### UNITED STATES DISTRICT COURT

# RECEIVED

### FOR THE DISTRICT OF COLUMBIA

APR 2 1 2014

Clerk, U.S. District and Bankruptcy Courts

UNITED STATES ex rel. LANDIS	)	Bankruptcy Court
Plantiff's	)	Civil Action # 10-00976 (RLW)
V.	)	MOTION FOR RECONSIDERATION
TAILWIND SPORTS CORP., LANCE ARMSTRONG, ET AL	)	Of Amicus Curiae Brief (Qui Tam)
Defendant's	)	

### FRAUD UPON THE COURT

Now comes Movant, Fred Woodrow Mauney, Jr., asking the court to reconsider Movant's Amicus Curiae Brief (Qui Tam), on what appears on it's face to be misconduct of Judge Robert L. Wilkins.

As a Qui Tam civil action, this Amicus Curiae Brief also represents the interest of 314 million plus American citizens.

First, this is a Qui Tam civil action based on Fraud and Corruption on the United States via the United States Postal Service.

Second, Movant's Amicus Curiae Brief is a Qui Tam Amicus Curiae Brief which alleges, details, and documents Fraud and Corruption against the USPS as well as there being probable cause to believe and investigate the possibility that "Fraud Upon The Court" was occurring.

These kind of allegations, along with documentation aren't up for discussion, or the court's discretion. Judge Wilkins is required to uphold the Honor and the Integrity of the court and the Law of the Land. Due Process of Law demands he do so.

Furthermore, the Federal Courts Code of Conduct for United States Judges, would seem to demand so.

- Canon 1: A judge should uphold the integrity and independence of the judiciary.
- Canon 2: A judge should avoid impropriety and the appearance of impropriety in all activities.
- Canon 3: A judge should perform the duties of the office fairly, impartially and diligently.

Judge Wilkins at the very least should have notified the United States Department of Justice (Fraud and Civil Divisions), The United States Attorney for the District of Columbia, The Director of the Federal Bureau of Investigation, and possibly the United States Internal Revenue Service.

### Case 1:10-cv-00976-RLW Document 162 Filed 04/21/14 Page 2 of 18

For Judge Wilkins not to do so, clearly shows he doesn't have the mental capacity to grasp the seriousness of the situation, or Movants fundamental rights and guarantees of the United States Constitution. Has, Judge Wilkins involved himself in some form of Quid Pro Quo scheme, to the point of entering into a criminal conspiracy to obstruct justice? Violating Movant's First Amendment guaranteed right to petition the government for a redress of a grievances and Movant's gauranteed Fourteenth Amendent right to Due Process of Law.

This Amicus Curiae Brief (Qui Tam), along with this Motion For Reconsideraton, is filed under the legal theory of Fraud Upon The Court for which there is no statute of limitations, especially when the judge, as an officer of the court, is now part and parcel to the fraud in the machinery of justice.

As a heads up to this court, Movant has filed a misconduct complaint with the United States Court of Appeals, District of Columbia Circuit Court Clerk, with copies to Chief Judge Merrick B Garland and Chief Judge of the U.S. District Court of District of Columbia, Judge Richard W Roberts. Exhibit: A.

And the court be further notified that Movant has a website: <a href="http://fredmauney.com">http://fredmauney.com</a> Exhibit: <a href="https://fredmauney.com">B</a>. Exhibit: <a href="https://fredmauney.com">B</a> Exhibit: <a href="https://fredmauney.com">A</a> Exhibi

And the court futher be put on notice that USADA's Travis Tygart went to London to speak at an international sports doping conference. Exhibit: \_\_\_\_\_\_ . That Movant contacted his staff about Movants Amicus Brief in the Floyd Landis Whistleblower lawsuit and Movant's website which in the following days showed multiple hits and multiple downloads of the Amicus Brief and Exhibits.

And that Movant has a posting on Cycling News website, <a href="http://www.cyclingnews.com">http://www.cyclingnews.com</a> and his thread has already had over 1,000 hits and his website again showed multiple hits and downloads of the Amicus Brief and Exhibits, Exhibit: <a href="Exhibit: E \_\_\_\_">E \_\_\_\_</a>. Also four graph charts for the court to analyze.

Hundred's of thousand's of views are already projected for the coming months. Not to mention Facebook and Twitter.

