

### AFFIDAVIT OF DAVID ZABRISKIE

I, David Zabriskie, under penalty of perjury, declare and state:

1. I am thirty-three (33) years old and was born on January 12, 1979. I have been a professional cyclist since 2001.

2. The statements contained in this affidavit are based on my personal knowledge and are true and accurate.

3. I am providing this affidavit to the United States Anti-Doping Agency (USADA) as part of my voluntary cooperation with USADA and as a part of USADA's investigation of doping in the sport of cycling.

4. I understand that this affidavit will be submitted in legal proceedings, including arbitrations, in which USADA is presently involved or may become involved and in connection with cases that USADA has brought or may bring in connection with doping in the sport of cycling.

5. USADA has full authority to use this affidavit as appropriate in connection with its anti-doping responsibilities under the Code including use in any legal proceedings or in connection with any decision or announcement of sanctions or violations issued by USADA.

6. I understand that a requirement of my cooperation with USADA is that I provide USADA truthful and complete information concerning my involvement in doping and the involvement in anti-doping rule violations of all others of which I am aware.

7. I am aware that should I fail to provide truthful information to USADA that I may lose any and all benefits of my cooperation with USADA.

8. I have also previously provided truthful testimony under oath and subject to penalties of perjury about doping on the U.S. Postal Service Cycling Team to the United States federal government in connection with a criminal investigation.

9. I understand and agree that I am subject to the results management jurisdiction of USADA as a member of the USADA registered testing pool, as a former U.S. Olympic Team Member and as a United States athlete who is a member of USA Cycling and who is subject to the USA Cycling Medical Control rules, the USADA Protocol for Olympic and Paralympic Movement Testing and the United States Olympic Committee National Anti-Doping Policies.

10. A brief history of my cycling career is as follows:

11. I developed an interest in cycling growing up in Salt Lake City, Utah. While in junior high school I participated in mountain biking and rollerblading. In 1994, at fifteen (15) years of age, I went for the first time to a meeting of a local cycling club. Steve Johnson, the President of USA Cycling, who was then with the Human Performance Laboratory at the University of Utah, was the guest speaker. Johnson spoke on cycling tactics. I eventually got to know Steve quite well and we became friends..

12. I recall the first training ride I went on with the cycling club; it was 50 to 60 miles long and I rode that route over and over until I started to beat guys in the club. I became the state champion the next year for my age group. I began winning all the amateur races.

13. Cycling became a refuge for me. Long, hard training rides were cathartic and provided an escape from the difficult home life associated with a parent with an addiction. My father had a long history of substance use and addiction. Seeing what happened to my father

from his substance abuse, I vowed never to take drugs. I viewed cycling as a healthy and wholesome outlet that would keep me far away from following my father's footsteps.

14. In 1996 I did one race in the Lance Armstrong Junior Points Service races and qualified to participate in training at the Olympic Training Center in Colorado Springs (the "OTC"). At OTC, physiological testing was performed on me. Based on the results, I was invited to return to the OTC.

15. In 1997, I was selected to compete at the World Championships in San Sebastian with the National Team.. It came easy to place 4<sup>th</sup> in the Worlds Time Trial. This success helped me make a decision to continue on with cycling.

16. In 1998 I was on the National Team, as well as Team Jeep Brielle, and Saturn. I met Lance Armstrong for the first time that year. I received an invitation to ride with Lance Armstrong and Kevin Livingston through Chris Carmichael. Steve Johnson arranged for my host housing in Austin so that I could ride with Armstrong and Livingston.

17. The decision of whether to go to college or continue cycling was upon me. Doping had been in the news a great deal in 1998 with the Festina scandal at the Tour de France, and I knew that I did not want to use drugs. Among the people I went to for advice was Steve Johnson. He said not to worry about the drugs in cycling. He said that the sport is cleaning up and it is a great time to enter. He said college would always be there and encouraged me to go into the sport rather than college.

18. In 1999 I rode for Nutrifig and in 2000 I rode for the Colorado Cyclist Team and National Team.

19. In 2000 I competed at the Tour of L'avenir in France. My father passed away at this time while I was competing in Europe. I attribute his untimely death to his drug use.

20. I missed my dad's funeral because of a race -- the GP Des Nations. I won the under 23 category and Lance Armstrong won the professional category. Johan was at the race and I was introduced to him there. Johan gave me a chance to ride on the U.S. Postal Service Team. Johan negotiated with me for my first contract with Tailwind Sports. I recall that the agreement was that I was to be paid \$40,000 for one year.

