

AFFIDAVIT OF MARCO CONSONNI, ESQ.

I, Marco Consonni, under penalty of perjury, upon request of Mr William Bock III, General Counsel of the US Anti-Doping Agency, declare and state the following:

1. I am an Italian lawyer ("Avvocato"), member of the Milan Bar and a partner of the law firm Orsingher Avvocati Associati in Milan, Italy. I am 47 years old and I have more than 24 years of legal practice and more than 16 years as partner in leading national and international law firms in Italy.

2. I have been instructed by the World Antidoping Agency (WADA) to provide legal assistance in Italy in relation to the investigative proceedings related to Case File n. 6989/2010 RGNR handled by the office of the Public Prosecutor of Padua, Italy. The proceedings relates to Mr Michele Ferrari, an Italian doctor, and other people, including Dr Ferrari's clients and relatives involved in potential violation of anti-doping rules.

3. In relation to the above proceedings, on or around 13 September 2012 WADA filed a request to the Public Prosecutor of Padua Dr. Benedetto Roberti (which is attached to this Affidavit in Italian language as Doc 1) and was then admitted by the Prosecutor as a party in the investigative proceedings. Consequently, WADA has been given access to the file in order to review and obtain documentation and evidences related to the activities of Dr Ferrari and of the other people under investigation. This authorization was granted by Dr. Benedetto Roberti with its order dated 21 September 2012 (which is handwritten on the WADA's pleading, **last page of Doc 1**). According to the request and the Prosecutor's authorization, WADA and its designees have full authority to use this information in connection to their anti-doping responsibilities in Italy and abroad.

4. Working on this case, I found evidence of a previous criminal proceedings related to potential violations of anti-doping rules committed by Dr. Ferrari and other people in Italy in the period from 1995 to 1998. These proceedings included doping treatments to Mr Filippo Simeoni, an Italian professional cyclist, in the period 1995 – 1997 by Dr Ferrari. Mr Simeoni was a witness in this case. The proceedings resulted in a decision of the Criminal Tribunal of Bologna dated 1 October 2004 (which is attached to this Affidavit in Italian language as Doc 2) which condemned Dr Ferrari for sporting fraud and abuse of the medical profession while he was acquitted of other crimes' indictments, mainly for statue of limitation. The decision was appealed before the Court of Appeal of Bologna and then before the Italian Supreme Court ("Corte di Cassazione"). While I have been unable to locate a copy of the decision of the Court of Appeal of Bologna, I found the decision of the Supreme Court dated 30 April 2009 (which is attached to this Affidavit in Italian language as Doc 3. The two decisions of the Tribunal of Bologna and of the Supreme Courte have been located in electronic digests of legal cases).

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5. With its above mentioned decision, the Supreme Court analyzes the previous decisions of the case made by the Tribunal and by the Court of Appeal of Bologna and states that, while the statute of limitation operates in relation to the indictments contested to Dr Ferrari, there were clear "objective" evidences of Dr Ferrari liability for sporting fraud and violation of anti-doping rules with specific reference of prescription of doping medications to athletes (handwritten prescription of 6500 tablets of Dhea, tablets and vials of Androsten, *inter alia*).

I swear and affirm that the foregoing statements are true to the best of my knowledge, information and belief.

Dated this 4th day of October 2012

Avvocato Marco Consonni