Further demonstrating the Importance of this Amicus Curiae Brief to the court are the lastest revelations that more people and defendants are being implecated by Lance Armstrong. Exhibits: F & G.

Movant would suggest to this court not to get caught with it's pants down again.

For the foregoing reason's Movant believes he has presented sufficeint cause for his Amicus Curiae Brief to be accepted and prays that this court will do so. But if the court remains adamant in this matter, Movant prays the court will at least notify the appropriate authorities so that they may act upon it.

# Case 1:10-cv-00976-RLW Document 162 Filed 04/21/14 Page 3 of 18

Dated: This Day

, Month Of April, Year 2014.

Respectively Submitted By:

FRED WOODROW MAUNEY, JR.

401 W. 24<sup>th</sup> St.

Charlotte, N. C. 28206

Email: akathephoenix@yahoo.com

Cell: 202.413.8578

Case 1:10-cv-00976-RLW Document 162 Filed 04/21/14 Page 4 of 18

LAPREL 8 29 Judicial Misconduct Complaint:

PEGE Morable Merrick B. Garland;

## Chief Judge, United States Court of Appeals, District of Columbia Circuit

Judge Garland, My name is Fred Mauney and I am filing a misconduct complaint on Judge Robert L. Wilkins involving an Amicus Curiae Brief I filed in the Floyd Landis vs Tailwind Sports / Lance Armstrong, Whistleblower Lawsuit in the D. C. Federal District Court, case # 10 cv 0976 (RLW). Judge Wilkins dsimissed this brief flippantly and without due consideration just days before leaving his judgeship with the Districk Court to assume a position with the Federal Appeals Court, Washington, D. C.

This Amicus Curiae Brief is a Qui Tam Amicus Curiae Brief alleging, detailing, and documenting more Fraud and Corruption in this Qui Tam Civil Action as well as probable cause to believe / investigate the possibility that "Fraud Upon The Court" was occuring, and more crimes and other defendants might need to be added to this lawsuit. Exhibits: 1 & 2 ... Plus Exhibits: A thru Y and 1 thru 43.

This Amicus Curiae Brief is Qui Tam in and of itself therefor represents the interest of 314 million plus American citizens.

These allegations, (along with documentation) aren't up for discussion, or the court's discretion. Judge Wilkins is required to uphold the Honor and the Integrity of the court and the Law of the Land. Due Process of Law demands he do so. Not to discount the Federal Courts Code of Conduct for United States Judges,:

Canon 1: A judge should uphold the integrity and independence of the judiciary.

Canon 2: A judge should avoid impropriety and the appearance of impropriety in all activities.

Canon 3: A judge should perform the duties of the office fairly, impartially and diligently.

Judge Wilkins at the very least should have notified the United States Department of Justice (Fraud and Civil Divisions), The United States Attorney for the District of Columbia, The Director of the Federal Bureau of Investigation, and possibly the United States Internal Revenue Service. Do the allegations contained in the brief have any relevance to any of these government institutions.

For Judge Wilkins not to do so clearly shows that he has a callous disregard for the law, or doesn't have the mental capacity to grasp the seriousness of the situation or of my fundamental rights and the guarantees of the United States Constitution. Has, Judge Wilkins involved himself in some form of Quid Pro Quo scheme, as a favor to some friends, or even a bribe? To the point of entering into a criminal conspiracy to obstruct justice? And a criminal conspiracy to violate my First Amendment guaranteed right to petition the government for a redress of a grievances and my gauranteed Fourteenth Amendent right to Due Process of Law?

Movants Exhibit: A-MOES One more thing needs to be said, due to the gravity and seriousness of my investigation and allegations. I went several times to see the eminent constitutional law scholar Professor William (Bill) Van Alstyne so that he could view and advise me. Upon examing some of my documents Professor Van Alstyne replied there was misconduct by the United States Postal Service and the USPS- Inspector General's office and that anybody who wanted to could contact him and he would testify as such. This was mentioned in my Motion for Leave to File this Amicus Curaie Brief.

Judge Wilkins attitude seems to be that he is above the law and that Professor Van Alstyne's professional opinion is inconsequential and in fact just a bunch of crap that Judge Wilkins can just kick into the ditch on the side of the road.

