

2. The only testosterone metabolite that is even arguably positive under the WADA Positivity Criteria is the result of laboratory error and not the result of testosterone usage; and
3. The one metabolite that has been identified by the WADA-accredited laboratories as the best indicator of exogenous testosterone usage, and the longest-term indicator of exogenous testosterone usage, has been reported as negative.

Any one of these deficiencies would alone be sufficient to render the CIR result negative.

IV. ABSENT A POSITIVE CIR RESULT, THERE IS NO CASE TO ANSWER UNDER THE WADA TECHNICAL DOCUMENT TD2004EAAS

A negative CIR result in most cases mandates a dismissal of doping allegations of exogenous testosterone usage. However, in all cases other than a positive CIR Result, WADA Technical Document TD2004EAAS requires that a longitudinal study be performed. No such longitudinal study has been performed in this case, and no such longitudinal data has been provided to the athlete or to this Review Board. For this reason, there is no case to answer, and the case against Floyd Landis must be dismissed.

Doping charges cannot proceed against an athlete based upon an inconclusive/negative CIR test and a single T/E value. Furthermore, the single T/E analysis in this case is replete with fundamental, gross errors. Examples of these errors include:

1. Mismatched sample code numbers that do not belong to Floyd Landis (see, e.g., Document Package p. USADA 0288, alleged confirmation T/E