was given a nine-month ban.^{[228][229]}
- Jef D'hont was a masseur to professional cycling teams. In 1998, he was involved in a major doping scandal during the Tour de France, namely the Festina affair. For his involvement in doping in the Française des Jeux team, he got a 9-month prison term on probation in December 2000. In April 2007, he exposed the doping practices of the Team Telekom in the 1990s, and admitted his own use of amphetamines in 1963.^{[230][231]}
- David McCann, from Northern Ireland, tested positive for the Norandrosterone in 2002 during the Tour of Austria, which returned a reading 3 nanograms above the permitted blood concentration of the substance. Laboratory tests showed the presence of a legal glutamine supplement he was using contained norandrosterone not listed on the label. This evidence led to him being given the minimum allowed six-month suspension and fined 2000 Swiss Francs.
- In 2002, Gianpaolo Mondini was sacked from US Postal after it was revealed that police found EPO and growth hormones in his hotel room during the 2001 Giro d'Italia. He admitted using illegal substances.^[232] The Italian National Olympic Committee (CONI) demanded suspension of up to four and a half years for possession and use of the drug EPO and possession of insulin.^[233]
- Lars Brian Nielsen tested positive for high levels of caffeine and was removed from the Danish National Team for the World Championships in Ballerup in September.^{[234][235]} It was the second time Nielsen has been caught relating to doping. In 1997, he was found to have taken nandrolone and was suspended for two years.^[235]
- Kirk O'Bee of the US tested positive for an elevated testosterone-epitestosterone ratio at the 2001 USPRO Championships in Philadelphia on 10 June 2001 and received a 1-year suspension.^[236] O'Bee declared that his positive drug test "resulted from a special training regimen recommended by his coach, which involved dietary supplements and exercise."^[237]
- Juan Pineda of the US tested positive for 19-norandrosterone and 19-noretiocholanolone at the First Union Invitational in Lancaster, Pennsylvania on 4 June 2002. He received a 2-year suspension on 25 September 2002 from the USADA.^{[238][239]}

- Piotr Przydzial from Poland (CCC-Polsat) tested "non-negative" for EPO, at the 55th Peace Race/Course de la Paix in the Czech Republic. He was tested after the fourth stage that finished in Chemnitz on 13 May 2002. Both Przydzial's A and B samples showed signs of EPO and he faced a two-year ban. Prior to the start of the 2001 Peace Race, Przydzial and Sosenka failed a hematocrit test (above 50%) and were not allowed to start.^[240]
- Raimondas Rumsas was given a four-month suspended prison sentence in January 2006 by the Bonneville court for the importation of prohibited doping substances during the 2002 Tour de France where he finished third. His wife Edita was given the same sentence with a 3,000 euros fine on identical charges, while Polish doctor Krzysztof Ficek was handed a 12-month suspended sentence for prescribing the drugs.^[241] Edita Rumsas was arrested and jailed for 3 months after French police discovered a cocktail of performance-enhancing drugs including growth hormone and EPO in her car. She had claimed that the drugs were for her mother-in-law.^{[242][243]}
- Stefan Rütimann of Switzerland was given a 4-year ban by the Swiss Olympic Committee (COS) after testing positive for testosterone on May 5 during the Tour de Romandie. Rütimann declined to have his B test analysed, and was given a heavy suspension as he had also tested positive for banned substances in May 2001, when he was suspended for seven months.^[244]
- Roberto Sgambelluri was expelled from the Giro d'Italia after becoming the first professional cyclist to be caught using NESP, a stronger and longer lasting form of EPO. However, NESP is not produced naturally by the body, and is therefore easy to detect by doping tests as it stays in the body for a long time.^[245]
- Gilberto Simoni, the 2001 Giro d'Italia winner, tested positive for cocaine and was withdrawn from the Giro d'Italia, but was later cleared by the Italian Cycling Federation.^[228]
- Frank Vandenbroucke was arrested after the Belgium state highway patrol intercepted Bernard Sainz for travelling in excess of the speed limit and found a large quantity of amphetamines and syringes in the car. Sainz, known in the cycling world as *Doctor Mabuse*, said he was leaving Frank Vandenbroucke's home, which led to the police searching the cyclist's residence, where they found EPO, morphine and clenbuterol.^[246] On 21 March Vandenbroucke was handed a six-month ban and a 10,000 Swiss francs fine by the Belgian federation.^{[247][248]}
- Faat Zakirov was expelled from the Giro d'Italia after becoming the first professional cyclist to be caught using NESP, a stronger and longer lasting form of EPO. However, NESP is not produced naturally by the body, and is therefore easy to detect by doping tests as it stays in the body for a long time.^{[249][250][251]} He received a one-year ban plus a one-year suspended ban from the Court of Arbitration for Sport (CAS), the International Cycling Union (UCI) announced on 17 April 2003.^[252]

2003

- Mario De Clercq of Belgium was implicated in a doping affair involving both trafficking and taking banned performance-enhancing drugs, human growth hormone and Aranesp, a genetically engineered recombinant EPO. The ring included six riders plus four others including the chief defendant, Belgian veterinarian Jose Landuyt. De Clercq used human growth hormone and Aranesp, a synthetic drug which increases red blood cell levels, which Museeuw obtained from

Landuyt. On 24 January 2007, Museeuw confessed to these charges.^[253] The court proceedings were adjourned until 23 September 2008, pending a ruling from the Constitutional Court on the point of law.^[254]

- Igor González de Galdeano of Spain missed the Tour de France because of a six-month doping ban imposed on him by France's Council for Prevention and Fight against Doping (CPLD) after testing positive for Salbutamol during the 2002 Tour de France, as well after the final stage of the 2002 Midi Libre.^{[255][256]} The UCI did not consider the Tour de France positive as a doping offense, and began a face-off with the World Anti-Doping Agency (WADA), which insisted the case was indeed one of doping. The UCI declared that there was no limit placed on the amount salbutamol used under prescription.^[257]
- Philippe Gaumont of France admitted during police interrogation to an ongoing pattern of EPO use that continued into the 2003 Tour de France.^[258] This was the end of a career in which in 1996 he tested positive for nandrolone in two races. In 1998 he tested positive twice for the nandrolone drug, but the case was dismissed. In 1999, a blood test conducted in the "Docteur Mabuse" justice case showed he was positive for amphetamines. In 2005 he wrote a book, *Prisonnier du dopage* ("Prisoner of doping") describing doping methods, masking methods and financial pressures.^[259]
- Geneviève Jeanson of Canada recorded a hematocrit level in excess of the allowable limit while with the Canadian National Team preparing for the World Championships in Hamilton, Ontario, in late 2003. She was required to withdraw from competition for two weeks. She explained the finding by reference to an oxygen tent which she used as part of her conditioning and training program. After years of denial, in an investigative documentary broadcast on Radio-Canada (the French-language CBC) on 20 September 2007, Jeanson acknowledged having taken EPO more or less continuously since age 16 (circa 1998).^{[260][261]}
- Jesús Manzano of Spain admitted doping during the 2003 season. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated that he was "Acquitted for legal reasons."^[262] He is famous as the whistleblower of systematic doping in Spanish cycling and his statements led the Guardia Civil to conduct the Operación Puerto investigation around the sport doctor Eufemiano Fuentes.
- Johan Museeuw of Belgium was implicated in a doping affair accusing him of both trafficking and taking banned performance-enhancing drugs. The ring included six riders (Mario De Clercq, Jo Planckaert and Chris Peers) plus four others including the chief defendant, Belgian veterinarian Jose Landuyt. Museeuw used human growth hormone which he obtained from Landuyt. The police recorded phone calls where Museeuw spoke of *wasps* (the Dutch word *wesp* rhymes with *aranesp*), a codeword for Aranesp, a synthetic drug which increases red blood cell levels. On 24 January 2007, Museeuw confessed to these charges.^[253] The court proceedings were adjourned until 23 September 2008, pending a ruling from the Constitutional Court on the point of law.^[254]
- Scott Moninger of the US was suspended for one year due to contaminated supplements which contained the banned substance - 19-norandrosterone. These supplements were bought off the shelf of the local Boulder, Colorado supplement store. It was later proven by lab results from the same batch of supplements that the banned substance was not labeled on the product container. Although Moninger was suspended, he is considered to be a clean rider by his peers.^{[263][264][265]}

- Amber Neben of the US tested positive for the banned substance 19-norandrosterone after the Montreal World Cup race. Neben chose to appeal the case to the Court of Arbitration for Sport and, in the meantime, accepted a provisional suspension which began in mid-July 2003. She claimed that it was the result of taking supplements which were contaminated with the banned substance. A formal hearing of the North American CAS Panel reported in October 2003, that a doping violation had occurred, but further stated that it was not an intentional doping violation. She was suspended for 6 months from any race activity dating back to the beginning of her voluntary withdrawal. In December 2007 Neben filed a lawsuit in a California district court against Hammer Nutrition, maker of Endurolytes, alleging that the product contained unlisted substances that caused all three plaintiffs to produce positive doping tests.^[266]
- Chris Peers was implicated in a doping affair involving both trafficking and taking banned performance-enhancing drugs, human growth hormone and Aranesp, a synthetic drug which increases red blood cell levels. The ring included six riders plus four others including the chief defendant, Belgian veterinarian Jose Landuyt. On 24 January 2007, Johan Museeuw confessed to the charges.^[253] The court proceedings were adjourned until 23 September 2008, pending a ruling from the Constitutional Court on the point of law.^[254]
- Jo Planckaert of Belgium was implicated in a doping affair involving both trafficking and taking banned performance-enhancing drugs, human growth hormone and Aranesp, a synthetic drug which increases red blood cell levels. The ring included six riders plus four others including the chief defendant, Belgian veterinarian Jose Landuyt. On 24 January 2007, Johan Museeuw confessed to the charges.^[253] The court proceedings were adjourned until 23 September 2008, pending a ruling from the Constitutional Court on the point of law.^[254]
- Mark Roland of Australia was suspended for 2 years by the Australian Sports Anti-Doping Authority (ASADA) in September 2008 for having used prohibited substances in 2003 and 2004, although he never tested positive. He was found to have used human growth hormone on two occasions in 2003 and the anabolic steroid DHEA twice in 2003 and once in 2004. The World Anti-Doping Agency applied an eight-year statute of limitations.^[267]
- Raimondas Rumšas of Lithuania received a one year ban after testing positive for EPO during the 2003 Giro d'Italia, in which he finished sixth overall.^[268]
- Adham Sbeih of the US, a former U.S. national time trial champion, tested positive in August 2003 for EPO. He was the first U.S. cyclist to be found guilty of taking EPO and he received a two-year ban.^[269]

Oil for Drugs was an Italian doping case against doctor Carlo Santucci and a number of accomplices, started in 2003. He was accused of administering prohibited doping products to professional and amateur athletes, to enhance their performance as well as being involved in doping network across Italy.^[270]

2004

- David Fuentes of the US tested positive for an anabolic steroid at the Redlands Bicycle Classic. He protested the USADA and controversially raced, and won, during this protest period. He was ultimately found guilty and sentenced to a two-year suspension that included the year of protest in which he raced and won. He was never ordered to return any of his winnings.

- Lizandro Ajcú of Guatemala tested positive for Erythropoietin in the 46th Vuelta a Guatemala in 2005.^[271]
- Joey D'Antoni, received a 2-year suspension on 24 September from the United States Antidoping Agency. The track racer from Raleigh, North Carolina, tested positive for recombinant human Erythropoietin (rHuEPO)^[269]
- Christophe Brandt of Belgian tested positive for methadone during the Tour de France. He believed the test was a result of a tainted nutritional supplement that he had taken to cure a liver problem. The chemist who had prepared Brandt's prescription confirmed he had been working with methadone on the same day that he had prepared Brandt's prescription. His Lotto team fired him, but after he was exonerated by the Belgian Cycling Federation he was rehired.
- Dave Bruylandts of Belgium tested positive for EPO use in 2004 and was banned for 18 months.^{[272][273]}
- David Calanche of Guatemala tested positive for Erythropoietin in the 46th Vuelta a Guatemala in October 2004.^[271]
- María Luisa Calle of Colombia lost her bronze medal after testing positive for heptaminol. The Colombian Olympic Committee appealed the decision, and in November 2005 she got her medal back.
- Oscar Camenzind of Switzerland tested positive on 22 July for the banned drug EPO and was barred from attending the Olympic Games. Although he accepted full responsibility for the positive test, his cycling career became questionable after being fired by his Swiss professional cycling team Phonak. Soon after this occurrence, he announced his retirement from professional cycling.^{[274][275]}
- Stefano Casagrande and Martin Hvastija were asked to leave the 2004 Tour de France after race organisers received a letter from Padova's financial brigade, saying the riders were under investigation in Italy on doping charges.^[276]
- Yeisson Delgado of Venezuela tested positive for Erythropoietin in the 46th Vuelta a Guatemala in October 2004.^[271]
- Carlos López González of Mexico tested positive for Erythropoietin in the 46th Vuelta a Guatemala in October 2004.^[271]
- Abel Jocholá of Guatemala tested positive for Erythropoietin in the 46th Vuelta a Guatemala in October 2004.^[271]
- Danilo Di Luca was not eligible to participate in the Tour de France as he was under investigation by Italian officials for doping. Di Luca was recorded in several phone conversations with Eddy Mazzoleni in which he allegedly talked about doping products, the investigation led to Di Luca's non-participation in the 2004 Tour de France.^{[277][278]}
- Tyler Hamilton won the gold medal in the men's individual time trial at the 2004 Summer Olympics in Athens. That medal was placed in doubt on 20 September 2004, after it was revealed that he had failed a test for blood doping (receiving blood transfusions to boost performance) at the Olympics.

Two days after the announcement of his positive test result at Athens, the IOC announced that Hamilton would keep his gold medal because results could not be obtained from the second, backup sample. The Athens lab had frozen the backup sample, which made it impossible to repeat the blood doping test.^[279] Hamilton also tested positive for blood doping at the 2004 Vuelta a España, where he won April 8 stage. In April 2005 he was banned for 2 years for blood doping.^[280] The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated that for Homologous Blood Transfusion he would be sanctioned to "disqualification and ineligibility for 2 years".^[281]

- Jesus Manzano of Spain exposed doping practices in a series of articles in the Spanish newspaper *Diario AS* in March 2004. This included his use of EPO, Cortisone, Testosterone, Human Growth Hormone, Nandrolone, Oxyglobin, and the extreme practices to administer them.^[282] The revelations were so strong that Spanish investigations were begun, and these in turn lead to Operación Puerto.
- Filip Meirhaeghe the Belgian Mountain biker, tested positive for EPO at an out of competition control on June 25, two days before round 5 of the mountain bike World Cup in Mont St Anne, Canada, which he won. The 33-year-old World Champion told the Belga newsagency that he will stop competitive cycling immediately.^[283]
- Noel Armando Vazquez Mendoza of Venezuela tested positive for Erythropoietin and Nicethamide in the 46th Vuelta a Guatemala in October 2004.^[271] In July 2005 he was sanctioned by the Federacion Venezolana De Ciclismo, involving a four-year suspension from 10 November 2004 to 9 November 2008, disqualification of the race, and a fine of CHF 1,000.^[284]
- David Millar of Great Britain was preparing for competition in the 2004 Tour de France and track events at the 2004 Summer Olympics when police searched his house in June 2004, finding used Epogen syringes. Millar confessed to the use of EPO on three occasions: in August 2001 before the Vuelta a España, in May 2003 before the Critérium du Dauphiné Libéré and in September 2003 before the World men's individual time trial championships. He was handed a two-year suspension.^[285]
- Janet Puiggros Miranda of Spain became the second Spanish athlete to commit a doping offence at the Olympics after also testing positive for EPO during a pre-Olympic test. Like Gonzalez, she was withdrawn from competing (in the Women's Cross-Country race). She also denied the administration of a "B Test", which is used to verify the first drug test.
- Federico Muñoz of Colombia tested positive for Erythropoietin in the 46th Vuelta a Guatemala in October 2004.^[271]
- José Reynaldo Murillo of Spain tested positive for Erythropoietin in the 46th Vuelta a Guatemala in October 2004.^[271]
- Santiago Pérez of Phonak team tested positive for a blood transfusion on 5 October, just over a week after he finished second in the 2004 Vuelta a España.^[286]
- Nery Velásquez of Guatamalla tested positive for Erythropoietin in the 46th Vuelta a Guatemala in October 2004.^[271]