So just who is Professor William W.Van Alstyne, Constitutional Law Professor extraordinaire? He taught constitutional law at Duke Law School for some 30 years while it was rated in the list of top 10 law schools in the U. S. In the early nineties the American Bar Association had placed him in their top 10 list of people it recommended for nomination to the U. S. Supreme Court. The U. S. Supreme Court has cited him and his work in it's decisions. He has testified numerous times, and gave legal advice/opinions before the U S House and Senate Judiciary Committees and other committees as well. He retired from Duke Law School in 2006 at which time Duke dropped out of the top 10 in law school rankings. He then went to William & Mary School of Law to teach at a time when they weren't in the top 100. After his arrival they were then rated number 20. When he retired last year from Willliam & Mary they then dropped back to number 33 on the list. He is one of a few legal scholars that has emeritus standing at two of the nations top law schools. Duke University and The College of William & Mary. Exhibit: 3.

Now, one has to ask, just who in the Hell does Judge Robert L.Wilkins think he is!? But then never mind. He has sworn an oath to the Government of the United States and betrayed that oath. He has clearly demonstrated he doesn't have the honesty, integrity or moral turpitude for someone wearing the robes on the Federal Bench.

Judge Merrick B. Garland, as a heads up I feel you should be made aware of other things I am doing to "Cover My Ass" and for you to be able to "Keep Your Tit, Out of The Ringer".

- I have a website <a href="http://fredmauney.com">http://fredmauney.com</a> and when you go to it look to the menu tab to the left and hit the Phoenix Brief tab. It will then take you to the page where I have the Motion For Leave, Amicus Curiae Brief and all the exhibits up where you can view, download and print at no charge. Exhibit: 4. With over 600 views and 100 downloads.
- 2. Article where USADA chief Travis Tygart just announce at a anti doping conference that their are more names to be released. Exhibit: 5. They have been notified and then downloaded
- 3. Website <a href="http://www.cyclingnews.com">http://www.cyclingnews.com</a> where I have a thread or posting and will show I already have over 1100 views. Exhibit: 6. After posting, a lot more downloads of the brief.

### Case 1:10-cv-00976-RLW Document 162 Filed 04/21/14 Page 6 of 18

- 4. Four analytical graph charts from my website demonstrating the gigabytes and time frames of thr Amicus Brief views and downloads. Exhibit: \_\_\_7\_\_\_.
- 5. To further demonstrate the importance of this Amicus Curiae Brief to the court is the lastest revelations on more people and defendants being implecated by Lance Armstrong . Exhibit: 8.
- 6. This Amicus Curiae Brief has been made available to the 3 million dollar (Lance Armstrong) International Cycling Union- The ICU's doping investigation......It is just a matter of time before this Amicus Curiae Brief goes viral.

Also, Let it be said there are 199 law schools in the U.S. That what Judge Wilkins has insulted all of the thousands of members of the legal academic community, not to mention the professional legal community. An email list of all these law professors is now being assembled so they may join in on this complaint, to defend one of their own, and the callous disreguard for the truth by Judge Robert L. Wilkins.

Dated: This Day \_\_\_\_\_\_, Month Of April, Year 2014.

Respectively Submitted By: \_

FRED WOODROW MAUNEY, JR.

401 W. 24th St.

Charlotte, N. C. 28206

Email: akathephoenix@yahoo.com

Cell: 202.413.8578

cc: Clerk of Court, Federal Court of Appeals, DC Circuit

Richard W.Roberts, Chief Judge, DC Federal District Court





### THE PHOENIX

PHOENIX CHARITIES

FRAUD UPON COURT

ARMSTRONG FRAUD

DONATE TO FRED



#### My name is Fred Mauney and I am called "The Phoenix"

My name is Fred Mauney, I am a paralegal investigator involved with "Lifting the Robes of Justice". As a proven horse I learned like everybody else, crashing an burning in the courthouse but I kept going back and started learning all or most of their dirty tricks that the Star Chamber started calling me "The Phoenix". So took on the name, "AKATHEPHOENX". I was struck down with Transverse Myelitis in October 1993. This virus infection causes inflammation of the spinal cord. Soon after my diagnosis experienced paralysis from the waist down. Transverse Myelitis is a type neurological affliction as is Multiple Scleroses (MS), Parkinson's, Neurompelitis Optica (NMO), etc. As symptoms of paralysis progressed to the lower parts of my body! was confined to wheel chair and rest home. I was told! would never walk again by the best in the business. The doctors could not cure me of this progressive and degenerative infection as there is no cure, no reversal and no remission. In disbelief of my doctors! Left the rest home in October 1995 under my own steam as I slowly got most of motor control in my body back. Doctors from the rest home told me the only explanation for what they saw, that I was, "a True Miracle of God..." In 2000 I did one of 2 bicycle rides across the country and my last ride was 400 miles from Raleigh to DC in 2011. I'm suppose to write something about myself, but in my world you don't go around showing off or God forbid... talking, maybe it's time. I am credited as being one of the foremost paralegal investigators in the world and given my physical health, staying alive is tough enough. I've been a major player in numerous behind the scenes moves of national consequences.

