## Exhibit 23

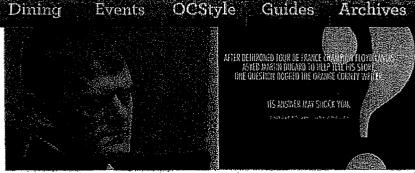
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dogged the Orange County writer Its answer may shock you.

By Martin Dugard • Photography By @ Lucy Nicholson/Reuters/Corbis

"Do you think he did it?"

It's a question I hear all the time, from friends and total strangers, at cocktail parties and lacrosse games, and just recently over a white tableclo th lunch at Chapman University in Orange. Sometimes it's incredulous ("How could he do it?"), sometimes it's accusatory ("He had to have done it"), but it all boils down to the same mystery: Did Floyd Landis dope to win the 2006 Tour de France? I usually duck the question, telling people about what a good guy Floyd is, that he's a cycling savant and a physiological marvel who trains harder than nearly every other athlete in the world. But for some reason, in the small world in which I orbit, I have become the conduit of all things Floyd. I've covered the Tour de France since 1999, and so I was there that day in 2004 when he rocketed things Floyd. I've covered the Tour de France since 1999, and so I was there that day in 2004 when he rocketed from obscurity by pacing Lance Armstrong to the crucial stage victory that sealed the Texan's sixth Tour title. I interviewed Floyd extensively at the 2005 Tour, where he mentally disengaged within the first week, crushed by the pressure of leading his own team for the first time. In May 2006, with Armstrong now retired and Floyd the Tour favorite, I drove 10 nonstop hours from Milan to Barcelona to interview him in an airport coffee shop. He was wary but unfailingly polite, never showing the flashes of juvenile rage ("ghetto" his wife calls it) that make him a champion. There was a progression to that arc, the slow building of a relationship. We went from complete strangers to first-name basis. Floyd, who lived for two years in Irvine back in the early 1990s, and now lives in Murrieta, is wary of outsiders and careful with his trust. It was a testimony to that progression when, in December 2006, after things had gone hor ribly wrong, he asked if I would write a book detailing his side of the story. The call made me feel important. A true insider. But more than anything else, it was an acknowledgment that I believed him. The objectivity I had displayed at the 2005 Tour was long one. "Do you think he did it?" I hear it a lot this time of year, in the months leading up to the next Tour de France. I hear it from my parents, and that I believed him. The objectivity I had displayed at the 2005 Tour was long gone. "Do you think he did it?" I hear it a lot this time of year, in the months leading up to the next Tour de France. I hear it from my parents, and my siblings, and my wife. I hear it from the kids on the high school cross-country team I coach. I heard it when Barry Bonds got indicted and Marion Jones gave back her medals. I hear it more often than the question I heard nonstop back in 2000, when I spent six weeks on "Survivor" island during the filming of that show's first incarnation. Then, as the show became a nationwide phenomenon, the nonstop question on everyone's lips was, "Can you tell me who won?" It was whispered conspiratorially, with a wink, as if the secret would be safe. And often, now, that 's how those same people ask: "Do you think he did it?"