- ~~Jeremy Yates of New Zealand who spent two years racing for Belgian teams, tested positive for high levels of testosterone after a race in Wanzele in March. The Belgian cycling federation banned him for two years plus a fine of \$NZ900 plus costs.~~^[287]

2005

- Erwin Bakker of the Netherlands tested positive for Testosterone at Mont Sainte-Anne, Canada, on 26 March 2005, and for EPO on 23 June 2005 at an out of competition control. He was disqualified and sacked by his team, Heijdens-Ten Tusscher.^[288] The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated both "disqualification and ineligibility for 2 years and life" respectively.^[281]
- Roberto Ballesterio of Costa Rica tested positive for Phentermine on 23 December 2005. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification and ineligibility for 2 years".^[281]
- Marc Lotz of The Netherlands resigned at Quick-Step - Innergetic on 1 June when EPO was found in his house and he admitted using. The team accepted his resignation and he was suspended for two years in general and for four years for the UCI Pro-Tour. On October 3, 2008 the Belgium court gave him a 16,500 Euro fine for possession of EPO.
- Ludovic Capelle tested positive for EPO at a race on 7 June. He was initially suspended for 18 months by Belgian Cycling Federation but Capelle appealed his ban on a technicality. In the middle of December the Belgian Council of State overturned the suspension and Capelle was cleared on a procedural error of a testing officer.^[289]
- Maurizio Carta of Poland tested positive for Clostebol on 24 September 2005. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification and ineligibility for 2 years".^[281]
- ~~Ferney Orlando Bello Glavijo of Colombia tested positive for Stanazolol on 9 August 2005. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification and ineligibility for life".~~^[281]
- Barry Forde of Barbados tested positive for Testosterone on 28 October 2005. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification and ineligibility for 2 years and 2 months".^[281]
- Evgeni Petrov was ejected from the 2005 Tour de France on stage 10. Tests carried out in the morning found his haemetocrit to be over the legal 50% level. He was banned from cycling for two weeks 'for health reasons'.^[290]
- Dario Frigo, was ejected from the 2005 Tour de France before the start of stage 11. Police found ten doses of EPO in his wife's car as part of a border-crossing search. The couple were arrested for carrying prohibited substances.^[291] In September 2008 the court in Albertville gave him and his wife, Susanna, a six-month suspended prison sentence and an €8757 fine.^[292]
- Fabrizio Guidi tested positive for EPO on 17 August. The test was taken at the HEW Cycclassics on

31 July.^[293] Guidi's B test came back negative for EPO and the team's temporary suspension against him was lifted.^[294]

- Fredy Hamlet of France tested positive for Heptaminol on 16 July 2005. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification and ineligibility for 1 year".^[281]
- Nelito Hereida of the Dominican Republic tested positive for EPO on 17 September 2005. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification and ineligibility for life".^[281]
- Roberto Heras, the winner of an unprecedented fourth Vuelta a España, tested positive for EPO prior to the penultimate stage of the 2005 Vuelta a España.^[295] He was stripped of his 2005 Vuelta win and the victory was given to Russian Denis Menchov. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification and ineligibility for 2 years".^[281]
- Danilo Hondo of Germany tested positive for the stimulant Carphedone at the Vuelta de Murcia and subsequently received a 2-year suspension.^[296]
- Giorgio Landaeta of Venezuela tested positive for Norandrosterone and Noreticholanolone on 30 August 2005. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification and ineligibility for 2 years".^[281]
- Iñigo Landa, made his breakthrough by winning the 2005 Critérium du Dauphiné Libéré, but it was soon announced he had tested positive for abnormally high testosterone and was suspended from racing until his case was heard out. In 2006, however, he was cleared to return to racing after he showed that the lab conducting tests committed procedural errors. The UCI then failed to show that those errors did not affect the outcome of the tests. The CAS panel reviewing the case said that it was "probable" that Landa had committed a doping violation, but the UCI had failed to meet its burden of proof in the case. New revisions to the WADA Code would suggest that Landa would have lost his case under the new rules.^[297] The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' states 'Acquitted for legal reasons'.^[281]
- Jenaro Ramos Lozano of Spain tested positive for Stanozolol on 8 April 2005. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification and ineligibility for 2 years".^[281]
- Gabriel Pop of Romania "Failed to Comply" with test procedures on 22 April 2005. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "ineligibility for 2 years".^[281]
- Jorge Coto Riviera of Costa Rica tested positive for testosterone on 23 December 2005. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification and ineligibility for 2 years".^[281]
- Sandro Rodríguez of Bolivia tested positive for Norandrosterone on 10 November 2005. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "ineligibility for life".^[281]

- Francisco Pérez Sanchez tested positive twice for EPO during the 2003 Tour de Romandie when he won two stages and took the overall lead in spectacular fashion race. He was suspended for 18 months from 18 October 2003 to 17 April 2005.^[298]
- Zinaida Stahurskaya, the former world champion from Belarus tested positive at three European races in 2005, - once to anabolic steroid stanozolol and twice to hormone testosterone. In 2006 she was banned for 2 years. It was not her first positive test for doping substances, nor her first suspension: At the Giro d'Italia Femminile in 2001, she returned a positive test for a diuretic, and at the Circuito di Massarosa in 2003, for ephedrine. She was out of competition for four and two months respectively.^[299]

2006

- Wilmer Bravo of Venezuela tested positive for Prednisolone and Prednisone on 9 January 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification and ineligibility for 4 months".^[281]
 - Garcia Quesada Adolfo of Spain tested positive for Human chorionic gonadotropin (hCG) in competition on 19 May 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 2 years."^[262]
 - Stephen Alfred of the US, tested positive for Human chorionic gonadotropin (hCG) in an 'out of season' test on 26 March, and an 'in competition' test on 10 June 2006. Further tests indicated that his testosterone imbalance resulted from the presence of exogenous testosterone. He was suspended for 8 years by the USADA.^[300] The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 8 years."^[262]
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- Victor Hernandez Baeta of Spain tested positive for EPO in an 'out of competition' test on 4 July 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 2 years."^[262]
 - Ivan Basso was expelled from the Tour de France in the week prior to its commencement due to his involvement in the Operación Puerto doping case^[301] On 30 April 2007 Team Discovery Channel announced that Basso would be released from his contract on Basso's request.^[302] While still claiming to never have actually engaged in blood doping, Basso admitted contacting Dr. Fuentes' clinic with the intention to engage in blood doping.^[303] On 15 June 2007, Basso received a two-year ban.
 - Pawal Bentkowski of Poland tested positive for Norandrosterone on 25 July 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification and ineligibility for 2 years".^[281]
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- Jaime Bretti of Chile tested positive for Phentermine in competition on 4 May 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 2 years."^[262]
 - Santos Gonzalez Capilla of Spain tested positive for Triamcinolone acetonide on 4 March 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification,

warning and reprimand".^[281]

- Jose Balague Carvajal of Chile tested positive for Ephedrine 'in competition' on 11 May 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 2 years."^[262]
- Erick Castano of Ecuador tested positive for Metelonone on 14 May 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification and ineligibility for 2 years".^[281]
- Luis Coehlo of Portugal tested positive for Norandrosterone, Clenbuterol, and hCG in competition on 15 July 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and Ineligibility for 1 year".^[262]
- Juan Cotumba of Bolivia tested positive for Benzoyllecgonine, methylecgonine, and cocaine metabolites on 11 May 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification and ineligibility for 2 years".^[281]
- Jhon Cunto of Peru tested positive for Norandrosterone in competition on November 9, 2006. he UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 2 years."^[262]
- Kamil Dominian of Poland tested positive for Stanozolol on May 20, 2006. The 'Union Cycliste Internationale' (UCI) summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification and ineligibility for 2 years".^[281]
- David Garbelli of Italy tested positive for Triamcinolone acetonide and salbutamol on 9 June 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated "disqualification and warning".^[281]
- Christoph Girschweiler of Switzerland tested positive for Salbutamol and salmeterol in competition on 21 July 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and warning".^[262]
- Aitor González, the winner of the 2002 Vuelta a España, tested positive twice in 2005, first during an out of competition test in August, and again during the 2005 Vuelta a España for a methyltestosterone metabolite. González claimed that the positive test was the result of a contaminated dietary supplement called *Animal Pack* prescribed by a doctor.^[304] González was handed a two-year ban and retired soon afterwards. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' listed 17 alpha methyl, 5 beta androstane, 3 alpha 17 beta dio and a 2-year ban^[281]
- Oscar Grau of Spain tested positive for Finasteride. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' states "disqualification and ineligibility for 2 years".^[281]
- Jon Pena Hernaez of Spain tested positive for Phentermine in competition on 1 August 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 2 years."^[262]

- Christina Alcade Huertanos from Spain was disqualified for 2 years. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' listed Triamcinolone acetonide and a 2-year ban^[281]
- Jörg Jaksche was one of the 9 riders held out of the 2006 Tour de France after being identified by investigators in the Operación Puerto investigation. On 30 June 2007 Jaksche admitted he was guilty of blood doping and that he was the *Bella* mentioned in the documents confiscated from Fuentes' clinic.^{[305][306]}
- Valdimir Koev of Bulgaria tested positive for Stanozolol on 18 June 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' states "disqualification and ineligibility for 2 years".^[281]
- Rafal Kumorowski of Poland tested positive for Cannabis in competition on 4 August 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and warning".^[262]
- Floyd Landis was fired from the Phonak team on 5 August 2006, after a test result indicated an abnormally high testosterone/epitestosterone ratio^[307] after stage 17 of the 2006 Tour de France. On 20 September 2007, he was stripped of his title as winner of the 2006 Tour and placed under a two-year ban from professional racing, following an arbitration panel's 2 to 1 ruling. He appealed the result of the arbitration hearing to the Court of Arbitration for Sport, which subsequently upheld the panel's ruling. He remained suspended until 30 January 2009.
- Maxime Lefebvre of France 'Failed to Comply' with the 'in competition' testing on 29 December 2006 and 2 January 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' states "disqualification and ineligibility for life".^[262]
- Christian Luce of France. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' listed Testosterone and a 3-year ban^[281]
- Joseph M. Papp of the US tested positive for metabolites of testosterone or its precursors (6 α -OH-androstenedione 6 α -OH-androsterone) on 7 May 2006, at the International 42nd Presidential Cycling Tour of Turkey. He received a 2-year suspension. When he testified for the U.S. Anti-Doping Agency (USADA) at the Floyd Landis trial he also stated that he had graduated to testosterone after starting on EPO (erythropoietin) in 2001.^[308]
- ~~Fernando Luis Portal of Brazil tested positive for Phenylethylamine and Stanozolol on 22 March 2006~~
The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' states "disqualification and ineligibility for life".^[281]
- Aitor Osa from Spain was involved in the Operación Puerto doping case. The Guardia Civil in Madrid linked numbers used by Dr. Fuentes to identify blood sample bags to names; number 1 to Ullrich, number 2 to Basso, number 4 to Botero, number 5 to Sevilla, number 7 to Aitor's brother, Unai Osa, number 8 to Aitor Osa himself.^[309]
- Unai Osa from Spain was involved in the Operación Puerto doping case. The Guardia Civil in Madrid linked numbers used by Dr. Fuentes to identify blood sample bags to names; number 1 to Ullrich, number 2 to Basso, number 4 to Botero, number 5 to Sevilla, number 7 to Unai Osa himself,

and number 8 to his brother Aitor Osa.^[309]

- C  n  ric Racault of France tested positive for Prednisolone and Prednisone. IThe UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' states "disqualification and ineligibility for 18 months".^[281]
- Ilaria Rinaldi of Italy tested positive for Testosterone in competition on 18 July 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 2 years."^[262]
- Jose Antonio Pastor Roldan of Spain tested positive for Terbutaline on 19 June 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated that he was sanctioned by 'disqualification and a warning'.^[281]
- Alexandre Sabalin of Moldavia tested positive for Strychnine on 26 May 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated that he was sanctioned by 'disqualification and Ineligibility for 1 year'.^[281]
- Michele Scarponi was implicated in the Operaci  n Puerto case. On 8 May 2007, Scarponi confessed his role in the case.^[310] On 15 May, Scarponi was provisionally suspended.^[311]
- Ger Soeperberg of the Netherlands tested positive for Salbutamol on 2 July 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' stated that he was sanctioned by 'disqualification and warning'.^[281]
- Alvaro Tardaguila from Uruguay tested positive for r-EPO in February 2006, and received a 2-year ban.^[312]
- Fernando Torres of Spain tested positive for Ephedrine in competition on 8 July 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 2 years - (under appeal by rider)."^[262]
- Matteo Trentin of Italy tested positive for Salbutamol 'in competition' on 26 December 2007. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 2 years."^[262]
- Jan Ullrich was expelled from the Tour de France in the week prior to its commencement due to his involvement in the Operaci  n Puerto doping case.^[301]
- Sascha Urweider was suspended by Team Phonak after a positive A-test for testosterone. Urweider blamed a nutritional supplement he bought without team doctors advise.^[313]
- ~~Tristan Valentin of France tested positive for Heptaminol on 6 June 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' states "disqualification and ineligibility for 6 months".^[281]~~
- Jordi Reira Valls of Spain tested positive for Stanozolol and hCG on 16 May 2006. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2006' states "disqualification and ineligibility for 2 years".^[281]

2006 Tour de France was marred by doping scandals. Prior to the tour, numerous riders - including the two favourites Jan Ullrich and Ivan Basso - were expelled from the Tour due to their link with the ~~Operación Puerto doping case. After the end of the race, the apparent winner Floyd Landis was found to~~ have failed a drug test after stage 17; Landis contested the result and demanded arbitration. On 20 September 2007 Landis was found guilty and suspended retroactive to 30 January 2007 and stripped of the 2006 Tour de France title making Óscar Pereiro the title holder.^[314]

Operación Puerto doping case (meaning *Operation Mountain Pass*)^[301] is a Spanish doping case against doctor Eufemiano Fuentes and a number of accomplices, started in May 2006. He is accused of administering prohibited doping products to 200 professional athletes, to enhance their performance. Tour de France's favorites Jan Ullrich and Ivan Basso were expelled from the Tour de France before the race started.