21. Immediately after joining the team, Johan sent me to Valencia for physiological testing with the Postal Service Doctor Dr. Luis Garcia del Moral. At training camp in Alicante Spain in 2001 Levi Leipheimer and I did a training ride that was observed by the U.S. Postal Service team doctor Dr. Luis Garcia del Moral and another individual who I later learned was Dr. Michele Ferrari. I was told to ride up the hill at full speed so that the doctors could measure my lactic acid levels and assess my power output.

22. I never worked with Dr. Ferrari, but I did notice that Dr. Ferrari on at least one or two occasions was at Lance Armstrong's apartment in Girona, Spain when I went to meet up with Lance for a ride. While Lance and I never became close friends, over time we became friendly.

23. At race hotels, I witnessed roommates getting injections from team doctors. It was explained to me that the injections were called "recovery." Generally, the explanation I was given was that it was a mix of vitamins. At times the "recovery" was a greenish liquid. At other times it appeared to be yellowish. On other occasions the "recovery" was a clear liquid, and at other times it had a reddish hue. I was asked whether I wanted the "recovery," and during the

first part of 2001 I refused, because I was not sure what was in it. I was afraid it might be a doping product.

24. At a training camp in Tucson at the beginning of 2001, I got very intoxicated during a celebration of my birthday, eventually falling asleep in a bath tub. Johan goaded me into drinking more saying, "take another shot or I'll fire you." His comment was in jest, however, those of us not on the Tour team knew that we were expendable, and our careers were very much controlled by team management.

25. After the training camp in Tucson, I moved to Spain. I had trouble making the adjustment to living in Spain. I was in a small town, isolated from other teammates. I did not speak the language. I had no support, no help. I was lonely and, for the most part, distant from my older, more experienced teammates. I was struggling mentally and emotionally and it affected my racing season. I had to beg Johan to keep me on the team for 2002. He said he could only pay me \$15,000 for the season, so I agreed to the reduction in my pay and rededicated myself to doing my best.

26. I began using the "recovery" injection product provided by the team regularly in 2002 because I came to believe it was just vitamins as consistently represented to be by the team doctors. I looked on the packaging of what I was taking when I was able to read it and the ingredients were only vitamins. Sometimes the doctors injected the recovery and other times we did it ourselves, with the instruction to inject the product in the vein. This was the first time I ever used a needle.

27. In 2002 I put a lot of work in and made the Vuelta a España team. At the 2002 Vuelta Johan Bruyneel said that they were going to increase my dose of the recovery because of the difficulty of the race.

28. A teammate, commenting on my progress, told me I was doing great without drugs.

29. During the 2002 Vuelta, my roommate was **Rider-19**. He began to feel badly and eventually dropped out of the race. After **Rider-19** had left the competition, Johan Bruyneel came to the hotel room I had been sharing with **Rider-19** in which we had a small refrigerator and took out a box wrapped in black plastic. I do not know what was in the box.

30. I looked up to Johan Bruyneel and looked to him for guidance and insight regarding how to progress as a professional cyclist.

31. After the 2002 season Johan and I reached an agreement for me to come back to the Postal Service team in 2003 and 2004 for \$50,000 and \$65,000 respectively.

32. In 2002 I started the habit of "entertaining" the Team on the long bus rides with various and sundry songs. I remember one time that year I was at the front of the bus and sang a song to Johan about EPO (to the tune of Jimi Hendrix's song, *Purple Haze*) that I had heard from **Rider-22** and it stuck in my head. Johan laughed along as I sang:

*EPO all in my veins*

Lately things just don't seem the same

Acton' funny, but I don't know why

'Scuse me while I pass this guy.

33. The 2003 season started well. I had a good performance at the Four Days of Dunkirk (Quatre Jours de Dunkerque) where I finished 5<sup>th</sup> overall. I recall the assistant team director, **Other-16** saying it was really impressive what I had done and that I could make a lot of money in the sport.

34. Soon after the Dunkirk race my teammate Michael Barry and I were asked to meet Johan Bruyneel and Dr. del Moral (also known as "El Gato") at a Café in Girona, Spain.

35. I had roomed with Michael Barry on some road trips, and we both lived in Girona. Prior to this meeting Michael Barry and I had talked about performance enhancing drugs, and I had gotten the impression that Michael was of the same mindset as myself and was opposed to drugs.