The incident in question occurred on July 20, 2006, during the 125-mile 17th stage of the Tour de France. The route wound from Saint-Jean-de-Maurienne to Morzine. It was the last mountainous leg of that year's Tour, meaning it was Floyd's last best chance to make up the 10-minute differential between himself and race leader Oscar Pereiro. Landis had appeared to have the Tour sewn up the day before, but he'd "bonked" (the endurance sport's euphemism for that moment when the body spontaneously shuts down from lack of fluid and muscle glycogen, making the simple act of turning the pedals an act of will) on the 11-mile final climb to the finish. Like the rest of the press corps, I watched the video feed of that painful scene on a flat-screen monitor inside the media tent. What I remember about that day was it was abominably hot, Lance Armstrong had selected that very day to visit the Tour, and a dozen American journalists drowned our sorrows at midnight with omelets and red wine at an open-air mountain café. We were devastated. See, everyone loved Floyd. He was the best story any writer could hope for. He was the anti-Lance, an easy interview who tossed off glib asides about his competition (always followed by his uneasy awareness that the words might be taken out of context, and the gentle reminder "don't print that"), and who ached with an underdog's hunger to win the Tour de Prance. He was the son of Mennonites (Mennonites) and had once been so desperate to race bicycles as a teenager that he had snuck out at midnight to train in defiance of his father's wishes. He had made the improbable leap from mountain biking champion, to road racing champion, to landing one of the most coveted roles in all of cycling, hand-selected by Armstrong himself to join him on the U.S. Postal Service team (later Discovery). We loved all that, And we loved that Floyd had turned Lance into a father figure of sorts, admiring him and still wanting to beat him, and had rebelled against Lance the way he had once rebelled against his own dad. We loved it because we had all suffered the Lance treatment, held at arm's length and forced to grovel for interviews, but giddy like golden retrievers for whatever scraps of attention the Great One threw our way. Floyd was different. He remembered our names, or just called us "dude," in passing reference to his favorite movie, "The Big Lebowski." There was never an entourage. We could all quote his wife, Amber's, unforgettable rem ark ("Floyd is one tough bitch") and agree that It was true. He was one tough bitch. He had once broken his hip in a 50 mph crash on a sand-swept mountain road just east of the Orange County line, checked himself into the emergency room, waited without pain killers until his name was called (not cutting in line by mentioning that the hip socket and femur were no longer joined),

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and then was miraculously riding again just three weeks later. We loved that. We loved that Floyd dropped Fbombs like the cast of "Deadwood," liked his music loud, and pretty much had no other interest in life than racing bicycles. He never talked about sex. He never talked about partying. He never talked about real life. All he talked about was racing bikes. So when Floyd bonked on La Toussuire, we all died a little inside.

"Do you think he did it?"

I don't hear that question at my local bike shop because most cycling devotees prefer to believe that doping isn't prevalent in professional bike racing. Sure, maybe baseball and certainly football, but only addled, borderline cycling pros desperate to save their careers would ever dream of doping. So I don't tell them that Floyd once offnandedly told me over burritos at a Chipotle near his home, "Just so you know, Marty, Lance doped." Or that Floyd said it casually, as if it was common insider knowledge. And I don't tell them what it's like at the Tour, where the riders are like rock stars and where groupies camp out in the cheap hotel lobbies in which the teams stay, or the threesome two Italian riders proposed in rather graphic terms in a text message that one such groupie proudly showed me before marching off to find their room. They like to think the riders step off their bikes at the end of a stage, dig into a plate of carbohydrates, get a massage, and then go straight to bed. They don't see the riders as being the same as any other human being, capable of great frailty and prone to temptation. And the thought never crosses their minds that these riders might do anything in the world, even stick a syringe into remote places like the armpit or that precarious flap of muscle behind the scrotum, to avoid detection. Or that they might inject a drug such as EPO, which carries more oxygen-rich blood to the muscles but can kill a man by turning his blood to a thick goo; or even go to the great extreme of removing their own blood, having it spun in a centrifuge, and then reinjecting it to boost performance capabilities to godlike levels.

"Do you think he did it?"

I'm hearing it again now that Floyd has been found guilty of doping by the U.S. Anti-Doping Agency. The show trial wasted millions of Floyd's dwindling income, with a 2-1 finding by arbitrators that banished him from cycling for two seasons. The trial's most memorable moment came when Floyd's best friend and manager, Will Geoghegan, prank-called three-time Tour champion Greg LeMond on the eve of what was sure to be Greg's damning testim ony against Floyd. Will was drunk and not cognizant of the fact that: a) his anonymous call, in which he made allusions to Greg being molested as a child, was a form of witness harassment, and b) that his anonymity was easily betrayed by anyone smart enough to redial the number showing up on the cell phone screen, which Greg promptly did. A red-faced Will was confronted by the evidence at the trial the following day. He was ushered from the courtroom and straight into rehab, but not before being fired by Floyd. I was shocked at Will's stupidity, but not surprised. You drink a little beer with Floyd and Will, and sooner or later one of them is going to get an gry and do something impulsive with a cell phone. Maybe that's why I decided not to work on Floyd's book. There was always this feeling around those two that greatness or utter lunacy was at work. It seemed that, for them, the ends always justified the means. The bottom line, though, was this: Will's phone call had undermined weeks of careful testimony by Floyd's defense team. The charges of synthetic testosterone in his body had been brought into question, along with the accuracy and impartiality of the French lab conducting the initial tests on his "A" and "B" urine samples. (Those samples are divided as a safeguard against false positives. If the "A" sample is dirty, and the "B" is clean, the athlete is declared innocent.) Floyd was not expected to appeal the USADA verdict—a costly process—because he is close to being poor and working the rest of his life in a bike shop with one persistent question hanging like a thought

So...do I think he did it?