2007

Positive doping tests

Date	Cyclist	Banned substance	Reference
4 March	 Giuseppe Muraglia (ITA)	hCG	[2] (http://autobus.cyclingnews.com/news.php?id=news/2007/jun07/jun11news2)
24 April	 Aketza Peña (ESP)	Nandrolone	[3] (http://autobus.cyclingnews.com/news.php?id=news/2007/may07/may30news)
8 June	 Patrik Sinkewitz (GER)	Testosterone	[4] (http://www.velonews.com/article/12808)
19 July	 Christian Moreni (ITA)	Testosterone	[5] (http://autobus.cyclingnews.com/road/2007/tour07/news/?id=/news/2007/jul07/jul25news5)
21 July	 Alexander Vinokourov (KAZ)	Homologous transfusion	[6] (http://www.velonews.com/article/12910)
24 July	 Iban Mayo (ESP)	EPO	[7] (http://autobus.cyclingnews.com/news.php?id=news/2007/jul07/jul31news)
1 August	 Andrey Kashechkin (KAZ)	Homologous transfusion	[8] (http://www.velonews.com/article/13063)
24 December	 Thomas Dekker (NED)	EPO	[9] (http://www.tour09.nl/nederlanders/672/dekker-betrapt-op-gebruik-epo.html)

Doping cases

- Ivan Basso of Italy was suspended by Discovery Channel on 24 April when the Italian National Olympic Committee (CONI) reopened his case on behalf of his involvement in the Operación Puerto doping case. On 30 April 2007 Team Discovery Channel announced that Basso would be released from his contract on Basso's request.^[302] While still claiming to never have actually engaged in blood doping, Basso admitted contacting Dr. Fuentes' clinic with the intention to engage

in blood doping.^[303] On 15 June 2007, Basso received a two-year ban. The time he had already spent under team suspension whilst riding for CSC and temporary suspension since leaving Discovery were taken into consideration which meant his ban would end on 24 October 2008.^[315]

- Lorenzo Bernucci (Leonardo) of Italy tested positive for Sibutramine on 15 August and was fired from T-Mobile in September 2007. He purchased it over the counter at a pharmacy in Italy to help keep his weight under control and said he had been taking it for four years, unaware it had been ~~added to the list of banned substances~~^[316] The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 1 year."^[262]
- Danilo Di Luca of Italy was revealed to have had unspecified low hormone levels in urine tests during the 2007 Giro d'Italia. Italian authorities investigated whether this was a natural consequence of racing at a high level for three weeks, or some kind of masking agent.^[317] On 28 September, Di Luca withdrew from the UCI Road World Championships calling his treatment "a scandal" after he had been accused of doping allegations.^[318] Di Luca was leading the 2007 UCI ProTour when he was suspended from the competition before the final race, the Giro di Lombardia, due to alleged involvement in the Oil for Drugs doping case, for which he received a three-month suspension through the close season.^[319]
- Marco Fertonani of Italy tested positive for using testosterone during the 2007 Tour Méditerranéen and was immediately suspended by the Caisse d'Epargne team. He is contesting the case, citing errors in the testing procedure at the laboratory.^{[320][321]} The UCI summary of 'Decisions on ~~Anti-Doping Rule Violations made in 2007~~' stated "~~disqualification and ineligibility for 2 years~~".^[262]
- Alesandro Fatato of Italy "Failed to Comply" with the testing procedures in competition on 14 January 2007. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 1 year."^[262]
- Franklin Gomes de Almeida of Brazil tested positive for Stanozolol 'in competition' on 12 April 2007. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 2 years."^[262]
- Serhiy Honchar of the Ukraine was sidelined from T-Mobile Team's 2007 Giro d'Italia squad after a blood test showed *abnormalities* in blood tests conducted during Liège–Bastogne–Liège and the Tour of Romandie.^[322] Its contract was later terminated *for violations of the Team Code of Conduct*.^[323]
- ~~Mathias Kessler of Germany was suspended by Astana on 27 June 2007, for failing a drug test for testosterone taken in Charleroi in April 2007.~~^[324] He was then fired on 13 July.^[325]
- Christian Moreni of Italy tested positive for Testosterone 'in competition' on July 19, 2007. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 2 years."^{[262][326]}
- Giuseppe Muraglia of Italy tested positive for hCG after winning the 2007 edition of Clásica de Almería on 4 March 2007.^[327] The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 2 years."^[262] He was also sacked from

his team, Acqua & Sapone.^[328]

- Magno Prado Navaret of Brazil tested positive for Sibutramine 'in competition' on 27 April 2007. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 8 months."^[262]
- Nathan O'Neill of Australia. On 6 November 2007 his contract with the Health Net Pro Cycling Team was terminated after a positive test for the appetite suppressant drug phentermine^[329] O'Neill had a prescription for Phentermine, which meant his possession of it was legal, but its use failed to meet the guidelines of the UCI/WADA code and that set out by the team's medical director.^[330]
- Leonardo Piepoli of Italy tested positive for Salbutamol (>1000 ng/ml) on both 22 and 30 May 2007. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "Acquitted due to medical reasons."^[262]
- Aketza Peña of Spain and the Euskaltel-Euskadi team tested positive for the anabolic steroid nandrolone on 30 May 2007. The sample was taken after stage one of the Giro del Trentino on 24 April and was announced during the 2007 Giro d'Italia.^[331] The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 2 years"^[262]
- Alessandro Petacchi of Italy tested positive for Salbutamol (>1000 ng/ml) 'in competition' on 23 May 2007. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "Acquitted due to medical reasons. (under appeal by NADO and World Anti Doping Agency (WADA))."^{[262][332][333]}
- Juan Carlos Rojas Villegas of Costa Rica tested positive for Phentermine 'in competition' on 4 May 2007. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 2 years".^[262]
- José Antonio Pecharroman Fabian from Spain tested positive for Finasteride 'in competition' on 26 August 2007. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 2 years"^[262]
- Svetlana Semchouk of the Ukraine tested positive for Cannabis 'in competition' on 27 September 2007. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and warning".^[262]
- Patrick Sinkewitz of Germany tested positive for testosterone at the Tour de France 2007. Sinkewitz failed to start Stage 9 after colliding with a spectator the previous day.^[334] On 18 July 2007, Sinkewitz "A" blood sample tested positive for using testosterone/doping and was on the same day suspended by his team T-Mobile. On 31 July 2007, Sinkewitz was fired by the T-Mobile team after he declined to have his "B" blood sample tested.^[335] He also admitted to having used Testogel, a topically applied testosterone ointment.^[335] On 3 November, he admitted using banned EPO and blood transfusions in the past.^[336]
- Marcin Sobiepanek of Poland tested positive for Norandrosterone 'in competition' on 21 October 2007. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 2 years".^[262]

- Alexandre Vinokourov of Kazakhstan tested positive for Homologous Blood Transfusion 'in competition' on 21 July 2007. The UCI summary of 'Decisions on Anti-Doping Rule Violations made in 2007' stated "disqualification and ineligibility for 1 year. (under appeal by UCI)".^[262]^[337]
- On December 20, Iban Mayo's B sample result was confirmed as positive for EPO by the LNDD. On the same day, Björn Leukemans' B sample result was confirmed as being positive for artificial testosterone. Mayo was suspended for two years and never returned to cycling, Leukemans was suspended for the 2008 season.^[338]

2007 Tour de France - The event was affected by a series of scandals and speculations related to doping. By the end of the Tour, two cyclists were dismissed for testing positive, the wearer of the yellow jersey, Michael Rasmussen was voluntarily retired by his team for lying about his whereabouts and missing doping tests. A fourth rider was confirmed to having used doping while in a training session prior to the 2007 Tour and a fifth rider tested positive late in the race, with his result being officially announced just after the end of the Tour. Along the way, two teams contesting the competition were asked to withdraw due to positive tests of at least one member.

2008

Positive doping tests

Date	Cyclist	Banned substance	Reference
3 March	 Patxi Vila (ESP)	Testosterone	[10] (http://autobus.cyclingnews.com/news.php?id=news/2008/may08/may06news2)
11 April	 Maximiliano Richeze (ARG)	Stanozolol (steroid)	[11] (http://autobus.cyclingnews.com/news.php?id=news/2008/may08/may10news)
28 June	 Giovanni Carini (ITA)	EPO	[12] (http://autobus.cyclingnews.com/news.php?id=news/2008/aug08/aug01news)
29 June	 Paolo Bossoni (ITA)	EPO	[13] (http://autobus.cyclingnews.com/news.php?id=news/2008/aug08/aug01news)
5 July	 Manuel Beltrán (ESP)	EPO	[14] (http://news.bbc.co.uk/sport2/hi/other_sports/cycling/7502763.stm)
8 July	 Moisés Dueñas (ESP)	EPO	[15] (http://www.iol.co.za/index.php?set_id=6&click_id=185&art_id=nw20080719130626460C437381)
8 July	 Riccardo Riccò (ITA)	MIRCERA	[16] (http://www.nytimes.com/2008/07/18/sports/sportsspecial1/18tour.html?ref=sports)
23 July	 Emanuele Sella (ITA)	MIRCERA	[17] (http://autobus.cyclingnews.com/news.php?id=news/2008/aug08/aug06news)
24 July	 Dmitry Fofonov (KAZ)	heptaminol	[18] (http://news.bbc.co.uk/sport2/hi/other_sports/cycling/7527891.stm)
31 July	 Maria Moreno (ESP)	EPO	The Daily Telegraph, Spanish cyclist Maria Moreno fails drugs test at Beijing Olympics (http://www.telegraph.co.uk/sport/othersports/olympics/2537928/Spanish-cyclist-Maria-Moreno-fails-drugs-test---Beijing-Olympics-2008.html)
7 October	 Leonardo Piepoli (ITA)	MIRCERA	[19] (http://autobus.cyclingnews.com/news.php?id=news/2008/oct08/oct07news)
7 October	 Stefan Schumacher (GER)	MIRCERA	[20] (http://autobus.cyclingnews.com/news.php?id=news/2008/oct08/oct07news)
12 October	 Bernhard Kohl (AUT)	MIRCERA	[21] (http://autobus.cyclingnews.com/news.php?id=news/2008/oct08/oct13news4)

Doping cases

- Igor Astarloa had his contract terminated in May 2008 by Team Milram following disclosures that he had shown *irregular blood values*.^[339]
- Manuel Beltrán tested positive for EPO after the first stage of the Tour de France. The news broke on 11 July 2008. Blood abnormalities before the Tour start had led French anti-doping agency AFLD to target the rider. Beltrán's team Liquigas withdrew him from the tour with immediate effect. French police questioned Beltrán over possible offences, and searched his hotel room. The B-Sample has not yet been tested.^[340]^[*citation needed*]

- Tom Boonen tested positive for cocaine in a test on 26 May 2008. Since this was outside competition he did not face sanctions by the UCI or WADA but was barred from the 2008 Tour de France.^{[341][342]}
- Paolo Bossoni tested positive for EPO after placing sixth at the Italian National Road Race Championships.^[343]
- Giovanni Carini tested positive for EPO after winning the Elite without contract category at the Italian Championships in Boltiere.^[343]
- Moisés Dueñas was withdrawn from the Barloworld team before the 11th stage of the Tour de France on 16 July. The official statement from ASO stated that he had tested positive for EPO at the end of the time trial fourth stage.^[344] The Barloworld team announced two days later that they were withdrawing from sponsorship after the 2008 Tour de France.^[345]
- Danilo Di Luca's appeal was rejected by the Court of Arbitration for Sport (CAS). He had sought to reverse a three-month ban he served for his involvement in the Oil for Drugs doping case. The CAS also rejected the appeal by the Italian National Olympic Committee (CONI), which sought to increase the ban to two years.^[346]
- Dmitry Fofonov tested positive for the banned stimulant heptaminol after the 18th stage of the 2008 Tour de France. Fofonov had completed the race in nineteenth place, and was fired by Crédit Agricole after the team was made aware of the positive test.^[347]
- Vladimir Gusev was fired from the Astana Team as a result of *irregular values* detected by its internal anti-doping program run by Doctor Rasmus Damsgaard.^[348] However, on June 15, 2009 the Court of Arbitration for Sport decided in Gusev's favor, declared that Astana was wrong in the firing, and ordered that they compensate Gusev for back-pay, legal costs, and damages.^[349]
- Floyd Landis lost his final appeal to the Court of Arbitration for Sport. It was concluded from the evidence presented that the *presence of exogenous testosterone or its precursors or metabolites in Floyd Landis' sample proved that he violated the anti-doping rules of the UCI*. Landis served a full two-year suspension that is back-dated to 30 January 2007. Additionally, Landis was ordered to pay \$100,000 in costs to the USADA.^[350]
- Eddy Mazzoleni was handed a two-year ban in April 2008 by the Italian Cycling Federation (FCI) for his involvement in the Oil for Drugs affair. The FCI also banned 28 year-old former Ceramica Flaminia rider Domenico Quagliariello for life for his involvement in the same affair.^[351]
- Maria Moreno of Spain tested positive for EPO at the Beijing Olympics on 31 July. She left China on the day of the test, before the results were published, and reports in Spain claimed an 'anxiety attack'. IOC communications director Giselle Davies said: "She was tested in the Village and she had already left China that evening before having had the result. The test has come back positive for EPO. The disciplinary commission has ruled that she should be excluded from the Games and have her accreditation withdrawn." The IOC passed the case to the UCI for follow-up.^[352]
- Alessandro Petacchi was suspended for one year by the Court of Arbitration for Sport (CAS) for having tested positive for an asthma medication during the 2007 Giro d'Italia.^[353]

- The Portuguese cycling team LA-MSS had its headquarters searched by police where illegal products were discovered, such as doping substances, medications, equipment to conduct blood transfusions and instruments for clinical use.^[354] In June 2008, the Portuguese Cycling Federation (UVP/FCP) suspended nine members of the team temporarily pending the outcome of the investigation; five of which were riders and four were team staff.^[355]
- Michael Rasmussen was handed a two-year suspension by the Monaco cycling federation for missed controls before the 2007 Tour de France.^[356]
- Riccardo Riccò was kicked out of the 2008 Tour de France on 17 July 2008, after reports that a urine sample tested positive for MIRCERA, a new type of EPO, at the end of stage 4.^{[357][358]} There had not previously been any public acknowledgment that a test for the new drug was being administered, or had even been developed yet. The Tour de France testing was done under the auspices of the French Cycling Federation and the French Anti-Doping Agency, *not* the Union Cycliste Internationale.^{[359][360]}
- Leonardo Piepoli, winner of stage 10 of the 2008 Tour de France, was sacked by his team for "violation of the team's ethics code" the following day, though no positive test had been reported by that date.^[361] He confessed to his team manager that he had used MIRCERA, a new 'third generation' type of EPO, the same drug used by his team-mate Riccardo Riccò.^[362] On 7 October it was reported that Piepoli had tested positive for Continuous Erythropoiesis Receptor Activator on 4 July and 15 July.^[363]
- Maximiliano Richeze tested positive for a steroid named stanazol before the start of the 2008 Giro d'Italia, which resulted in his expulsion from the race, but later the case was dismissed by the Argentinian federation since it was proven Richeze was not to blame.^[364]
- Emanuele Sella tested positive for CERA, the third generation EPO, in an out of competition control performed on 23 July 2008. UCI President Pat McQuaid noted that Sella had been targeted based on his actions in and out of racing. At the 2008 Giro d'Italia, Sella had won the mountains classification and three stages.^[365]
- Ondřej Sosenka of the Czech Republic, who broke the UCI hour record in 2005, tested positive for the banned stimulant methamphetamine and its metabolites during his national time trial championships in June 2008. He faced a suspension and did not come back to professional racing.^[366]
- During the Vuelta a Colombia six riders returned positive doping controls. It was not revealed which substance caused the findings for Rafael Montiel, Juan Guillermo Castro, Camilo Gomez, Carlos Ospina Hernandez, Hernán Buenahora and Giovanni Barriga.^[367]
- In May 2008 the UCI revealed that 23 riders were under suspicion of doping following the first phase of blood tests conducted under the new biological passport established at the start of the season.^[368] A biological passport is an individual, electronic record for each rider, in which the results of all doping tests over a period of time are collated. Doping violations can be detected by noting variances from an athlete's established levels outside permissible limits, rather than testing for and identifying illegal substances.^[369]

2009

- On 11 February, the Italian National Olympic Committee matched DNA samples taken from Alejandro Valverde during a rest day in Italy of the 2008 Tour de France to blood seized in the Operación Puerto investigation.^[370] At a February 2009 appearance in front of the Olympic Committee, Valverde maintained his innocence and questioned the Italians' jurisdiction over this case. In May 2009, the Italian Olympic Committee suspended him from competition in Italy for 2 years, effectively barring him from the 2009 Tour de France, which detoured briefly onto Italian soil.^[371]
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- On April 17, it was announced Tyler Hamilton tested positive for banned steroid Dehydroepiandrosterone (DHEA) after an out-of-competition control in early February. He faces a lifelong ban, and decided to retire with immediate effect.^[372]
 - On April 29, it was announced former teammates Davide Rebellin and Stefan Schumacher tested positive for Continuous Erythropoiesis Receptor Activator (CERA) during the 2008 Summer Olympics.^{[373][374]} Schumacher finally admitted to doping in March 2013.^[375]
 - Christian Pfannberger tested not-negative in an out-of-competition test on March 19. He was suspended by his team Katusha several days before the Giro.^[376]
 - Tom Boonen tested positive for cocaine in an out of competition test on 27 April. He had previously been found to have taken the same substance in May 2008.^[377]
 - Antonio Colom tested positive for EPO in an out of competition test on 2 April. He was targeted for additional controls using information from his blood profile. Colom's positive drug test is the second within the ranks of Katusha within five weeks (see Christian Pfannberger).^[378]
 - On July 1, it was announced that a re-test of an out-of-competition sample collected from Thomas Dekker in December 2007, while Dekker was a member of the Rabobank Team, had shown the presence of EPO. In 2008, Dekker had transferred from Rabobank to Silence-Lotto. Silence-Lotto immediately suspended Dekker.^[379]
 - On 2 July 2009 Clément Lhotellerie was dismissed from Vacansoleil's team roster after the French 23-year old had tested on methylhexanamine on 28 April of that year. The substance, an active ingredient in nasal congestion medication, is listed on the banned lists of both the UCI and WADA. It is the second time in as many years that Lhotellerie has been dismissed by a team. Despite promising results in Paris–Nice, the Fleche Wallonne and the 4 Jours de Dunkirk, Skil-Shimano dissolved its contract with the rider last year after he failed to attend two appointments with the team.^[380]
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- On 22 July 2009, it was announced that Danilo Di Luca had tested positive for CERA on 20 and 28 May 2009, during the Giro d'Italia. He was provisionally suspended with immediate effect by the UCI.^[381]
 - On 31 July 2009, it was announced that Mikel Astarloza had tested positive for Recombinant Erythropoietin (EPO) on 26 June 2009 and was being provisionally suspended by the UCI.^[382]