Another thing is I am presently involved in 7 or more investigations as pro se legal fillings to help ensure we maintain the 1st Amendment Fight to File a Grievance to our elected officials. My latest legal court filings are a Ovi Tam Amicus Curiae Brief the Boyd Landis vs. Lance Armstrong, et, al, whistleblower lawsuit.



### I've Got Good Solid Stories

They're your stories too I!! OKI will admit I am just one person and my plat full but there is fraud and corruption all around us, in every sector of our live all of it needs to be restlifed if we are to take out country back. Watch my vand hopefully the idea light bulb in your head will turn on and you tune in and you rown way to light your story because in the end they are all our stories. my court filings. Watch my videos. Some of my filings are downloadable for er or phoenixcharitie.com. You can go to pacer.com with a case number and see more of my filings. You et to stand outside on The Court house steps looking in anymore. Go inside to the Court Clerk and file mass or an Amicus Curiae Brief. Tell The Court, while in session, it's your 1st Amendment Right and a citizen of what you think the court should know and why, it's you court too!!! See over 16 videos I made (ConstRoot. TV, studio in Aspen CO. My YouTube (fredmauneythephoenix) channel has over 20 videos on in-investigative reports of what I have uncovered. Together, we, all of us can take our country back, on the sand to the properties of the proof of untry.... our country. Let's make the slogan, "...the Good Ole US of A..." mean just that once again...

I want to thank phoenixcharities.com for making this possible. Please do

MOUANTS Exhibit: B



## " The Phoenix Brief "



Movants Exhibit;

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Exhibit 17

Exhibit 18

Exhibit 19

Exhibit 20

Exhibit 21 Exhibit 22 Exhibit 40

Exhibit 42

Exhibit 43

Exhibit 41

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# Cycling running out of time to overhaul sport, warns anti-doping chief

- Man who exposed Lance Armstrong urges action by UCI
- · 'Another day can't go by until this process starts'

#### Owen Gibson

The Guardian, Thursday 20 March 2014 14.35 EDT



Mousuts Exhibit: D 3-pages

Travis Tygart, the man who brought down Lance Armstrong, is unhappy with the slow progress being made to clean up the sport. Photograph: Geert Vanden Wijngaert/AP

The man credited with exposing <u>Lance Armstrong</u> as a drug cheat has warned world <u>cycling</u>'s governing body that it is running out of time to overhaul the sport in the wake of successive doping crises.

Travis Tygart, the United States Anti-Doping Agency chief executive whose investigation placed Armstrong at the centre of the "most sophisticated, professionalised and successful doping programme that sport has ever seen", said the UCI needed to

Cycling running out of ting to every and some of ting to every and oping thirt 14 to 1/2 / When the company of the company of

accelerate its Cycling Independent Reform Commission if faith in the sport was to be restored.

"Time is of the essence," he said. "We have been pounding this issue in the press, in front of the EU, in front of the French senate, the German parliament, that now is the time to take and fulfil the promise that the UCI leadership made, to take decisive and transparent action.

"In my opinion another day can't go by until it is put in place in proper fashion and this process starts."

Since Armstrong was banned for life in August 2012, <u>Brian Cookson</u> has replaced the under-fire Pat McQuaid as president of the UCI and set up the CIRC, which will also examine the role of the governing body in fostering a culture of doping.

The independent three-person panel has published its terms of reference and promised to report by the end of January next year. Riders and others involved in the sport, including coaches and team directors, have been promised reduced sanctions if they agree to co-operate.

Tygart said there were 37 redacted names in the original Armstrong judgment that it was in talks with the CIRC about handing over and said the names would become public if doping charges were eventually brought.