I remember that on July 20, 2006, I drove to the start line with my colleague Austin Murphy of Sports Illustrated. After three weeks away from home and with Floyd's defeat now certain-Nobody makes up 10 Intustrated. After three weeks away from nome and with Floyd's defeat now certain—Nobody makes up to minutes at the Tour, it's just not done. Not Lance, not Greg LeMond, not anyone—I wanted out. My goal was to hop the next plane back to Paris, and then home to Rancho Santa Margarita. As Austin searched for Floyd to ask what the hell had gone wrong, I sipped coffee in the pre-stage sponsors' village and pondered whether United connected through Geneva. The morning was brutally hot. The road to Morzine included climbs over four major passes. The finish was in a valley, next to a clear mountain river. The final seven miles of the ride featured a contributed through the contributed in the contributed in the contributed of the ride featured. switchback descent from the lofty Col de Joux Plane, with an average gradient of almost 10 percent. Not only would the climbs be killer, but there was every chance of a major crash on that final downhill. "Floyd told me he's gonna go off," Austin said, finding me just as the riders assembled in the town plaza for the start. He was breathless and excited. The city was one of those old French villages that reeked of history, the sort of place that begs you to grab a book and spend the day reveling in the subtle yet glorious awareness that you are in France. There was no time for that. We drove flatout to Morzine. There, in the cramped pressroom, on those same flatscreen monitors on which we'd watched the La Toussuire defeat, we bore witness to the greates t comeback in cycling history. Riding far in front of the pack, Floyd attacked each and every one of those mountain passes. His team car rode alongside him, passing him bottles of ice water, which he promptly dumped over his head to combat the heat. When Floyd reached the top of the Joux Plane, Austin and I sprinted from the pressroom to the finish line. I stood next to Amber Landis as a giant movie screen looming over the final straightaway broadcast her husband's progress. "Oh, baby," she whispered in fear as Floyd barely avoided crashing on those deadly downhill switchbacks. "Oh, baby." And then, there he was, right before us, pumping his fist and digging for the line. The deficit was nearly erased. Floyd had removed all doubt. After weeks of the French press criticizing his tactical racing style as being unworthy of a champion (they are fond of the heroic attack and gallant effort, even if it ultimately leads to defeat), Floyd had 'ridden the most daring and astonishing ride anyone could remember. He was whisked off to doping control. The press gathered outside, waiting for him to pee in the cup. The scrum was so impossibly large that I decided to head straight for the interview trailer, hoping to get a good seat. The place was empty, making me feel sheepish and wondering if I'd gone to the right place. I sat in the front row. Just as I was about to leave, in walked Floyd. He'd slipped out some back door of the drug testing and straight to the interview trailer. Now it was just the two of us. "Let me be the first to congratulate you." "Thanks, man." We made small talk, but only for a second. Time was short. The others would be there soon. "What happened? How did you go from yesterd ay to today. I mean, this is amazing." Floyd launched into a stream-of-consciousness dissertation on dehydration and bonking, but his answer was lost in the sudden arrival of the world's media, all clamoring for a spot in the suddenlycrowded trailer. I stood on the Champs Elysees three days later as Floyd was handed the victor's chalice. He had finally eclipsed Oscar Pereiro during the penultimate stage. Now, on a sun-drenched afternoon shortly after 5 p.m., facing an American flag and with his back to the Arc de Triomphe, Floyd Landis was crowned champion of the 2006 Tour de France. I stood with my hand over my heart as the anthem played. Just two days after being crowned champion, the Tour de France announced it no longer considered him the winner. The urine samples taken just after his ride into Morzine had tested positive. His testosterone/epitestosterone ratio was so high that World Anti-Doping Agency President Dick Pound suggested that no virgin within a 50-mile radius of Floyd was safe. Rather than return to America as a hero—like Lance—Floyd did the perp walk on Leno and Larry King. He was disgraced and sounding crazy, claiming that everything from a shot of Jack Daniels to his own physiology had caused the bad test. The impulsivity and rage that had fueled his separation from his father and from Lance now spewed out as some sort of madman's manifesto. Floyd became a nunch line.