- On 17 September 2009, the German Cycling Federation announced that Olaf Pollack and Markus Cronjäger had been provisionally suspended after returning positive doping controls. Pollack tested positive in an out-of-competition test on July 6 and Cronjäger tested positive after a control conducted at the Rund um den Odenwald on July 11.^[383]
- On 18 September 2009, it was announced that Liberty Seguros Continental team riders Nuno Ribeiro, Isidro Nozal and Hector Guerra tested positive for EPO-CERA in controls prior to the Tour of Portugal. Ribeiro went on to win the general classification.^[384]
- On 6 October 2009, it was announced that Gabriele Bosisio of the LPR Brakes team had tested positive on EPO during an out-of-competition test in September. Bosisio had won a stage in the 2008 Giro d'Italia.^[385]

2010

- ~~On 29 January 2010, Italian Vania Rossi was reported positive for CERA by the Italian Olympic Committee.~~ The Comitato Olimpico Nazionale Italiano (CONI) controlled Rossi on January 10 after she finished second in the women's national cyclocross championships. Her B sample subsequently came back negative. Rossi is the partner of Italian professional cyclist Riccardo Riccò, who himself tested positive for CERA at the 2008 Tour de France.^[386] Her B sample later came back negative, and she was cleared of all charges.^[387]
- On 11 March, Polish brothers Pawel and Kacper Szczepaniak, who finished first and second in the under 23 race of the 2010 UCI Cyclo-cross World Championships, have returned positive results for EPO, in controls carried out at the event which took place in Tabor, Czech Republic in January. The two had been targeted after suspicious blood profiles were revealed as part of their respective biological passports. Their B samples will have to be analysed before any suspension is handed out.^[388] A week later, Kacper Szczepaniak reportedly attempted to commit suicide.^[389]
- Manuel Vazquez Hueso of Spain was found, on 14 March, to have taken EPO, and in January 2011 the UCI handed down a fine of €35,000 and suspension until April 2012.^[390]
- On 16 March 2010, Alejandro Valverde's appeal against his ban from riding in Italy was rejected by the Court of Arbitration for Sport. It was confirmed that he could not ride on Italian soil again until 10 March 2011. A UCI press statement, issued after this hearing, stated that "the UCI expresses its determination to take the necessary measures to secure a suspension that is applicable internationally."^[391] The UCI President Pat McQuaid stated later that it will seek to extend Valverde's ban worldwide.^[392] On 27 March, McQuaid said that the UCI will wait to impose a worldwide ban on Valverde until CAS rules on an appeal by the UCI, protesting the fact that the Spanish cycling federation (RFEC) did not open disciplinary proceedings against Valverde. The CAS ruled on 31 May that the suspension could be enforced, and the UCI applied a retroactive two-year suspension on Valverde from 1 January 2010. In addition to this, all of his results from 2010 were nullified.^[393]
- On 6 April 2010, Italian newspaper La Gazzetta dello Sport revealed that a doping investigation based around the town of Mariana Mantovana in Lombardy had been commenced by Italian police. It reported that the investigation could involve 54 people relating to events in the 2008 and 2009 seasons. The cycling coach/doctor Guido Negrelli, who has worked in the past with Lampre riders

and the team manager Giuseppe Saronni is allegedly at the centre of the investigation. Lampre-Farnese Vini's team doctors and two riders, Alessandro Petacchi and Lorenzo Bernucci, had their homes searched as part of the investigation. Bernucci was suspended after police reportedly found banned products in his house. He remains suspended until his team receive further information about the search.^[394] A day later, the same newspaper revealed more details of the investigation, claiming that 16 of the teams riders and staff had been placed under formal investigation for doping related offences. Amongst the names mentioned by the newspaper are current and former Lampre riders, including Francesco Gavazzi, Damiano Cunego, Alessandro Ballan, and Mauro Santambrogio (Both now at BMC Racing Team). Team manager Saronni, directeur sportifs Fabrizio Bontempi and Maurizio Piovani, current coach Sergio Gelati, and former Lampre doctor Dr Andrea Andreazzoli (now at Astana Team) were also named.^[395] On 9 April, BMC Racing suspended its riders Ballan and Santambrogio pending the outcome of the police investigation.^[396]

- On 22 April 2010 Swiss Rider Thomas Frei's A sample, taken during the Giro del Trentino, was found to be positive for EPO. He was suspended by his team, BMC Racing Team, pending further investigation and testing of his B sample.^[397]
- Also on 22 April 2010, the UCI announced that Team Radio Shack rider Li Fuyu had tested positive for the banned substance clenbuterol during the Dwars door Vlaanderen on March 23. He has been suspended by his team pending the outcome of the B sample testing.^[398]
- On 28 April, it was announced that Gabriele Bosisio would be suspended from professional cycling for 2 years. He tested positive for EPO in an out-of-competition test in September 2009. He was provisionally suspended by the UCI on October 6, and so his ban will end on 5 October 2011.^[399]
- On 3 May, the UCI announced the names of three riders who had returned irregular blood values in their blood passport. These riders were Franco Pellizotti, Jesus Rosendo Prado and Tadej Valjavec.^[400] On 22 June, the Spanish Cycling Federation cleared Rosendo.^[401] On 30 July, Valjavec was cleared by the Slovenian anti-doping agency.^[402] On 21 October, Pellizotti was also cleared by his own national anti-doping agency.^[403] The UCI is expected to appeal these decisions.
- One day later, on 4 May, it was announced that French rider Mickaël Larpe had tested positive for EPO, ten hours after his house was raided by police.^[404]
- On 27 May, Francesco De Bonis became the first cyclist to be banned on the evidence of his blood passport results. His 2-year suspension will finish in June 2011, 2 years after he was first stopped from racing.^[405]
- On 3 June, it was announced that Pietro Caucchioli had been banned for 2 years on the evidence of his irregular blood passport results, found in June 2009. His ban will finish in June 2011.^[406]
- On 17 June, the UCI announced that Ricardo Serrano had been suspended by the Spanish cycling federation (RFEC) for two years due to CERA having been found in two separate blood samples collected around a year ago. He was also implicated due to abnormal values in his blood passport.^[407]
- On 20 June, media reports told of how Alessandro Petacchi had been notified at the start of the Tour de France that he had been placed under investigation by a prosecutor in Padova. Petacchi is

accused of having used PFC (Perfluorocarbon) and human serum albumin.^[408] The accusations stem from phone taps on a doctor from Brescia.^[409]

- On 7 July, it was announced that Niklas Axelsson had been suspended for life following positive analysis of his B-sample for EPO. He had previously been suspended for EPO use in 2001.^[410]
- Three Brazilian riders were sanctioned for adverse findings during the Tour do Rio in July 2010: Jao Paulo de Oliveira (for phentermine) and two for stanazolol: Lucas Onesco and Jair Fernando dos Santos. All three received a two-year suspension and loss of results.^[390]
- On 29 July, the UK Anti-doping agency posted the 2-year suspension for cyclist Dan Staitte for EPO and ATD found in sample taken at a National B level event.^[411]
- On 8 September, while he was riding the 2010 Vuelta a España, it was announced that Roy Sentjens had failed an out of competition doping control and would be suspended from cycling.^[412] On September 10, Sentjens admitted to having doped with EPO that he had obtained in Barcelona, Spain, and declined to request the testing of his B-sample. He also announced his immediate retirement from professional cycling.^[413]
- On 16 September, a UCI statement was released announcing that Óscar Sevilla had tested positive for the blood expander Hydroxyethyl starch after the final stage of the Vuelta a Colombia, which he had won, on 15 August. He has been provisionally suspended.^[414] On 30 September, it was announced that the Spanish Cycling Federation will let him continue racing until his B-sample is tested.^[415]
- On 29 September, a UCI statement was released announcing that this year's Tour de France winner, Alberto Contador, had tested positive for "a very small concentration" of the banned stimulant clenbuterol, on July 21, one of the race's rest days. He has been provisionally suspended by the UCI.^[416]
- On 30 September, the UCI announced that Xacobeo-Galicia riders Ezequiel Mosquera and David García Dapena had both tested positive for Hydroxyethyl starch on September 16, during the Vuelta a España. Mosquera had finished the race in 2nd place, and Dapena finished 11th overall.^[417] On 6 October, it was announced that García Dapena had tested positive for EPO during the race, on 13 September.^[418]
- On 7 October, Joao Benta admitted to doping after having tested positive in July.^[419]
- On 9 October, Alessandro Colo was given a one-year ban by CONI for testing positive for clenbuterol on the last stage of the Vuelta Mexico.^[420]

2011

- On February 6, 2011 Riccardo Riccò was admitted to a hospital in critical condition after what has been diagnosed as kidney failure, allegedly due to a blood transfusion he performed on himself with 25-day-old blood. Ricco admitted he had performed the transfusion to the doctor treating him in the presence of his girlfriend Vania Rossi. The doctor treating him reported this information to authorities leading to an investigation being opened against the professional cyclist by police and the

Italian Olympic committee (CONI).^[421] He was well enough to be released from hospital within two weeks, and was sacked by his team Vacansoleil-DCM.^[422]

- In 7 February, it was announced that Lorenzo Bernucci of the Lampre-ISD team had been banned from cycling for five years. After his house was raided in 2010, prohibited substances were found and he was banned for 'the use or attempted use by an athlete of a prohibited substance or method, as well as the possession of prohibited substances'. Several members of his family were also banned for either three or four years due to their involvement.^[423]
- On 1 March, it was revealed that Tour de San Luis winner Marco Arriagada had tested positive for an 'anabolic substance' during the National Tour of Chile.^[424]
- On 19 March, it was announced that Patrik Sinkewitz had tested positive for hGH at the GP di Lugano in late February. He has been provisionally suspended pending results of his B sample, and could face a lifetime ban for this second offence.^[425]
- ~~On 3 May, CONI announced that Pasquale Muto had tested positive for EPO at the Giro dell'Appennino in April,~~^[426] and subsequent testing of his 'B' sample confirmed the result^[427]
- On June 11, CONI formally suspended Riccardo Riccò, for "use or attempted use of prohibited methods."^[428]
- On 1 July, USADA announced that Lisban Quintero had accepted a two-year ban after testing positive for norandrosterone at the Wilmington Grand Prix on May 22.^[429]
- On 12 July, during the 2011 Tour de France Alexandr Kolobnev was informed by the UCI of an Adverse Analytical Finding for the diuretic hydrochlorothiazide in an A sample collected on 6 July 2011.^[430] As the UCI Anti-Doping Rules do not provide for a provisional suspension given the nature of the substance Kolobnev voluntarily withdrew, with the team waiting on the B sample.^[431]
- On 12 August, David Clinger was issued a lifetime ban by the USADA, for a positive test for Clenbuterol while serving a ban for a prior offense.^[432]
- On 14 September, Oscar Sevilla was issued a six-month ban (14 Sept to 14 March 2012), for a positive test for hydroxyethyl starch in 2010^[433]

2012

- On 19 January, amateur French rider Alexandre Dougnier (Athletic Club de Boulogne-Billancourt) was banned for three years by the FFC after a urine sample taking in May 2011 tested positive for twelve prohibited substances, thought to be a record number in an individual case.^[434]
- On 6 February the Court of Arbitration for Sport handed Alberto Contador a two-year sanction for his positive test for clenbuterol at the 2010 Tour de France.^[435] The ban means Contador will lose ~~race results dating back to and including the 2010 Tour de France. The ban ended on August 5,~~ 2012, allowing him to ride in the 2012 Vuelta a España. Contador won, his first race on this return.

- On 16 April, it was announced that Denis Galimzyanov of Team Katusha had been provisionally suspended after he tested positive for EPO in an out-of-competition test on March 22.^[436] He subsequently admitted the charge and waived the B sample testing.^[437] In December, it was announced that Galimzyanov was suspended for two years, starting retroactively on 13 April 2012.^[438]
- On 15 June, the USADA sent a letter to Lance Armstrong and five cycling associates (including Johan Bruyneel, Michele Ferrari, team doctors Pedro Celaya and Luis Garcia del Moral, and trainer Jose Pepe Marti) charging them with conspiring in doping between 1998 and 2011.^[439]
- On 10 July, police raided Cofidis hotel and took Remy di Gregorio into custody, effectively withdrawing him from the Tour de France he was competing in at the time. This is related to a doping affair which happened in 2011 when di Gregorio was riding for Astana.^[440] In April 2013, with the investigation still ongoing, Di Gregorio was cleared to race again.^[441]
- On 10 July, the USADA issued lifetime bans for Michele Ferrari, Luis Garcia del Moral, and Jose Pepe Marti in relation to the doping conspiracy charges.^[442] Jose Pepe Marti later opted to have his case taken in arbitration, and the USADA agreed to the request, suspending his lifetime ban.^[443]
- On 17 July, Fränk Schleck was removed from the Tour de France by his team RadioShack-Nissan during the second rest day after his A-sample returned traces of Xipamide.^[444] Schleck's B-sample confirmed the positive result, and Schleck claims he was poisoned.^[445] In January 2013, it was announced that Schleck was handed a ban of one year by the Luxembourg Anti-Doping Agency, who specified that it was a "verdict of accidental contamination" and the traces of Xipamide were very low.^[446] The ban has been retrospectively applied, so Schleck will be able to compete again after 14 July 2013.^[447]
- On 18 July, it was announced that Bulgarian Ivailo Gabrovski had tested positive for EPO with his A sample after winning the third stage of the Presidential Tour of Turkey in Elmalı. He subsequently won the Tour, but could face a ban and the loss of his title if the B sample is positive.^[448] On 14 September, the news reported that the B sample turned out positive too, and the UCI was awaiting official sanctions from the Bulgarian Federation to cancel Gabrovski's win.^[449]
- On 18 July, information was released to the press stating that Lithuanian female rider Rasa Leleivytė had failed a doping test on June 12 of the same year and that her A sample was consistent with the use of EPO.^[450]
- On 23 August, Lance Armstrong declined to proceed to arbitration and contest the charges of systematic doping levied against him by the United States Anti-Doping Agency.^[451] Thus, Armstrong was deemed guilty of doping and banned for life, and USADA considers his results from 1 August 1998 null.^[452]
- On 29 August, it was announced that 47-year-old Søren Sørensen tested positive for three banned substances in an amateur race on June 30 of the same year. Sørensen was a board member of the Danish Cycling Union and of the Clearidium anti-doping agency. He resigned from the Cycling Union.^[453]

- On 7 September, UCI president Pat McQuaid said the UCI has asked the USADA to provide the UCI with the files of Tom Danielson, Christian Vande Velde and David Zabriskie after their team manager, Jonathan Vaughters, suggested that the three had doped in the past.^{[454][455]}
- On 9 October, it was announced that Steve Houanard failed an off-competition doping test performed on 21 September 2012. His A-sample was consistent with the use of EPO and he was provisionally suspended by the UCI.^[456] Houanard accepted a 2-year ban on 18 January 2013.^[457]
- On 23 October, Steffen Kjærgaard admitted to starting doping in 1998. This maintained until he left US Postal in 2003. The substances he used were EPO, cortisone, and other illegal drugs. The case was extra bad since Kjærgaard has been the director for the Norwegian Cycling Federation for several years after his retirement from cycling.