36. At the café, Bruyneel quickly made clear why he and Dr. del Moral were there. Johan and Dr. del Moral had brought not one, but two injectable products for me and Michael. In addition to recovery, they had brought the banned oxygen booster, EPO. I was shocked. This was my third full year on the European team, and I never thought that I would be expected to dope. I certainly did not expect Johan to push me to dope. Of course, I understood that some cyclists in the peloton fueled their success with banned substances. I suspected that some of my teammates were using performance enhancing drugs. (Johan always seemed to know when drug testers were coming at races. His warning that "they're coming tomorrow" came on more than one occasion.) But, until this very moment I was unaware of how involved the team leadership was in drug use by its riders on the team. Until then I had been largely shielded from the reality of drug use on the Postal Service Team.

37. I began to ask questions. I was afraid of the health risks of using EPO and I had a lot of questions, such as: was it safe? Would I be able to have children? Would it cause any physical changes? Would I grow larger ears? I persisted with many questions.

38. Bruyneel said, "everyone is doing it." He assured me that if EPO were dangerous no professional cyclists would be having kids. Bruyneel said that everyone who beat me at the Four Days of Dunkirk was on drugs and that even guys behind me were on drugs.

39. I felt cornered. I had pursued cycling to escape a home life torn apart by drugs, and now I was faced with this. I looked to Michael for support, but it became clear he had decided to use EPO. He kept repeating Bruyneel's opinions that EPO use was required for success in the peloton.

40. At some point I had no more questions. The fear was still there in the pit of my stomach, but I could think of nothing else to say. Johan, Dr. del Moral, Michael and I left the Café and we all four went to Michael's apartment where Dr. del Moral injected both Michael and me with EPO. Dr. del Moral said that EPO should be injected just like the "recovery" which was to be injected in the vein. Bruyneel told us that if someone came to the door of the apartment after using EPO we should not answer the door. Johan and Dr. del Moral told us that EPO and testosterone worked better when taken together, and they left a box of testosterone patches which Michael and I split between us.

41. That night Michael and his wife Dede and I had a conversation about EPO and its wide use in the peloton. They proceeded to come up with justifications for the drug use.

42. I went back to my Spanish apartment and had a breakdown. I called home, crying. I had pursued cycling as an escape from drugs, and here I was, having succumbed to the pressure.

43. For that week I received EPO injections at Michael Barry's apartment per Johan's instruction. Johan said that it was safer to use Michael's apartments for injections because



Michael is not a U.S. rider and therefore was not generally tested out of competition while overseas. On the other hand, USADA testers sometimes showed up to test U.S. athletes in Europe. Therefore, I did it with Michael in Michael's apartment.

44. After that week, I flew back to Utah. A few days later, I was hit by a SUV while on a training ride. I broke my leg and my arm and was out of competition the rest of the year. It was not clear at first if I would ever ride again. It took a long time to be able to walk, let alone ride a bike. I used nothing more that year.

45. I came back to Europe in 2004 and started racing again. At this point, Floyd Landis explained to me that members of the support staff worked with Johan to facilitate doping on the team, including the team trainer "Pepe" Marti and a Belgian named "Other-5"

46. While on the U.S. Postal team bus during the Tour of Luxembourg one year, I remember we were told that police were at the team hotel and "Other-16" advised that if any rider had any drugs in their bags that they should get rid of them. "Rider-20" went into the woods to bury what he was carrying and team employee "Other-13" commented that, "those trees will be big in a few years."

47. Following the 2003 season Dr. del Moral left the team and the primary team doctor for the U.S. Postal Service Team became Pedro Celaya.

48. In addition to the SUV crash in 2003, I had a very bad crash at the Redlands race in 2004. I woke up in a helicopter and had to be airlifted to the hospital. It took me a while to recover from the incident. I then went back to Europe to race the Vuelta.

49. During the 2004 Vuelta, starting with Stage 9, U.S. Postal Team Dr. Celaya injected me with a micro dose of EPO. This was done with the intent to prepare me for the end

of the race and Worlds. He was planning to give me micro doses daily until the end of the race. However, I ended up not getting the cumulative effect that was intended because I dropped out of the race several days later and stopped the use at that point. That was the end of any drug use that year.

50. I was roommates with **Rider-21** in 2004, and I became aware that he was using testosterone.

51. During 2004, Floyd Landis and I spent a great deal of time together as we both lived in Girona, and for a time during the season Floyd lived with **Rider-21** and myself until, eventually, **Rider-21** kicked Floyd out of our apartment. In 2004 Floyd told me of an incident that he said occurred that year in which multiple members of the Postal Service team had blood re-infused right on the team bus during a race. (The windows of the team bus were opaque and could not be seen through by individuals outside the bus. Guys would frequently change on the bus without fear of being seen from outside it.)