"Do you think he did it?"

We all have a Floyd Landis in our lives. He is that friend whose connection to our existence is broad and haphazard, having no connection to the here and now, but

FLOYD LANDIS' FINAL FINISH LINE?

Nearly two years after testing positive for synthetic testosterone, Floyd Landis' case finally will come to

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somehow popping up often in the memory bank. He is that wild college ro ommate who got into more trouble and had more fun than anyone else—yet was never bowed or broken by authority. People like that stay with you. I live a couple miles from Whiting Ranch, a wilderness whose sycamores and scrub oaks were burned to black during last fall's fires. The ttail network zigs through the ash like a clean scar. During my writing day, while those fires raged, I'd sometimes drive up to an overlook near Whiting and watch the flames' progress. Back when Floyd was a nobody, just some eager Mennonite kid who'd come to Irvine to chase his dream, he rode those trails on his mountain bike. I thought of Floyd every time I went to watch the fires, just as I thought of him when I went for a run on the Champs at the end of the 2007 Tour, and when I'd barreled through the south of France on the same road I'd driven from Milan to Barcelona. I think of him when I eat at Chipotle. I think of Floyd whenever someone tests positive or someone talks about what a dirty sport cycling is, while somehow holding up professional baseball, football, and soccer players as the paradigm of athletic virtue. "Crazy, isn't it?" Floyd said when I called him recently. We'd run down the latest news from the doping wars. He always speaks as if he is one removed from the action, not one of the most infamous doping cases in history. We agreed to meet soon for coffee. At some point, whenever we discuss doping, the conversation takes on the tone of a conspiracy theory. There is too much money at stake, we both agree, for the athletes to ever succeed. Just recently, the World Anti-Doping Agency threw out the "A" sample—"B" sample safeguard. Now an athlete can be convicted of doping by the "A" standard alone. As long

an end. The Court of Arbitration for Sport—the last word in sports disagreements since 1984—will hear his case, beginning on March 19. Landis' attorney, Maurice Suh, will present the appeal in a five-day, closed-door hearing. The United States Anti-Doping Agency, which formally found Landis guilty of doping in 2007, also will present arguments. The panel hearing the case is composed of Parisian Jan Paulsson, David Rivkin of New York, and David Williams of Auckland, New Zealand. If Landis wins, he can resume his cycling career immediately, and more than a few teams will be eager to sign him, provided that he conform to strict anti-doping regulations. Tour de France organizers have made it clear that he is not welcome at their event this summer, and his odds of competing there ever again are marginal. If Landis loses, he faces a two-year ban from competition. This would not be fatal to his cycling career, and he could continue to race in non-sanctioned events, as he has done loosely since the first accusations surfaced. He recently has been in contact with Rock Racing, an upstart cycling team led by controversial team owner Michael Ball, CEO and owner of the Rock & Republic denim company. Landis' role with the team, if any, has not been defined, but the multimillionaire playboy Ball has been quoted as saying he wants a "yellow jersey to hang on my wall."

history. We agreed to meet soon for coffee. At some point, whenever we discuss doping, the conversation takes on the tone of a conspiracy theory. There is too much money at stake, we both agree, for the athletes to ever succeed. Just recently, the World Anti-Doping Agency threw out the "A" sample- "B" sample safeguard. Now an athlete can be convicted of doping by the "A" standard alone. As long as there is the perception of doping, sacrificial lambs such as and event organizers so TV deals and corporate sponsorships keep pouring billions into the world of sports. The athletes are disposable, replaceable, and quickly forgotten. Just a tool, just a product. We vilify the athlete, but not the governing body making a fortune off his sweat labor, condoning bad behavior until public outrage forces a change.

"Do you think he did it?"

I've heard Floyd explain how and why he is innocent so many times I can quote the arguments verbatim. "Do you think he did it?"
Every hero has a secret.
"Do you think he did it?"