2013

- On 31 January, Michael Rasmussen held a press conference where he admitted the use of doping for much of his pro career. He stated that he had used EPO, growth hormone, testosterone, DHEA, insulin, IGF-1, cortisone and did blood transfusions.^[458]
- On 6 March, Michael Boogerd held a press conference for Dutch news broadcaster NOS where he admitted to have used doping at the peak of his career (from 1997 until 2007). He stated that he had used EPO, cortisone and was subject of blood transfusions.^[459]
- On 18 March, Rolf Sørensen admitted using EPO and Cortisone during the 1990s.^[460]
- On 15 May, Sylvain Georges tested positive for heptaminol.
- On 24 May, Danilo Di Luca was positive on doping test.
- On 3 June, Mauro Santambrogio was positive on doping test.
- On 15 July, it was announced that 2013 Tour of Turkey winner Mustafa Sayar (Torku Şeker Spor) was provisionally suspended following the news that he tested positive for EPO during the Tour d'Algérie in March.^[461]
- On 24 July, a French Senatorial commission released a list containing the names of cyclists who, in a retroactive analysis, tested positive for EPO while competing in the 1998 Tour de France which includes: Manuel Beltran, Jeroen Blijlevens, Mario Cipollini, Laurent Desbiens, Jacky Durand, Bo Hamburger, Jens Heppner, Laurent Jalabert, Kevin Livingston, Eddy Mazzoleni, Nicola Minali, Abraham Olano, Marco Pantani, Fabio Sacchi, Marcos Serrano, Andrea Tafi, Jan Ullrich, and Erik Zabel. The same list also contained the names of cyclists who produced suspicious test results which includes: Stephane Barthe, Ermanno Brignoli, Giuseppe Calcaterra, Pascal Chanteur, Bobby Julich, Eddy Mazzoleni, Roland Meier, Axel Merckx, Frederic Moncassin, Stuart O'Grady, Alain Turicchia, and Stefano Zanini. Hamburger and Livingston were again named for producing positive results for doping tests during the 1999 Tour de France.^{[462][463]}
- On 31 October Ryder Hesjedal admitted to having previously used EPO prior to being outed by Michael Rasmussen

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External links

- Timeline: Recent doping cases in cycling - *espn.go.com* (<http://sports.espn.go.com/oly/cycling/news/story?id=3029280>)
- ~~TIMEZONE: Doping problems to hit major Tours - *reuters.com* (<http://www.reuters.com/article/sphereNews/idUSL1975623220070920?sp=true&view=sphere>)~~
- Association of British Cycling Coaches - Drugs and the Tour de France by Ramin Minovi (<http://www.abcc.co.uk/Articles/DrgsTdeF.html>)
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Stamina-Building Drug Linked to Athletes' Deaths

 By LAWRENCE M. FISHER
 Published: May 19, 1991

Correction Appended

A genetically engineered drug that was created for people suffering from kidney failure has become the latest substance to be abused by athletes seeking enhanced stamina and performance. The consequences, in some cases, may be deadly.

The drug is recombinant erythropoietin, known as EPO, which was developed by the Amgen Corporation and approved by the Food and Drug Administration in 1989 for the treatment of chronic anemia in patients with kidney failure. It was later approved for treatment of AIDS-related anemia.

But some athletes and trainers have found that the drug can enhance athletic performance by increasing red blood cells, and thus the body's ability to carry oxygen. Doctors and blood specialists say the drug may be implicated in the deaths of as many as 18 European professional bicycle racers in the last four years. [Drug Called a Factor](#)

Only anecdotal evidence links EPO to these deaths. But the specialists say they believe the drug was a factor in at least some of the deaths.

"There is no absolute proof, but there's so much smoke that most of us are convinced," said Dr. Randy Eichner, chief of hematology at the University of Oklahoma. "You just don't get 18 deaths in 4 years, mysteriously, with 10 of them attributed to cardiac problems."

By increasing the red blood cells, the drug thickens the blood, and normal dehydration in a race concentrates the blood further.

"Pretty soon you have mud instead of blood; then you have trouble," Dr. Eichner said, adding that the thick, sticky blood can cause clotting, stroke or heart failure. [Dark Side of Biotechnology](#)

The problem with the drug demonstrates a dark side of biotechnology: the difficulties that drug makers face in assuring that their products are used for the intended purpose.

Recombinant EPO is a genetically engineered copy of a hormone normally produced in the kidney, and is considered safe and effective if used properly.

There is little question that EPO can enhance an athlete's performance. A study of 15 Swedish athletes by the Stockholm Institute of Gymnastics and Sports found an improvement of nearly 10 percent in aerobic performance after use of the drug.

Injecting the drug enhances athletes' performance in aerobic endurance events. In addition to bicycle racers, marathon runners and cross-country skiers are suspected of abusing the drug. But no deaths have been reported in sports other than bicycle racing. [Drug Is Not Detectable](#)

Because the drug is a model of a naturally occurring protein, it is not detectable by any existing test. This makes it even more attractive to athletes, who are routinely screened for use of drugs like anabolic steroids or amphetamines.

In the United States, Amgen limits distribution of the drug to kidney dialysis treatment centers. Sports physicians say the drug is not readily obtainable here but add that it not hard to get in Mexico or Europe.

Physicians say they believe athletes began using the drug almost with the beginning of clinical trials in 1986. Then the deaths began. In 1987 five Dutch racers died suddenly. In 1988 a Belgian and two more Dutch riders died. In 1989 five more Dutch riders died, and last year three Belgians and two Dutch riders died. [Transfusions of Extra Blood](#)

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One of them was Johannes Draaijer, a 27-year-old racer from the Netherlands who finished 20th in the 1989 Tour de France. In February 1990 he died in his sleep of a heart blockage a few days after completing a race in Italy. A doctor had pronounced him fit to ride in that race, and an autopsy did not specify the cause of death. But in a television interview afterward, his widow said she hoped the death would serve as a warning to other athletes who take the drug.

Because several companies were simultaneously pursuing approval of EPO in Europe, "the drug was available for clinical trials in large quantities," said Dr. John Adamson, president of the New York Blood Center who is leading the United States trial of Amgen's drug.

Dr. Adamson said the drug's potential for abuse was soon apparent because athletes were already known to be enhancing performance by having transfusions of extra blood, known as blood doping, or by training at high altitudes, which prompts the body to produce extra red blood cells.

EPO therapy for kidney-failure patients raises their red blood cell level to 33 percent of blood volume from 25 percent; athletes injecting the drug are increasing their normal level of about 45 percent to 55 to 65 percent.

With the dehydration that occurs in a long race, the blood concentrates further, to as much as 70 percent.

An article by Dr. Allan J. Erslev of the Jefferson Medical College in Philadelphia in the May 9 issue of The New England Journal of Medicine about the striking benefits of EPO therapy for anemia patients also concluded that its use by athletes, coupled with dehydration, could be "the cause of possible life-threatening thromboses."

While no deaths have been attributed to the drug in the United States, sports physicians and athletes say they have heard repeatedly about its use at cycling and long-distance running events.

"I began hearing about EPO two to three years ago through the grapevine in running circles," said John Treacy, a silver medalist in the 1984 Olympic marathon. "The story was there was this new drug that would take over from blood doping, and that it was much better."

Len Pettyjohn, coach of the Coors Light cycling team, which is competing in the 11-day Tour Du Pont in the Middle Atlantic States this week, said: "We've all heard about EPO. I could only speculate on its use now, but it wouldn't surprise me. I don't think any Americans are using it, but anybody doing something like that is certainly not going to talk about it."

Education Program Started

Jan Gisbers of the Netherlands, coach of the PDM team, which is also competing in the race, said he had not heard of anyone in cycling using the drug. Any rider on his team who used any medical substance without the approval of the team's doctors would be dropped from the team, he said.

To discourage abuse of the drug, Amgen has begun an educational program, including symposiums for athletes and sports physicians. Amgen, which has an exclusive license to sell the drug in the United States for kidney patients, had total sales of the drug of \$304.2 million in the fiscal year ended March 31.

Ortho Pharmaceuticals also sells the drug for other illnesses in the United States, and it is manufactured and sold by several companies abroad.

"We heard the stories early on," said Daniel Vapnek, Amgen's senior vice president for research. "We are very concerned about abuse."

Because EPO cannot be detected in any test, some sports physicians have suggested that Amgen add a biological or chemical "marker" to the drug that would show up in screening. But Mr. Vapnek said this was not feasible.

Allergic Reaction Feared

"The erythropoietin we manufacture and use clinically is very close to the natural protein made by a person's kidney," Mr. Vapnek said. "If you try to modify the protein in any way you have a potential to make it immunogenic," in which case patients' bodies would have an allergic reaction.

EPO is the second genetically engineered drug known to be abused by athletes. The other is human growth hormone, which was developed by Genentech Inc. for the treatment of

dwarfism in children. Athletes began to use the hormone in the 1980's because they believed it promoted the growth of muscle tissue. No deaths have been attributed to growth hormone.

Genentech has tightly restricted the distribution of growth hormone, and says it believes that it can track more than 90 percent of the patients receiving its drug.

Lacking a test, or an ironclad restriction of supply, the only solution may be education. Some experts fear this may only increase abuse by making athletes more aware of the drug. Others say that once the truth about the risk of EPO abuse is better known, fewer athletes will be tempted to try it. A recent issue of the Anabolic Reference Update, a newsletter that generally promotes steroid use, concludes, "EPO's risks outweigh benefits."

Edmund R. Burke, manager of the 1984 United States Olympic cycling team, said: "You have to tell them, 'EPO can do wonders for your aerobic capacity. The problem is, it can also kill you.' "

Correction: May 26, 1991, Sunday A picture caption last Sunday with an article about a stamina-building drug linked to athletes' deaths misstated what is known about the death of the Dutch cyclist Johannes Draaijer. An autopsy did not specify the cause, and it is not known conclusively whether he had used the drug.

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Inquiry into Belgian cyclist's death raises new fears over EPO

Tally of deaths reaches eight as drug suspicions rise

William Fotheringham

The Guardian, Sunday 15 February 2004 20.02 EST

Belgian police launched an investigation at the weekend into a second unexplained cycling death, that of a 21-year-old Belgian amateur, Johan Sermon, who died of a heart attack on Thursday night.

Sermon and Marco Pantani - who also died from cardiac arrest, the investigating magistrate in Italy said - are the seventh and eighth cyclists to die from the condition in just over a year. Although there is no evidence directly linking the recent spate of fatalities to banned drug use, a similar cluster of deaths - mainly in the Low Countries - in the late 1980s and early 1990s is now held to have marked the arrival in cycling of the banned blood booster erythropoietin (EPO).

Two police doctors carried out an autopsy on Sermon's body over the weekend and the results are expected in four weeks. "I know that after this death, people will talk inevitably about drug use," said Ernest de Vuyst, manager of Sermon's team, the amateur squad Daikin.

A prosecutor in the Vendée is investigating the death in June of the young professional cyclist Fabrice Salanson, found dead in his hotel on the morning of the start of the Tour of Germany in June. Salanson also died of a heart attack but the prosecutor and his family are paying particular attention to performance tests carried out a few weeks before his death, which appeared to show cardiac abnormalities.

In Italy, a prosecutor is investigating the case of Denis Zanette, a sprinter who collapsed on visiting the dentist last January. Zanette was on a list of riders who had been found in possession of banned drugs by police during the 2001 Giro d'Italia.

It is feared in France and Spain that cyclists are still manipulating their red-cell counts to improve endurance, and that EPO is still in widespread use.

A test is available to detect EPO and several cyclists each season have tested positive since its introduction in 2001. However, it detects only recent use of the hormone, meaning it may still be used in a race build-up.

A letter sent last year from the French cycling federation's doctor, Armand Mègret, to the governing body, about the results of the federation's monitoring of the health of professional cyclists, raised the spectre of EPO again.

Mègret said: "It is clear that there was some external stimulation of the production of red blood cells among 29.2% of the 154 riders tested. The hypothesis that stimulation has been via EPO must be considered."

Mègret added that the abnormal level of ferritin, a protein that stores iron in the body, in almost a third of riders tested may be a sign of the use of EPO. Chillingly, he explained that an excess of iron can lead to liver problems, including cancer.

Mègret also says in his letter that there are indications that 6-7% of riders tested show damage to the adrenal gland and in 90% of cases this is due to "taking cortisone in either a legal or an illegal fashion". This type of damage, says Mègret, could lead to death at any time.

It has also been revealed recently that cycling's governing body, the International Cycling Union, met Spanish officials to discuss a possible upsurge in the use of EPO in Spain. The UCI apparently estimated that perhaps 70 Spanish professionals had used the drug last year.

An ongoing investigation into the Cofidis team in France has revealed the practice of red-cell transfusion, where blood is removed from a cyclist and the red cells are reinjected.

The practice was in vogue in athletics during the late 1970s, and entered cycling in the early 1980s. The introduction of the EPO test may have led to its re-emergence.

Since January 2003, the following eight riders have died from heart attacks:

Denis Zanette (Italy)

Died January 11 2003, aged 32

Zanette, right, collapsed after visiting the dentist. Instantly linked to the use of the blood-booster EPO, which led to an outcry in Italy and demands for stricter drug

controls.

Marco Ceriani (Italy)

Died May 5, aged 16

An elite amateur, Ceriani experienced a heart attack during a race, was admitted to hospital in a coma, and failed to recover consciousness.

Fabrice Salanson (France)

Died June 3, aged 23

Died of a heart attack in his sleep. Was found by his room mate in their team hotel. Had been about to compete in the Tour of Germany.

Marco Rusconi (Italy)

Died November 14, aged 24

Rusconi was leaving the party of a friend last November when he collapsed and died in a shopping centre car park.

Jose Maria Jimenez (Spain)

Died December 6, aged 32

Died from a heart attack in a psychiatric hospital in Madrid. Had retired two years previously but consistently claimed a comeback was imminent.

Michel Zanoli (Netherlands)

Died December 29, aged 35

Zanoli, who retired in 1997, was 35 when he suffered a fatal heart attack.

Johan Sermon (Belgium)

Died February 15 2004, aged 21

Suffered an apparent heart failure in his sleep. Had reportedly gone to bed early to prepare for an eight-hour training ride.

Marco Pantani (Italy)

Died February 15 2004, aged 34

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Features Archive

Index of Lance Armstrong doping allegations over the years

By: [Laura Weislo](#)

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From 1999 cortisone test to USADA case

Allegations of doping hounded Lance Armstrong from the start of his comeback from cancer to win the Tour de France in 1999 through to his retirement and beyond.

Cyclingnews has been covering the stories from the beginning, and provide here a complete list of stories relating to Armstrong and doping allegations through the years.

Cortisone 'saddle sore' cream

[L'Equipe uncovers cortisone non-negative test: Armstrong non-negative for cortisone](#) - July 22, 1999

[Armstrong's saddle sore explanation](#) - July 23, 1999

US Postal medical waste investigation

In 2000, reporters followed a US Postal Service team vehicle and videotaped Dr. Luis del Moral disposing of material including a product called Actovegin. The French authorities investigated for two years before dropping the case.