52. In 2005, Floyd told me of another incident that had happened in 2004. Lance Armstrong had asked Floyd to check on Lance's blood bags in Lance's apartment while Lance was out of town. Floyd showed me that he still had the keys to Lance's apartment. He told me that the blood was kept in the refrigerator and that the temperature in the refrigerator needed to be checked regularly so that the blood would not go bad.

53. I also recall being in Belgium for a race while on U.S. Postal and **Rider-5** and **Rider-8**, who lived in Spain, came to the race hotel in Belgium even though they were not in the race. I thought it odd that **Rider-5** and **Rider-8** had traveled all the way from Spain when there was no apparent team-related reason for them to be in Belgium. However, the team doctor was there and I was later told by Floyd that **Rider-5** and **Rider-8** showed up there to meet up

with the team doctor to facilitate their blood doping, either to get blood taken out or to have it re-infused.

54. Floyd Landis told me that Dr. Ferrari took a percentage of Floyd's salary for assisting him (Floyd) with doping and training regimen. Christian Vande Velde also told me that Dr. Ferrari was getting a percentage of his (Christian's) salary for Ferrari's help.

55. I also recall hearing team members talk at dinner about how they used to mix red testosterone pills in olive oil for use after training and races.

56. I left the U.S. Postal Service Team at the end of the 2004 season.

57. Around August 2005 I was in Girona Spain and Floyd drove me to Levi Leipheimer's house in Girona. There, I witnessed Levi and Floyd extracting each other's blood.

58. I went to Floyd's house for Christmas and New Years in December 2005. Floyd convinced me to try growth hormone. He said it wasn't fair that I didn't know what the others were doing and have all of the information the others had. I was having trouble with my leg from the accident and based on what Floyd was telling me it seemed that it should help my leg. I did it 5 to 7 times with him. In late May and early June of 2006, for two weeks, I used EPO and growth hormone provided by Floyd Landis. Floyd said the EPO and growth hormone worked better when taken consistently throughout the year, but I did not do that. I stopped after the two weeks and never did it again. The only other use in 2005 and 2006 was an infrequent testosterone patch. Even though my use was highly minimal compared to others around me, I was ecstatic to have those incidents behind me and to never use a banned substance again after June 2006.

59. In 2006 Floyd Landis shared with me his doping practices and those of several other riders and told me about **Other-17** providing Floyd in excess of one hundred thousand dollars to fund Floyd's doping program

60. I was one of the first to sign the UCI's riders anti-doping commitment. I even took it a step farther and offered to wear a tracking unit so I could be identified 24/7 as evidenced in the following article: <http://www.cyclingnews.com/news/zabriskie-wants-100-percent-transparency>

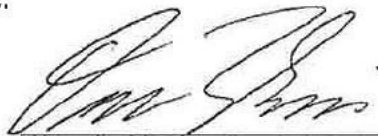
61. After Floyd Landis made public his doping allegations concerning doping on the U.S. Postal Service Team in approximately May of 2010, I called Johan Bruyneel about what he thought might happen, and he said not to lose sleep over it.

62. At the next race I was in, which I believe was in New Mexico, I discussed the situation with Lance Armstrong, and he told me he had things under control. Lance said that he listened in on my conversation with Johan and "if Floyd goes to USADA, we'll know about it." Lance told me to let him handle the press, he said "I'll take care of it. . . you don't need to do anything."

63. I believe that was the last time that I spoke with Lance Armstrong.

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

Dated this 4 day of September, 2012.



David Zabriskie

STATE OF COLORADO

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) ss.

COUNTY OF EL PASO

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Subscribed and sworn to before me by \_\_\_\_\_ on this \_\_\_\_\_ day of  
September, 2012.

Witness my hand and official seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Address: \_\_\_\_\_

\_\_\_\_\_

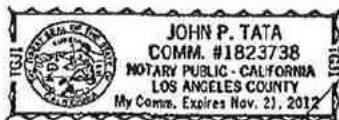
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SEE LARRY CALIF.  
SUBST FORM  
ATTACHED 0X

State of California  
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 4th  
day of October, 2012, by David Zabriskie

proved to me on the basis of satisfactory evidence to be the  
person(s) who appeared before me.



(Seal)

Signature

A handwritten signature in black ink, appearing to read 'David Zabriskie', written over a horizontal line.