"Just because you change the top the dirty system doesn't necessarily change and when you've got potentially doctors, team owners — I'm speculating on the evidence that we saw, on the co-conspirators that we charged and the evidence we obtained," added Tygart. "When you've doped in the past with success, particularly as a doctor, team owner and coach, director, and you've never been exposed, the likelihood that you are going to continue that practice of doping and not getting caught is huge."

Martin Gibbs, the UCI director general who was appointed shortly after Cookson became president in September last year, said that the independent commission, headed by the Swiss politician Dick Marty, should be judged on results. "We must not pretend it's already fixed. We are acutely aware we have to make a difference now in key areas with the independent commission," he said. "We are a sport that has had an omerta about doping."

Tygart, who revealed that Usada had been in talks with Armstrong as recently as November about being involved with the process, said the Texan's refusal to co-operate need not undermine the CIRC. "Most of the material and information that he has has already been brought out. I think it is unfortunate that he chose not to co-operate.

Cycling running out of ting to a repair to the company of the comp

Everyone deserves a second chance," said Tygart, speaking at the Tackling Doping in Sport conference at Wembley Stadium. "From a reputational and a rehabilitation standpoint I hope that he comes in and helps clean up to the extent that his information is still valuable for that.

"From a reputational stand point it would absolutely be the best thing for him."

Tygart said that he believed Armstrong became part of a "sophisticated scheme to defraud" by American business interests that may have found another way to flourish had the Texan not emerged as its standard-bearer.

"This was a sophisticated scheme to defraud, they raised a lot of money, had incredible cash flow, and all based on victories in a sport and an incredible story," Tygart added. "But I'm also not convinced it was just limited to an Armstrong story, I think American enterprise decided to come over and capitalise financially on the Tour de France in the US."



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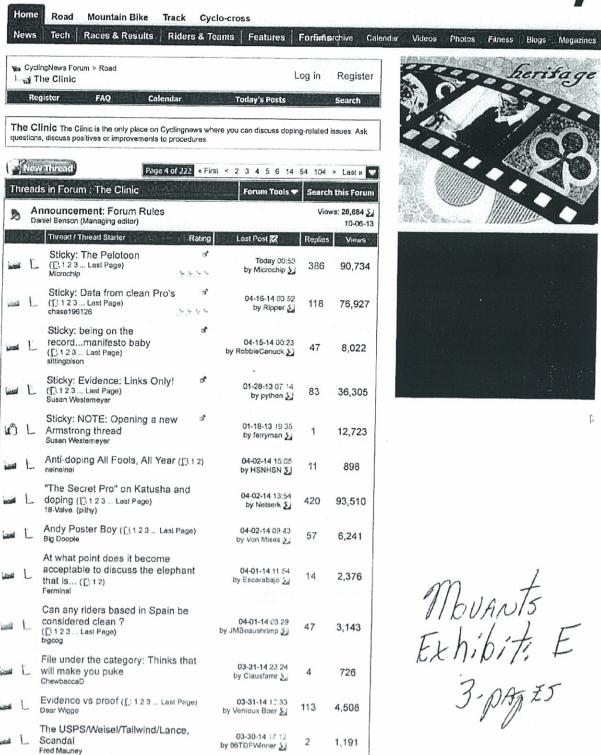
www.simplehearttest.com

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# cyclingnews.com

# Modeled After THE DOGMA 65.1





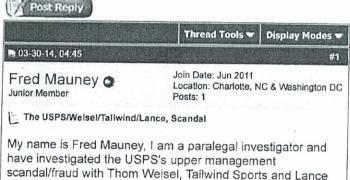
# MODELED AFTER THE DOGMA 65.



CyclingNews Forum > Road > The Clinic The USPS/Weisel/Tailwind/Lance, Log in Register Scandal Register FAQ Calendar **Today's Posts** Search

The Clinic The Clinic is the only place on Cyclingnews where you can discuss doping-related issues. Ask questions, discuss positives or improvements to procedures.





scandal/fraud with Thom Weisel, Tailwind Sports and Lance Armstrong for some 14 years. What you are about to find out is how really big this criminal activity was and is to this day! In the Floyd Landis vs Tailwind Sports/Lance Armstrong whistleblower lawsuit filed in Washington, D. C. I have filed a (Qui Tam) Amicus Curiae Brief that details the findings of this as yet unreported investigation. You can go to my website to read, download or print this Amicus Brief with exhibits at no charge (FREE). http://fredmauney.com/phoenix\_brief.htm

My email contact is akathephoenix@yahoo.com

I look forward to everybody's discussion on this thread.