[US Postal probed and respond](#) - November 8, 2000

[US Postal: A case or not?](#) - November 9, 2000

[US Postal: more responses](#) - November 10, 2000

[US Postal investigation official](#) - November 24, 2000

[US Postal respond \(again\)](#) - November 26, 2000

[USA Cycling president hits out at French judges](#) - November 30, 2000

[IOC: Actovegin covered under blood doping ban](#) - December 14, 2000

[US Postal denies Actovegin use by riders](#) - December 17, 2000

[US Postal samples to be analysed](#) - January 5, 2001

[Lighter French focus for USPS](#) - January 10, 2001

[U.S. Postal Service presentation, Armstrong comments](#) - January 27, 2001

~~[US Postal samples requested](#) - February 1, 2001~~

[IOC reconsiders stance on Actovegin](#) February 15, 2001

[Legal wrangling blocks USPS blood tests](#) - March 9, 2001

[UCI to hand over US Postal samples](#) - March 16, 2001

[USPS Enquiry: Judge too slow](#) - March 28, 2001

[Armstrong threatens Willy Voet](#) - June 20, 2001

[Hopes that USPS enquiry will be completed within two months](#) - June 28, 2001

[David Walsh takes Armstrong to task over USPS enquiry](#) - July 23, 2001

[US Postal Service investigation could run into 2002](#) - October 17, 2001

[No drugs so far in USPS investigation](#) - October 27, 2001

[US Postal investigation to collapse](#) - February 7, 2002

[US Postal investigation - Why?](#) - February 12, 2002

[US Postal dossier unlikely to be closed before Tour de France](#) - June 5, 2002

[French authorities to close US Postal investigation](#) June 15, 2002

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[UCI doctor gave information to L'Equipe](#) - September 18, 2005

[UCI denies leaking Armstrong documents; Accuses WADA of blocking investigation](#) - September 20, 2005

[Lindner thinks more will come from L'Equipe](#) - September 23, 2005

[Olympic execs call for investigation & suspension of French lab](#) - September 24, 2005

[Rogge wants new investigation into Armstrong](#) - September 25, 2005

[UCI appoints independent expert for 1999 Tour samples](#) - October 7, 2005

[Steffen retracts](#) - October 9, 2005

[UCI investigator promises independence](#) - October 11, 2005

[Verburggen stands his ground](#) - December 3, 2005

[UCI suspends medical officer over Armstrong leak](#) - February 28, 2006

[McQuaid confirms Zorzoli as UCI source of Armstrong documents](#) - March 2, 2006

[Zorzoli back in the UCI](#) - March 28, 2006

[Two more weeks for Armstrong investigation](#) - May 14, 2006

~~[UCI lawyer asks for Armstrong's name to be cleared](#) - May 31, 2006~~

[UCI, WADA and Armstrong react to Vrijman's report](#) - June 1, 2006

[L'Equipe stands by its story, UCI supports Vrijman's findings](#) - June 2, 2006

[WADA slams the Vrijman report](#) - June 3, 2006

[UCI hits back at WADA](#) - June 4, 2006

[Lance Armstrong's open letter against Dick Pound](#) - June 18, 2006

[Armstrong calls for Pound's exit](#) - June 19, 2006

[LeMond: "Armstrong threatened my life"](#) - June 26, 2006

[UCI and Verbruggen sue Pound](#) - March 21, 2008

[UCI and former WADA president Pound make peace](#) - December 17, 2009

[Schenk: UCI needs more transparency](#) - March 25, 2010

[McQuaid reveals Armstrong made two donations to UCI](#) - July 10, 2010

Former US Postal riders admit EPO use

[Former US Postal riders admit EPO use](#) - September 12, 2006

~~[Lance Armstrong's statement on the Andreu confession](#) - September 13, 2006~~

[Andreu and Vaughters "gossiped" about USPS doping](#) - October 16, 2006

Armstrong's comeback from retirement

Armstrong flew under the radar during his retirement from 2006-2008, but when he decided to return to competition, not caught up in the fray.

The UCI ignited controversy by waiving the length of time Armstrong was required to submit to doping controls before he Under in January of 2009. He announced he would submit to an independent testing program using notable anti-doping s few weeks.

Independent testing program stops as soon as it starts

[Armstrong's anti-doping testing program pending](#) - December 1, 2008

[Armstrong announces start of Catlin's drug testing programme](#) - January 18, 2009

[Armstrong's anti-doping tests pending publication](#) - January 22, 2009

[Armstrong parts with Catlin](#) - February 12, 2009

~~[Armstrong's tests posted online](#) - February 12, 2009~~

[Armstrong and Kimmage face off in California](#) - February 13, 2009

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It became clear during the season, however, that the French anti-doping agency (AFLD) was not going to give him an eas

[AFLD gives Armstrong a haircut](#) - March 20, 2009

~~[Armstrong embroiled in 'shower-gate'](#) - April 7, 2009~~

[Armstrong responds to AFLD report](#) - April 8, 2009

[Armstrong could face AFLD sanction](#) - April 9, 2009

[McQuaid says UCI will wait for AFLD decision](#) - April 10, 2009

[Armstrong 'shower-gate' closed](#) - April 24, 2009

Floyd Landis accusations, Federal Grand Jury/FDA investigation

The next year, Floyd Landis came forward at the Tour of California, accusing Lance Armstrong of doping, and it continued investigation into the charges was closed.

[Landis drug Revelations?](#) - May 20, 2010

[Landis confesses to doping, implicates Armstrong and Bruyneel](#) - May 20, 2010

[WADA and UCI issue statements on Landis confession](#) - May 20, 2010

[Johan Bruyneel: Floyd Landis needs 'help'](#) - May 20, 2010

[Armstrong rejects Landis allegations](#) - May 20, 2010

[UCI rejects Landis' accusation of concealed doping test](#) - May 20, 2010

~~[Video: Armstrong rejects Landis allegations](#) - May 21, 2010~~

[Team RadioShack reveal further emails from Landis](#) - May 21, 2010

[Two people named by Landis may co-operate with authorities](#) - May 22, 2010

[LeMond supports Landis in fight for clean cycling](#) - May 22, 2010

[Landis makes an appearance at the Amgen Tour of California](#) - May 23, 2010

[McQuaid acknowledges accepting Armstrong donation a mistake](#) - May 25, 2010

[Scope of US doping inquiry may be widened](#) - May 26, 2010

[UCI requests investigations into Landis claims](#) - May 26, 2010

[Biological passport expert taking Landis seriously](#) - May 27, 2010

[McQuaid defends UCI against Landis and Bordry](#) - June 9, 2010

[Investigation into Landis claims widens to include Interpol](#) - July 6, 2010

[Verbruggen labels Landis a nuisance](#) - July 14, 2010

[Ball could hold link to Armstrong probe](#) - August 2, 2010

[Holczer accuses Leipheimer of blood manipulation](#) - August 4, 2010

[Armstrong lawyer condemns "un-American" investigation](#) - August 8, 2010

~~[McQuaid suggests US Postal investigation sparked by personal vendetta](#) - August 17, 2010~~

[Former USPS doctor denies doping at team](#) - August 26, 2010

[Lance Armstrong on defensive in federal investigation](#) - September 15, 2010

[Howman suspects the Armstrong investigation could be as significant as the BALCO case](#) - October 14, 2010

[Popovich to testify in Armstrong probe](#) - November 3, 2010

[Popovich denies witnessing doping](#) - November 4, 2010

[Armstrong investigation extends to French police](#) - November 17, 2010

[Armstrong shrugs off FDA investigation](#) - January 5, 2011

[Frustration for Armstrong as questions arise](#) - January 19, 2011

[A summary of the Sports Illustrated Lance Armstrong investigation](#) - January 19, 2011

[Armstrong era 'corrupt' says ex-mechanic](#) - January 23, 2011

[Bruyneel dismisses Sports Illustrated accusations](#) - January 24, 2011

[Landis: It was either cheat or get cheated](#) - January 31, 2011

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[Armstrong investigation progressing, but case is 'solid' - May 11, 2011](#)
[Hamilton says he saw Armstrong use EPO - May 20, 2011](#)
[Tyler Hamilton's letter of confession - May 20, 2011](#)
[Report: Hincapie tells FDA Armstrong took PEDs - May 21, 2011](#)
[Betsy Andreu talks ahead of 60 Minutes show on Lance Armstrong - May 22, 2011](#)
[Ekimov denies Hamilton's claims of Armstrong doping - May 24, 2011](#)
[Verbruggen says Armstrong "never, never, never" doped - May 24, 2011](#)
[Armstrong lawyers ready for Federal battle - November 11, 2011](#)
[McQuaid and Verbruggen seek damages from Kimmage - January 29, 2012](#)
[Lance Armstrong inquiry concludes with no charges filed - February 3, 2012](#)
[UCI wants to put Armstrong investigation behind it - February 4, 2012](#)
[Armstrong welcomes end of federal investigation - February 5, 2012](#)
[WADA head expects sharing of Armstrong evidence - February 5, 2012](#)
[Armstrong investigation was a complicated PR case, says Roberts - February 5, 2012](#)
[USADA may struggle to study all evidence in Lance Armstrong investigation - February 5, 2012](#)
[USADA still investigating doping allegations against Armstrong - February 5, 2012](#)
[Liggett on Armstrong: The whole investigation was a waste of money - February 6, 2012](#)
[WADA hopes for quick handover of Armstrong evidence - February 7, 2012](#)
[Concerns over closure of Federal investigation into Armstrong and US Postal - February 8, 2012](#)
[Did U.S. attorneys disagree on whether to close Armstrong, U.S. Postal case? - February 8, 2012](#)
[Lance Armstrong admits "difficult times" during Federal Investigation - February 11, 2012](#)

USADA opens doping proceedings against Armstrong and others

In 2012, USADA opened up its own anti-doping rule violation charges against Lance Armstrong and his former USPS tea Moral, Pedro Celaya, trainer Jose Pepe Marti and Michele Ferrari.

[Armstrong 'not wasting any more time' fighting doping allegations - May 16, 2012](#)
[Armstrong charged with doping by USADA - June 13, 2012](#)
[Armstrong and authorities comment on doping charges - June 13, 2012](#)
[USADA case against Armstrong could damage UCI, Ashenden says - June 14, 2012](#)
[Chris Horner: I don't believe Armstrong cheated - June 14, 2012](#)
[Bassons and Simeoni say Armstrong probe is overdue - June 14, 2012](#)
[Bruyneel asserts innocence regarding USADA doping allegations - June 15, 2012](#)
[Armstrong frustrated by lack of information from USADA - June 16, 2012](#)
[Spanish doctor denies USADA doping charges - June 16, 2012](#)
[Armstrong attorneys respond to USADA charges - June 23, 2012](#)
[Doping charges recommended in Armstrong case - June 29, 2012](#)
[USADA has right to ban Bruyneel worldwide, McQuaid says - July 2, 2012](#)
[Legal opinion: Armstrong's arguments against USADA - July 4, 2012](#)
[Armstrong files federal lawsuit against USADA - July 9, 2012](#)
[Armstrong's federal lawsuit against USADA dismissed - July 10, 2012](#)
[Ferrari, Del Moral and Marti banned for life in US Postal case - July 10, 2012](#)
[Armstrong refiles lawsuit against USADA in Federal Court - July 11, 2012](#)
[McQuaid comments on USADA lifetime bans - July 11, 2012](#)
[Armstrong given 30-day extension by USADA - July 11, 2012](#)
[WADA expects ban of Armstrong associates to be accepted worldwide - July 11, 2012](#)
[Report: USADA has 38 Armstrong blood samples from 2008 to 2012 - July 13, 2012](#)

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[Case against Armstrong could damage UCI says Ashenden](#) - July 14, 2012
[Senator McCain backs USADA investigation into Armstrong](#) - July 14, 2012
[Report: Livestrong lobbyist questions fairness of USADA case with Congressman](#) - July 17, 2012
[USADA calls for Armstrong lawsuit to be dismissed](#) - July 20, 2012
[McQuaid disavows UCI responsibility in Armstrong case](#) - July 26, 2012
[Del Moral's lawyer claims doctor was banned for not giving evidence against Armstrong](#) - August 1, 2012
[UCI claims USADA has no jurisdiction in Armstrong case](#) - August 4, 2012
[UCI makes statement following release of court documents in Armstrong case](#) - August 5, 2012
[USADA does have jurisdiction over Armstrong case, says WADA](#) - August 8, 2012
[Marti's lifetime ban suspended by USADA](#) - August 9, 2012
[Judge delays ruling in Armstrong and USADA case](#) - August 11, 2012
[McQuaid accuses WADA of political campaign against cycling](#) - August 11, 2012
[District judge to dismiss Armstrong suit against USADA?](#) - August 17, 2012
[USADA makes final arguments in Armstrong case](#) - August 17, 2012
[Letter from USA Cycling included in Armstrong case](#) - August 18, 2012
[Judge sides with USADA in Armstrong suit](#) - August 20, 2012
[Judge issues stinging criticism of USADA in Armstrong case](#) - August 20, 2012
[Ashenden says: McQuaid must now help USADA's investigation](#) - August 23, 2012

Armstrong decides not to fight, is banned for life

Lance Armstrong decided on August 23, 2012 that he would not take the USADA case to arbitration. In his statement, he the case, never accepting the ban - quite the opposite. Despite threats by his attorneys to bring legal proceedings if USA ahead and does it anyhow. The world waits with baited breath for USADA to release all of its evidence in its "reasoned d

[Armstrong won't fight USADA doping charges](#) - August 23, 2012
[Lance Armstrong's full statement](#) - August 23, 2012
[USADA calls Lance Armstrong decision "a sad day"](#) - August 23, 2012
[WADA's Fahey: Armstrong's action "means the charges had substance"](#) - August 24, 2012
[Bruyneel: "Unjust process" against Armstrong](#) - August 24, 2012
[David Walsh on Armstrong and USADA's charges](#) - August 24, 2012
[French cycling reacts: "Armstrong to lose Tour titles"](#) - August 24, 2012
[Armstrong case: Reactions from around pro cycling](#) - August 24, 2012
[UCI awaits next USADA step in Armstrong case](#) - August 24, 2012
[USADA bans Armstrong for life, disqualifies all results since 1998](#) - August 25, 2012
[Escartin calls USADA sanction on Armstrong illogical](#) - August 25, 2012
[Anderson maintains support for Armstrong](#) - August 25, 2012
[Frankie Andreu responds to Armstrong's ban](#) - August 25, 2012
[Jens Voigt hoping Lance Armstrong case comes to an end](#) - August 25, 2012
[Armstrong: mixed reactions at USA Pro Challenge](#) - August 25, 2012
[Simeoni: Justice has come a bit late in Armstrong case](#) - August 25, 2012
[Merckx continues support of Armstrong](#) - August 25, 2012
[Report: Armstrong warned before all doping controls](#) - August 25, 2012
[Axel Merckx stands by Armstrong](#) - August 26, 2012
[Larsson applauds Armstrong decision](#) - August 26, 2012
[Report: Armstrong hotel search cancelled in 2005](#) - August 26, 2012
[Savoldelli: Armstrong made enemies](#) - August 26, 2012
[USADA: Armstrong could have retained five Tour wins](#) - August 27, 2012

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[Bassons: Armstrong's illusion of control is paramount - August 28, 2012](#)
[Armstrong: I won the Tour de France seven times - August 30, 2012](#)
[French Cycling Federation praises USADA's actions in Armstrong case - August 30, 2012](#)
[Hamilton says Armstrong gave him EPO before 1999 Tour de France - August 31, 2012](#)
[USADA responds to Liggett's claims of bribery in Armstrong case - August 31, 2012](#)
[Sheryl Crow questioned in federal Armstrong investigation - September 1, 2012](#)
[McQuaid says UCI not afraid to sanction Lance Armstrong - September 2, 2012](#)
[Report: USADA in possession of positive Armstrong samples - September 3, 2012](#)
[An avalanche of evidence against Armstrong Hamiltons co-author claims - September 5, 2012](#)
[Museeuw calls for doping confessions from past riders - September 6, 2012](#)
[Weltz denies Hamilton's claims of being USPS EPO courier - September 6, 2012](#)
[Schenk doubts McQuaid has the credibility to clean up cycling - September 7, 2012](#)
[UCI may not appeal Lance Armstrong ban - September 8, 2012](#)
[UCI to introduce doping amnesty? - September 8, 2012](#)
[Sheryl Crow: No one trained harder than Armstrong - September 11, 2012](#)
[Lance Armstrong continues to compete despite ban - September 13, 2012](#)
[Howman welcomes HGH test, talks Hamilton and UCI - September 13, 2012](#)
[No further action on Armstrong case for a few weeks - September 18, 2012](#)
[Kimmage receives UCI subpoena - September 20, 2012](#)
~~[Verbruggen won't take legal action against Hamilton - September 21, 2012](#)~~
[UCI has nothing to apologise for, says McQuaid - September 22, 2012](#)
[McQuaid reluctant to elaborate on Kimmage case - September 22, 2012](#)
[Hamilton calls on Armstrong to tell the truth - September 23, 2012](#)
[French Sports Minister calls for UCI to uphold Armstrong sanction - September 24, 2012](#)
[Tygart received death threats during USADA's Armstrong investigation - September 24, 2012](#)
[UCI responds to French sports minister over Armstrong Tour wins - September 25, 2012](#)
[USADA still finalizing decision on Lance Armstrong - September 26, 2012](#)
[UCI questions USADA on Armstrong file delay - September 27, 2012](#)
[Vaughters defends Kimmage ahead of UCI case - September 28, 2012](#)
[Report: Armstrong's ex-wife involved in doping scheme - September 30, 2012](#)
[UCI provides clarification regarding its case against Kimmage - October 1, 2012](#)
[Swiss court finds in UCI's favour in Landis defamation case - October 3, 2012](#)
[Landis never contacted to defend against UCI defamation suit - October 3, 2012](#)
[UCI's failure to silence LeMond - October 4, 2012](#)
~~[Lance Armstrong: My conscience is clear - October 5, 2012](#)~~
[Gripper: Cycling cannot move forward until Lance issue is resolved - October 6, 2012](#)
[LeMond: Armstrong has been trying to destroy me for 10 years - October 7, 2012](#)
[USADA report contains "the same, old, worn-out stuff": Armstrong spokesman - October 8, 2012](#)
[Ashenden: Armstrong may have been blood-doping at 2009 Tour de France - October 8, 2012](#)
[Armstrong lawyer attacks pending USADA report - October 9, 2012](#)

Reasoned decision is released, floodgates open

On October 10, 2012, the USADA released on its website all of the documented evidence against Lance Armstrong. In it doping of six current riders: George Hincapie, Michael Barry (both had retired prior to the release), plus Garmin-Sharp rider David Zabriskie and Omega Pharma-Quickstep's Levi Leipheimer.

