SEP. 24. 2004 4: 59PM HERMAN HOWRY & BREEN, LLP



1900 Pearl Street Anstin, Texas 78705-5408 (512) 474-7300 (512) 474-8557 Fax

Timothy J. Herman

Direct Dial: (512) 474-9483 E-MAIL: therman@hermanhowry.com

NO. 4526

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September 24, 2004

Via Facsimile (214) 860-3413

Mr. Chris Compton SCA Promotions, Inc. 8300 Douglas Avenue, 6th Floor Dallas, Texas 75225

> RE: Cause No. 04-9557; Lance Annstrong and Tailwind Sports, Inc. v. SCA Promotions, Inc.

Dear Mr. Compton:

After yesterday's hearing and the concerns repeatedly articulated by you about the publicity of this dispute and after your requesting Judge Canales to instruct me to have no conversations with the press, you can understand my surprise upon reading today's USA Today wherein you are once again quoted and have falsely asserted that SCA has "...requested drug test results to disprove the allegation-clean test results that should be easily attainable." The inescapable and hardly subtle implication of your comments is that because you allegedly have not been privy to Mr. Armstrong's test results, that they certainly could not be "clean."

As you are aware, as early as August 16, 2004, Bob Hamman, Chris Hamman, and Todd Overton, all executives at SCA were informed by Kelly Price in Atlanta, the broker involved in the SCA insurance contract, of the tests undergone by Arnstrong and the total absence of any indication of prohibited substances or conduct. As the attached email confirms, Mr. Price contacted the Anti-Doping Manager of the UCI for a full explanation of the procedures employed during the Tour de France as applied to the cyclist participants. Mr. Price provided SCA on August 16 the highly detailed rules and regulations contained in the 52 pages of "Anti-Doping Examination Regulations" which were applied to Mr. Armstrong by the UCI in collaboration with the French Sport Ministry. The UCI and the French Sport Ministry confirmed that Mr. Armstrong had been "tested several times and all the laboratory's reports were NEGATIVE." Mr. Christian Varin, who is the Anti-Doping Manager for the Union Cycliste Internationale (UCI) confirmed that all tests were performed by an internationally accredited laboratory and that Mr. Armstrong was subjected to both urine antidoping tests and blood anti-doping tests.

Thus, as of August 16, 2004, approximately 3 weeks prior to SCA's default in its obligations, your executives were informed not only of the nature and extent of the tests to which Mr. Armstrong was subjected, but the confirmed results of those tests. SCA was also provided contact information and access to Mr. Varin and the international organizations governing the

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competition and the associated testing.

Contrary to your self-serving quote to the USA Today, SCA has not requested only "testing results"; to the contrary, SCA has demanded free and unlimited access to "every medical record and medical provider of Mr. Armstrong, his complete medical history; all records of all Armstrong's past bonus awards; and all contracts involving Armstrong, Tailwind, US Postal Service, Capitol Sports and Entertainment, Disson Furst, and all related entities and individuals." Even if you were legitimately interested in the drug and doping test results, 90% of what SCA has demanded would have no relevance and further reveals the falsity of your statements.

In short, the drug test results which were made the subject of your conversation with USA Today were provided to you over a month ago. Not only were the results provided, but the responsible officials of both the UCI and the French authorities have made themselves available to you for conversation or further confirmation, if you wish. Once again, SCA's conduct in attempting to avoid its obligations has simply exacerbated the damages suffered by Mr. Armstrong, damages which he intends to pursue in any and all forums necessary.

Very truly yours,

Timothy J. Herman

TJH/jkm Enclosures

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