/S/ Fred W Mauney...."The Phoenix"

Last edited by Fred Mauney; 03-30-14 at 04:50. Reason: to make some minor changes





You'll hate you didn't know about this email trick sooner.

(TabTimes)

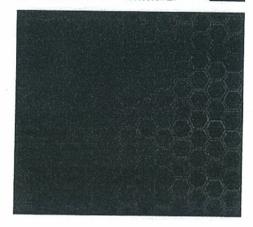
Amsterdam -Where Bikes

(AFAR)

Rule the Road!

Insanely Popular Sweatshirt has 4-Month Wait List





# The USPS/Weisel/Tailwing Lamo-Scardo Fortunent 162 Filed 04/21/104umRagio ghavo folds/showthread.php?t=22086

(Business Insider)

The Best Mountain Bike

10 Reasons God Does NOT



RetroActive o Senior Member

Join Date: Jan 2013 Posts: 674

#2

Now you're cooking. I'd like to know about Pharmaceutical company tie-ins.

lol, looking at your website all I can say is God bless the USA and I love the internet. Good luck with your business.

7-11 becomes a convenience store...and the ancient Egyptians wept.

Last edited by RetroActive; 03-30-14 at 05 39.



#3

### M 03-30-14, 17:12



86TDFWinner Senior Member

Join Date: Aug 2012 Location: Southern California Posts: 952

Welcome to the CN forums Fred, nice info. Anything that can expose the frauds that are: Weisel/Och/Wonderboy, and the like is welcomed around here. Thanks for the info.



Quote:

"According to Mrs LeMond, Armstrong said: "There's no way you could have won your Tour de Frances without EPO." And Greg got very angry and said, "Listen, I won my - I was third in 1984, I was second in 1985, I won in 1986. This type of drug did not exist. The difference between you and me is that I have a 95 VO2 max and you have an 82, and you're - you don't - basically you don't know what you're talking about."(Proving Wonderboy is a clueless, lying POS)





« Previous Thread | Next Thread »

FROM AROUND THE WEB







# **The Detroit News**

### **Detroit Sports**

### **More Sports**

April 10, 2014 at 7:03 pm

# Lance Armstrong provides names in written testimony



Lance Armstrong, left, here with Johan Bruyneci, during a victory parade after Armstrong won his 7th straight Tour de France cycling race in Paris, named several people he says knew about his performance-enhancing drug use in sworn statements. Armstrong says team manager Bruyneel assisted his doping. (Alessandro Trovati / Associated Press)

Austin, Texas — Lance Armstrong has given sworn testimony naming several people he says knew about his performance-enhancing drug use, insisting he didn't pay anyone or any organization to keep his doping secret.

2- PAGES

### Case 1:10-cv-00976-RLW Document 162 Filed 04/21/14 Page 16 of 18

The testimony came in written answers to questions in a lawsuit that was settled in late 2013. The previously undisclosed documents were filed this week as part of the federal whistle-blower lawsuit over his team's sponsorship by the U.S. Postal Service that could lead to fines in excess of \$100 million.

Armstrong said those who provided him with performance-enhancing drugs included trainer Pepi Marti, Dr. Pedro Celaya, Dr. Luis Garcia del Moral and Dr. Michele Ferrari, all of whom were involved with Armstrong's teams or part of his entourage. He also said team manager Johan Bruyneel assisted his doping. Each of them has previously denied they aided Armstrong's doping.

Armstrong also said he believed former U.S. Postal Team financier Thomas Weisel knew of his doping, which Weisel has denied.

After years of denials, Armstrong first admitted doping during his career in an interview with Oprah Winfrey in January 2013.

His testimony is part of a lawsuit filed by Acceptance Insurance, which wanted repayment of \$3 million in performance bonuses paid to him. Armstrong settled the case for an undisclosed sum before he was scheduled to answer questions in person under oath.

His written answers are now part of the federal whistle-blower case initially filed by Armstrong's former teammate Floyd Landis. The federal government has joined the case.