While the three Garmin riders are retained by the team despite their six-month bans, Leipheimer is let go from Quickstep.

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[USADA's reasoned decision on Lance Armstrong follows money trail](#) - October 10, 2012
[Six former Armstrong USPS teammates receive bans from USADA](#) - October 10, 2012
[George Hincapie confesses to doping](#) - October 10, 2012
[Michael Barry confesses to doping](#) - October 10, 2012
[USADA believes one-in-a-million chance Armstrong rode 2009, 2010 Tours clean](#) - October 10, 2012
[USADA: Lance Armstrong paid Ferrari more than \\$1 million](#) - October 10, 2012
[Armstrong lawyer reacts to USADA reasoned decision press release](#) - October 10, 2012
[Danielson, Vande Velde and Zabriskie accept USADA bans](#) - October 10, 2012
[UCI examining USADA's evidence on Armstrong](#) - October 10, 2012
[WADA supports USADA on Lance Armstrong decision](#) - October 11, 2012
[USADA: Bruyneel a key player in Armstrong and team's doping](#) - October 11, 2012
[Leipheimer accepts USADA sanction following doping admission](#) - October 11, 2012
[USADA: Armstrong created a doping culture at US Postal](#) - October 11, 2012
[US riders react to USADA reasoned decision](#) - October 11, 2012
[Nike show continued support for Armstrong after USADA report](#) - October 11, 2012
[Brailsford stunned by USADA disclosures](#) - October 11, 2012
[Walsh: USADA decision "convincing and comprehensive"](#) - October 11, 2012
[Belgian Federation forwards Bruyneel charges to federal prosecutor](#) - October 11, 2012
[Italian documents reveal details of Dr Ferrari's doping skills](#) - October 11, 2012
[We didn't know about Leipheimer case when he signed, claims Lefevere](#) - October 11, 2012
[Yates denies seeing anything 'dodgy' at Discovery Channel in 2005](#) - October 11, 2012
[Verbruggen on Armstrong: We did not hide anything, ever](#) - October 11, 2012
[USA Cycling to enforce USADA's suspensions of former Armstrong teammates](#) - October 11, 2012
[Howman on whether US Postal could happen again](#) - October 12, 2012
[Liquigas-Cannondale deny Bertagnolli's Dr Ferrari claims](#) - October 12, 2012
[Martin supports Garmin stance on USADA-sanctioned riders](#) - October 12, 2012
[Wiggins: USADA Armstrong case 'pretty damning'](#) - October 12, 2012
[Cycling Australia respond to USADA investigation](#) - October 12, 2012
[Rogers: It was a mistake to work with Ferrari](#) - October 12, 2012
[Pévenage "shocked" by details of USADA report](#) - October 12, 2012
[Ferrari could face criminal charges in Armstrong case](#) - October 12, 2012
[Van Den Broeck and Devolder "didn't notice anything" at US Postal](#) - October 12, 2012
[Report: Cancellara critical of Bruyneel and Armstrong](#) - October 12, 2012
[McQuaid tight-lipped on UCI response to USADA reasoned decision](#) - October 12, 2012
[Report: Bruyneel could be sacked today](#) - October 12, 2012
[David Millar calls on Verbruggen to step down from UCI](#) - October 12, 2012
[Tour de France director against reassigning Armstrong's victories](#) - October 12, 2012
[RadioShack-Nissan cut ties with Bruyneel](#) - October 12, 2012
[Betsy Andreu: No longer a voice in the wilderness](#) - October 13, 2012
[Simeoni: "Armstrong and past still haunt me"](#) - October 13, 2012
[Bob Stapleton open to return to cycling](#) - October 13, 2012
[Will U.S. Postal history haunt Matt White?](#) - October 13, 2012
[Andersen says Bruyneel's departure "probably the right decision"](#) - October 13, 2012
[Matt White steps down from Orica GreenEdge after doping confession](#) - October 13, 2012
[RadioShack-Nissan riders keep counsel on Bruyneel at Tour of Beijing](#) - October 13, 2012
[Cavendish lauds cycling's anti-doping efforts](#) - October 13, 2012

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[Cycling Australia board to meet after White's confession](#) - October 14, 2012

[Jonker says he "never doped"](#) - October 14, 2012

[Armstrong may take a lie detector test, says lawyer](#) - October 14, 2012

[Pound: UCI must have known about doping](#) - October 14, 2012

[U.S. investigations stalled ASADA's pursuit of White](#) - October 15, 2012

[Millar says USADA report will change lives](#) - October 15, 2012

[Andy Schleck: cycling needs to focus on the future](#) - October 15, 2012

[Despite USADA's evidence Liggett remains Armstrong's supporter](#) - October 15, 2012

[**Opinion: The Lance Armstrong fairness fallacy**](#) - October 16, 2012

[Dr Ferrari unperturbed by USADA evidence](#) - October 16, 2012

[Ashenden critical of Cycling Australia](#) - October 16, 2012

[Former Armstrong teammate plans Nike protest](#) - October 16, 2012

[Australian Sports Commission says amnesty sends the wrong message](#) - October 16, 2012

[Barry calls for changes in pro road cycling](#) - October 16, 2012

[Bike Pure: Substantial change rests with the UCI](#) - October 16, 2012

[Report: Did Nike pay \\$500,000 to Verbruggen to cover up Armstrong positive?](#) - October 16, 2012

[Ferrari hits back at USADA doping accusations](#) - October 16, 2012

[Omega Pharma-Quickstep terminates Leipheimer contract](#) - October 16, 2012

[**Steffen: Anti-doping vigilance needs to continue in wake of USADA investigation**](#) - October 17, 2012

[Protesters implore Nike to step away from Armstrong endorsement](#) - October 17, 2012

[O'Grady in "shock" following evidence in USADA report](#) - October 17, 2012

[Matt White sacked by Cycling Australia for anti-doping breach](#) - October 17, 2012

[Kathy LeMond's SCA deposition details revealed](#) - October 17, 2012

[IOC Vice President says Armstrong may lose 2000 Olympic bronze medal](#) - October 17, 2012

[Nike terminate Armstrong's contract](#) - October 17, 2012

[Gripper calls on the UCI to do more to fight doping](#) - October 17, 2012

[Greipel voices support of USADA investigation](#) - October 17, 2012

[Anheuser-Busch joins Nike in distancing from Lance Armstrong](#) - October 17, 2012

[Team Sky asks riders and staff to sign anti-doping declaration](#) - October 17, 2012

[Trek breaks ties with Lance Armstrong](#) - October 17, 2012

[**Former USADA opponent Paul Scott provided key USADA information**](#) - October 18, 2012

[Leipheimer wants to continue, despite Quickstep sacking](#) - October 18, 2012

[Spain's Attorney General to launch criminal proceedings against Armstrong?](#) - October 18, 2012

[Verbruggen denies Kathy LeMond's story of cover-up payment](#) - October 18, 2012

[Bruyneel vows to continue fight against USADA charges](#) - October 18, 2012

[**Tuning into 'Radio Millar' - David Millar speaks**](#) - October 18, 2012

[Gazzetta reveals scale of doping and money laundering under Dr. Ferrari](#) - October 18, 2012

[RadioShack-Nissan choose Guercilena to replace Bruyneel](#) - October 18, 2012

[Terpstra: Armstrong affair in media more than in peloton](#) - October 18, 2012

[Component manufacturer SRAM break ties with Armstrong](#) - October 19, 2012

[Cycling Australia vice president Hodge steps down, admits doping](#) - October 19, 2012

[**Cycling Australia swallows its own bitter pill**](#) - October 19, 2012

[Rabobank to end its sponsorship of professional cycling teams](#) - October 19, 2012

[Gesink shocked by Rabobank news](#) - October 19, 2012

[Rabobank to become 'white label' team](#) - October 19, 2012

[Gazzetta reveal police taps of Dr. Ferrari and Michele Scarponi](#) - October 19, 2012

[UCI responds to Rabobank withdrawal](#) - October 19, 2012

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UCI to announce decision on USADA's Armstrong findings on Monday - October 19, 2012

Dave Brailsford's pursuit of Utopia for Team Sky - October 19, 2012

Rubiera: I never saw Armstrong dope - October 19, 2012

USA Cycling strips Lance Armstrong's name from race series - October 19, 2012

Mixed emotions for Renshaw as Rabobank backs out - October 20, 2012

Armstrong: It's been a difficult couple of weeks - October 20, 2012

Vaughters questions Sky's new anti-doping policy - October 20, 2012

Open letter: David Millar responds to Rabobank's decision to leave cycling - October 20, 2012

Armstrong's 2001 sample was suspect but not positive, says head of Lausanne lab - October 21, 2012

Boonen: Only Lance can end the current doubt in cycling - October 21, 2012

Vaughters: Cycling Australia should not have turned its back on Hodge, White - October 22, 2012

Evans confirms fitness test taken with Ferrari in 2000 - October 22, 2012

Armstrong's results nullified

On October 22, 2012, the UCI upheld USADA's lifetime ban and expunged his results since 1998. In the wake of the ban, one turned their backs on him, but stayed with the Lance Armstrong Foundation - which subsequently changed its legal name to the U.S. Anti-Doping Foundation. Armstrong stepped down as chairman.

Other riders from the era felt safe to come forward and admit to doping, with mixed consequences. After months of fighting, the U.S. Postal Service sued the cyclist, and he was eventually cleared. In a 2004 television interview with Oprah Winfrey, the cyclist admitted to doping.

001 confirms Lance Armstrong's life ban - October 22, 2012

McQuaid: "Lance Armstrong has no place in cycling" - October 22, 2012

USADA say the UCI made the right decision in Armstrong case - October 22, 2012

Oakley severs relationship with Armstrong - October 22, 2012

Prudhomme: "This era must be remembered as an era without winners" - October 22, 2012

Statement details UCI position on Armstrong ban - October 22, 2012

Bobby Julich doping confession - October 25, 2012

Orica-GreenEdge dismisses Matt White - November 1, 2012

White caught in wrong team at wrong time, says Jonker - November 2, 2012

Cycling was a "deeply criminal business" says Millar - November 6, 2012

Joachim supports Armstrong, says no organized doping at US teams - November 10, 2012

WADA denies charges of protecting Armstrong - November 12, 2012

Armstrong resigns from Livestrong board of directors - November 12, 2012

Hamilton: UCI must accept responsibility for cycling's past - November 12, 2012

Rick Crawford: I helped Levi Leipheimer to dope - December 5, 2012

Ferrari denies doping Armstrong - December 4, 2012

Rick Crawford loses coaching job as new doping allegations emerge - December 18, 2012

Barry cites the heavy mental toll of doping - December 19, 2012

Is Lance Armstrong considering a confession? - January 5, 2013

Bettini calls on Armstrong to confess - January 7, 2013

Report: Armstrong's alleged donation to USADA - January 8, 2013

Armstrong set for tell-all interview with Oprah Winfrey - January 9, 2013

Lausanne laboratory gave Armstrong key to beating EPO test, says Tygart - January 10, 2013

[Saucy denies telling Armstrong how to avoid EPO positive - January 11, 2013](#)

10 questions Walsh would ask Lance Armstrong - January 12, 2013

Armstrong to attempt reconciliation with Landis? - January 14, 2013

Armstrong to attempt reconciliation with Lands? - January 14, 2019
 Houghton calls on Armstrong to speak to WIADA - January 14, 2019

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[Report: Armstrong confesses to doping during Winfrey interview](#) - January 15, 2013

[Armstrong interview extended to two nights on Oprah Winfrey Network](#) - January 15, 2013

[Jaksche: Sponsors must also accept their responsibility for doping](#) - January 16, 2013

However, the implications of an Armstrong confession ran deep for the sport and Armstrong's net worth.

[SCA to seek \\$7.5m from Lance Armstrong](#) - October 22, 2012

[Report: Armstrong's influence extends beyond sport](#) - October 23, 2012

[Cycling in Olympics not under threat by IOC](#) - October 24, 2012

[Alpe d'Huez Mayor wants Armstrong's name removed from climb](#) - October 24, 2012

[UCI management committee will not reallocate Armstrong's Tours](#) - October 28, 2012

[Tour de France organizers confirm UCI decision on Armstrong's victories](#) - October 29, 2012

[IOC considers action on Armstrong's Olympic medal](#) - November 1, 2012

[WADA will not appeal USADA decision on Lance Armstrong](#) - November 2, 2012

[WADA will not appeal reduced sanctions in USADA case](#) - November 3, 2012

[Livestrong Foundation drop Armstrong from title name](#) - November 15, 2012

[IOC wait for UCI paperwork before moving to strip Armstrong of bronze medal](#) - December 6, 2012

[Landis' whistle-blower suit against Armstrong rumbles on](#) - December 11, 2012

[UCI officially nullifies Armstrong's Tour de France titles and results](#) - December 11, 2012

[Nissan to pull back from RadioShack team](#) - December 20, 2012

[2012 Reader Poll: USADA vs Lance Armstrong](#) - December 23, 2012

[The Sunday Times announces it's suing Lance Armstrong](#) - December 23, 2012

[D-day for Armstrong with Thursday the final day to appeal ban to CAS](#) - December 26, 2012

[Armstrong lets CAS filing deadline lapse without action](#) - December 29, 2012

[South Australian Premier wants Armstrong to re-pay Tour Down Under fees](#) - January 15, 2013

[Armstrong's confession could lead to \\$100 million whistleblower lawsuit](#) - January 15, 2013

[UCI reacts to reports that Armstrong could testify against officials](#) - January 15, 2013

[Pound says IOC may drop cycling from Olympics on Armstrong confession](#) - January 15, 2013

[U.S. government rejects Armstrong's \\$5 million offer in whistleblower case](#) - January 16, 2013

[IOC unlikely to cut cycling from Olympic programme](#) - January 16, 2013

There were plenty of opinions about Armstrong's doping, both against and in support of the now-former Tour winner.

