

clear evidence of laboratory error, such that none of these results can be accepted as accurate.

“Where doubt has been created with regard to the test procedure, such doubt must go to the benefit of the athlete.” USA Triathlon v. S. Smith (CAS 99/A/241). The LNDD laboratory documents are replete with such gross errors and ineptitude that their results in this case cannot be seriously accepted as accurate. At a minimum, those laboratory errors must go to the benefit of the athlete, and must result in a finding that the T/E results are wholly unreliable.

V. CONCLUSION

For the foregoing reasons, it is submitted that there can be no case to answer, and that the charges against Floyd Landis must be immediately dismissed.

RESPECTFULLY SUBMITTED,

DATED:

LAW OFFICES OF HOWARD L. JACOBS

By: _____
Howard L. Jacobs
Attorneys for Floyd Landis