[Reactions to UCI's confirmation of Lance Armstrong's ban](#) - October 22, 2012

[Millar "empowered" by UCI decision on Armstrong ban](#) - October 22, 2012

[McQuaid: Landis and Hamilton are far from heroes](#) - October 23, 2012

[Turtur left "disappointed" and "duped" by Armstrong](#) - October 23, 2012

[Samuel Sanchez criticises Armstrong ban](#) - October 23, 2012

[Kjaergaard confesses to doping while at Chicky World and US Postal](#) - October 23, 2012

[Indurain thinks Armstrong will appeal](#) - October 23, 2012

[Contador says there is no new proof against Armstrong](#) - October 24, 2012

[Wiggins compares Armstrong to Father Christmas](#) - October 24, 2012

[Del Moral denies involvement in Armstrong doping case](#) - October 24, 2012

[Merckx "fell into the trap" of Armstrong](#) - October 25, 2012

[Escartín: I'm not interested in second place in the Tour](#) - October 25, 2012

[Video: Wiggins says a confession from Armstrong is unlikely](#) - October 25, 2012

[Kittel "sick" of Armstrong supporters](#) - October 27, 2012

[British Cycling head questions UCI credibility](#) - October 30, 2012

[Armstrong to be stripped of his love to Adelaide](#) - October 31, 2012

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[Armstrong ruling questioned by doping experts](#) - November 1, 2012

[Freire: I never had suspicions about Armstrong](#) - November 12, 2012

[Evans on doping accusations and Lance Armstrong's Tours](#) - November 17, 2012

[Bordry: "Armstrong boasted he'd asked for my head"](#) - November 19, 2012

[Sports Illustrated dubs Armstrong 'Anti-Sportsman of the Year'](#) - November 30, 2012

[Watson: Armstrong "did what he had to do"](#) - January 4, 2013

Now that everyone is aware of cycling's dark days, how can the sport move forward? That was the question on everyone's independent commission to examine its anti-doping efforts objectively. But not even the anti-doping authorities could agree

[McQuaid would accept rider donations in the future](#) - October 22, 2012

[Police involvement crucial in anti-doping, says McQuaid](#) - October 22, 2012

[McQuaid has no place in cycling, says Hamilton](#) - October 23, 2012

[WADA: Testing alone not sufficient to combat doping](#) - October 23, 2012

[Mercier: The UCI must get rid of Pat McQuaid](#) - October 24, 2012

[Clerc calls on ASO to assume greater responsibility](#) - October 24, 2012

[Open Letter: LeMond demands McQuaid's resignation](#) - October 25, 2012

[Riders call for UCI to launch reforms](#) - October 26, 2012

[Ellis backs plans for independent commission](#) - October 29, 2012

[Jaksche: The problem isn't Armstrong, it's the system](#) - October 29, 2012

[Howman: WADA's credibility not in question in Armstrong aftermath](#) - November 5, 2012

[Report: IOC member says "Armstrong's credibility has gone" regardless of Olympic medal decision](#) - November 7, 2012

[Independent anti-doping commission needed for cycling, says AIGCP](#) - October 23, 2012

[Independence critical for clean sport, says Tygart](#) - November 6, 2012

[Head of International Council of Arbitration for Sport to recommend UCI Commission members](#) - November 7, 2012

[UCI to launch consultation with cycling stakeholders](#) - November 7, 2012

[Pound: The appointment of Coates is troubling](#) - November 8, 2012

[UCI and WADA blamed for anti-doping failure](#) - November 9, 2012

[UCI's Chief Medical Officer says sport previously lacked means to catch cheats](#) - November 13, 2012

[Riders' Association calls for establishment of independent anti-doping commission](#) - November 21, 2012

[Ashenden, Kimmage, Walsh head UCI protest group](#) - November 27, 2012

[LeMond, Vaughters, Boyer and Jaksche join Change Cycling Now group](#) - November 29, 2012

[UCI names panel for Armstrong affair commission](#) - November 30, 2012

[Boyer unhappy with Vaughters' presence at Change Cycling Now](#) - December 2, 2012

[Vaughters and Boyer reconcile at Change Cycling Now summit](#) - December 3, 2012

[UCI Independent Commission calls for evidence](#) - December 4, 2012

[UCI Independent Commission contacts potential witnesses](#) - December 7, 2012

[UCI announces independent audit of federation](#) - December 13, 2012

[McQuaid: Change Cycling Now "not a part of cycling"](#) - December 13, 2012

[WADA president has concerns about UCI Independent Commission](#) - December 13, 2012

[McQuaid: All I've done since I became president is fight doping](#) - December 31, 2012

[Anti-Doping agencies refuse to join UCI Independent Commission](#) - January 15, 2013

[Verbruggen denies responsibility for cycling's problems](#) - January 16, 2013

[Independent Commission urges UCI to agree to Truth and Reconciliation process](#) - January 16, 2013

[UCI reject calls for a cycling-only Truth and Reconciliation Commission](#) - January 16, 2013

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Table 1.11

Age Distribution (%) of Incidence Cases by Site, 2006-2010
All Races, Both Sexes

	Age 0-4	Age 5-9	Age 10-14	Age 15-19	Age 20-24	Age 25-29	Age 30-34	Age 35-39	Age 40-44	Age 45-49	Age 50-54	Age 55-59	Age 60-64	Age 65-69	Age 70-74	Age 75-79	Age 80-84	Age 85-89	Age 90-94	Age 95+	Number of Cases
All Sites	1.0	2.6	5.3	14.2	23.8	25.1	20.1	7.8	100.0%												1,968,702
Oral Cavity & Pharynx:	0.6	2.1	5.9	20.2	29.1	21.4	14.7	6.0	100.0%												47,236
Lip	0.2	1.2	5.4	14.9	18.9	23.3	23.4	12.8	100.0%												2,812

Tongue	0.1	1.9	5.5	20.2	32.4	22.5	12.8	4.6	100.0%	13,820
Salivary gland	2.1	6.2	7.5	14.5	20.0	19.0	20.3	10.4	100.0%	5,407
Floor of mouth	0.1	0.2	3.8	20.5	31.7	25.1	14.5	4.1	100.0%	2,512
Gum & other oral cavity	0.7	2.1	4.7	13.5	22.8	23.4	21.6	11.2	100.0%	6,417
Nasopharynx	3.5	5.8	13.2	25.3	25.6	15.2	9.0	2.3	100.0%	2,820
Tonsil	0.0	0.5	6.6	31.4	36.9	16.5	6.5	1.5	100.0%	7,993
Oropharynx	0.0	0.3	4.3	20.4	33.7	24.1	13.0	4.2	100.0%	1,723
Hypopharynx	0.0	0.1	1.6	16.7	31.9	27.7	17.7	4.1	100.0%	2,812
Other oral cavity & pharynx	0.3	0.8	3.1	14.8	29.6	26.9	16.6	7.9	100.0%	910
Digestive System:	0.2	1.0	3.6	13.4	22.2	24.4	23.8	11.3	100.0%	361,202
Esophagus	0.0	0.3	2.1	11.9	26.9	27.5	23.0	8.3	100.0%	18,984
Stomach	0.1	1.6	4.6	12.2	19.7	24.7	25.0	12.2	100.0%	31,511
Small intestine	0.1	1.3	5.3	15.6	24.9	25.1	19.8	8.0	100.0%	8,822
Colon & Rectum:	0.1	1.2	4.0	13.8	20.8	24.0	24.1	12.0	100.0%	190,166
Colon	0.1	1.0	3.4	11.6	19.3	24.5	26.4	13.8	100.0%	135,206
Rectum	0.0	1.6	5.7	19.4	24.4	22.8	18.4	7.7	100.0%	54,960
Colon & Rectum (Male)	0.1	1.2	4.0	14.7	23.2	25.9	22.2	8.7	100.0%	97,800
Colon & Rectum (Female)	0.1	1.1	4.1	13.0	18.2	22.0	26.0	15.6	100.0%	92,366
Anus, anal canal & anorectum	0.0	1.0	7.8	25.1	26.7	18.7	14.2	6.4	100.0%	7,504
Liver & intrahepatic bile duct	1.0	0.8	2.6	17.8	32.1	22.4	17.5	5.9	100.0%	33,637
Gallbladder	0.0	0.4	2.7	8.5	19.1	25.3	28.7	15.4	100.0%	4,830
Other biliary	0.1	0.6	2.4	8.7	19.0	25.7	28.7	14.9	100.0%	7,656
Pancreas	0.1	0.4	2.1	9.7	20.8	26.0	27.4	13.5	100.0%	51,395
Retroperitoneum	9.0	4.8	8.2	15.0	22.3	20.9	14.9	4.8	100.0%	1,629
Peritoneum, omentum & mesentery	0.6	1.2	3.0	9.8	24.3	32.0	23.1	5.8	100.0%	2,611
Other digestive system	0.2	1.0	3.2	10.9	19.3	22.4	28.3	14.7	100.0%	2,306
Respiratory System:	0.1	0.4	1.5	9.3	21.8	31.1	27.3	8.5	100.0%	274,554
Nose, nasal cavity & middle ear	1.6	4.5	7.0	15.1	23.6	21.3	17.5	9.3	100.0%	2,965
Larynx	0.1	0.4	2.6	16.2	30.2	28.6	17.0	4.8	100.0%	14,693
Lung & bronchus	0.0	0.3	1.4	8.8	21.3	31.4	28.1	8.7	100.0%	255,990
Lung & bronchus (Male)	0.0	0.2	1.3	8.6	22.4	32.1	27.6	7.8	100.0%	135,823
Lung & bronchus (Female)	0.0	0.4	1.5	9.0	20.2	30.7	28.6	9.6	100.0%	120,167
Trachea & other respiratory organs	16.1	20.1	9.6	11.9	13.0	11.5	11.9	6.0	100.0%	783
Bones & joints	27.4	15.3	9.7	13.1	11.9	9.5	9.3	3.6	100.0%	3,888

Soft tissue (including heart)	9.0	9.4	10.0	14.8	17.2	16.2	16.2	7.2	100.0%	13,963
Skin (excl. basal & squamous):	0.6	6.4	9.8	17.2	21.2	19.5	17.6	7.7	100.0%	98,066
Melanoma of the skin	0.6	6.5	10.0	17.8	21.8	19.6	16.8	7.0	100.0%	89,930
Other non-epithelial skin	1.3	5.5	7.1	9.9	14.8	19.1	26.5	15.9	100.0%	8,136
Breast (Female)	0.0	1.8	9.6	22.2	25.2	20.7	14.8	5.7	100.0%	285,391
Breast (Female -in situ)	0.0	0.7	10.7	28.8	26.8	19.7	11.2	2.2	100.0%	72,153
Female Genital System:	0.4	4.1	9.2	19.2	27.3	20.1	13.7	5.9	100.0%	112,905
Cervix uteri	0.1	13.8	25.7	24.2	17.0	10.7	5.8	2.6	100.0%	17,288
Corpus uteri	0.0	1.6	5.8	18.8	33.6	22.9	13.0	4.3	100.0%	55,690
Uterus, NOS	0.2	1.5	5.1	16.3	22.9	19.5	18.3	16.2	100.0%	1,500
Ovary ^a	1.3	3.6	7.2	18.5	23.7	20.4	17.2	8.2	100.0%	29,070
Vagina	0.8	1.6	5.1	14.2	23.1	21.0	21.5	12.7	100.0%	1,700
Vulva	0.2	2.0	6.7	15.4	18.9	18.5	23.1	15.1	100.0%	5,556
Other female genital system	1.1	6.6	7.0	14.5	24.3	22.5	17.0	7.1	100.0%	2,084
Male Genital System:	0.2	1.8	1.6	9.8	31.2	34.5	17.1	3.9	100.0%	309,497
Prostate	0.0	0.0	0.6	9.6	32.3	35.8	17.7	4.0	100.0%	295,797
Testis	6.2	48.4	24.9	13.8	4.7	1.3	0.7	0.2	100.0%	11,637
Penis	0.1	2.0	6.7	11.3	22.0	24.7	22.5	10.7	100.0%	1,565
Other male genital system	3.2	2.4	6.4	13.3	21.1	19.9	21.5	12.2	100.0%	498
Urinary System:	0.6	1.0	3.4	11.1	21.6	26.5	25.5	10.4	100.0%	154,986
Urinary bladder	0.1	0.4	1.5	7.3	18.5	27.6	30.9	13.7	100.0%	85,752
Kidney & renal pelvis	1.2	1.7	6.0	16.4	25.9	25.0	17.8	5.8	100.0%	65,613
Ureter	0.0	0.1	0.6	4.0	14.3	29.1	36.8	15.1	100.0%	2,350
Other urinary system	0.0	0.7	2.0	7.9	17.2	23.9	31.3	16.9	100.0%	1,271
Eye & Orbit	13.0	3.2	6.3	15.0	20.2	20.2	15.8	6.2	100.0%	3,400
Brain & Nervous System:	13.1	8.8	8.8	14.9	19.5	16.7	13.4	4.8	100.0%	27,410
Brain	12.5	8.7	8.7	14.8	19.7	17.1	13.7	4.9	100.0%	25,747
Cranial nerves & other nervous system	23.3	11.3	11.1	16.1	16.3	10.3	8.4	3.2	100.0%	1,663
Endocrine System:	2.9	14.8	19.3	23.8	19.4	12.2	6.0	1.5	100.0%	55,611
Thyroid	1.8	15.3	19.9	24.4	19.5	12.0	5.7	1.4	100.0%	52,338
Other endocrine & thymus	21.1	7.5	8.8	15.2	18.6	16.0	10.1	2.7	100.0%	3,273
Non-Hodgkin lymphoma	1.7	3.8	6.3	13.5	20.4	22.8	22.4	9.2	100.0%	83,105
Myeloma	0.0	0.5	3.2	11.4	22.8	27.4	25.2	9.6	100.0%	25,028

Leukemia:	10.3	4.7	5.2	10.4	16.7	20.0	21.7	11.1	100.0%	53,448
Lymphocytic:	15.5	3.0	3.2	9.0	17.5	20.8	20.6	10.4	100.0%	26,775
Acute lymphocytic	59.5	10.5	5.5	6.7	7.0	5.3	4.0	1.5	100.0%	6,974
Chronic lymphocytic	0.0	0.2	1.6	8.9	21.1	26.9	27.2	14.0	100.0%	18,082
Other lymphocytic	0.2	2.2	10.9	19.1	22.2	18.8	18.6	8.0	100.0%	1,719
Myeloid & Monocytic:	5.1	6.7	7.5	12.2	16.2	19.7	22.3	10.3	100.0%	23,979
Acute myeloid	5.8	6.4	6.6	11.3	15.8	20.5	23.3	10.3	100.0%	15,392
Chronic myeloid	2.9	7.5	9.3	14.3	17.2	18.3	20.5	10.0	100.0%	6,803
Acute monocytic	9.4	6.5	8.2	12.8	17.7	16.8	19.3	9.3	100.0%	1,115
Other myeloid & monocytic	4.6	5.4	7.8	10.2	12.3	21.1	23.9	14.8	100.0%	669
Other leukemia:	4.0	3.5	4.0	8.1	12.6	16.0	26.5	25.3	100.0%	2,694
Other acute leukemia	7.7	4.2	3.3	8.2	11.4	15.0	25.4	24.8	100.0%	1,011
Aleukemic, subleukemic & NOS	1.8	3.1	4.4	8.0	13.3	16.6	27.2	25.6	100.0%	1,678
Kaposi Sarcoma	0.2	19.1	29.0	21.1	9.2	7.5	7.8	6.1	100.0%	2,283
Mesothelioma	0.1	0.6	1.9	6.4	16.1	27.0	34.1	13.7	100.0%	4,184
Ill-defined & unspecified	0.4	0.9	2.4	9.6	18.1	22.2	27.5	18.8	100.0%	38,395

Footnotes:

Source: (<http://seer.cancer.gov>) SEER 18 areas (San Francisco, Connecticut, Detroit, Hawaii, Iowa, New Mexico, Seattle, Utah, Atlanta, San Jose-Monterey, Los Angeles, Alaska Native Registry, Rural Georgia, California excluding SF/SJM/LA, Kentucky, Louisiana, New Jersey and Georgia excluding ATL/RG). Percents may not sum to 100 due to rounding.

^a (<http://seer.cancer.gov>) Ovary excludes borderline cases or histologies 8442, 8451, 8462, 8472, and 8473.

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