Armstrong has so far refused to provide sworn testimony to the U.S. Anti-Doping Agency. It was USADA's detailed report in 2012 of drug use by Armstrong's U.S. Postal Service team that led to him being stripped of the seven Tour de France titles he won from 1999 to 2005.

USADA has questioned whether Armstrong paid officials at the International Cycling Union to keep his doping secret. Armstrong has said in interviews that former UCI president Hein Verbruggen helped him cover up doping at the 1999 Tour de France, a charge Verbruggen has denied.

In his written answers, Armstrong insisted there was not payment for a cover-up.

"Armstrong has not paid or offered to pay someone to keep his or others' doping a secret," Armstrong said. "However, Armstrong has, on occasion, provided benefits or made contributions to many people and institutions, some of whom may have been aware of, or suspected Armstrong's use of performance-enhancing drugs and banned methods. Armstrong never provided any such benefits or contributions with the intent for it to be a payoff to keep doping a secret."

Armstrong also maintained his claim that he did not cheat during his comeback in 2009-2010. He finished third in the 2009 Tour de France.

Lance Armstrong says@asten in the two 1009 76: Fe Liview Dobtument 162: // Wiley du 4/21/4/4 4co Pagets in teach 180c-banker-knew-dopin...



I-TEAM

# Lance Armstrong says banking hotshot Thom Weisel knew of doping

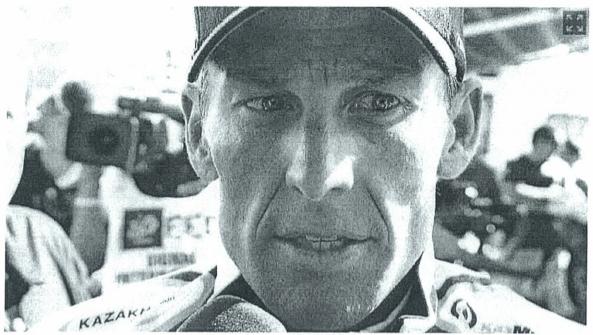
Armstrong has implicated Weisel in the rampant corruption that sustained the Texan's Tour de France teams from the outset. The claims came in Armstrong's first sworn statements since he confessed to doping and was banned from the sport.

BY NATHANIEL VINTON / NEW YORK DAILY NEWS / Published: Friday, April 11, 2014, 12:25 AM

/ Updated: Friday, April 11, 2014, 12:25 AM

AAA

SHARE THIS URL nydn.us/1iCfWjw



Lance Armstrong says Thom Weisel was aware of doping by 'the USPS team and in professional cycling in general."

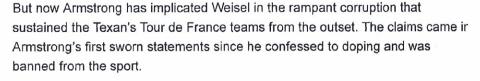
> One of Lance Armstrong's most important patrons, Bay Area banking hotshot Thom Weisel, has until now managed to ride cleanly through the ugly pileup of scandal that commenced when Armstrong was outed as a doper in 2010.

Movants Exhibit: 6 2 pages

Lance Armstrong say Casting: hoston-Dost West Wew Dodonnent 1812://Wileych Dall Diety com agent 8tom lance-banker-knew-dopin...



Anti-Doping boss calls A-Rod program 'most potent' ever





Cyclist: Lance bribed my team with 100K to throw race

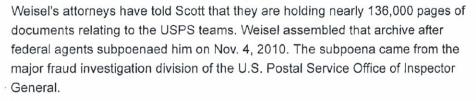
"On information and belief, Mr. Weisel was aware of doping by the USPS team and in professional cycling in general," Armstrong said in a Nov. 12 document related to a Texas lawsuit filed against him by an insurance company. (USPS is the U.S. Postal Service, the chief sponsor of the team Weisel largely owned.)

The document surfaced Wednesday night among hundreds of pages supporting a motion filed by Paul Scott, a San Francisco attorney representing Armstrong's former teammate, Floyd Landis, in a federal whistleblower suit.



The Score: In new film on Lance, he is lord of the lies

Those papers, attached to a motion to compel responses, also show that Weisel wants a confidentiality order in place before he hands over a vast trove of evidence in the case.





Disgraced Lance cycles off, for now

Two attorneys for Weisel did not immediately respond to requests for comment from the Daily News on Thursday. In the past, Weisel has denied having any knowledge of the doping on the teams he fielded.



Cycling head to clean up doping mess

The Landis suit, filed in 2010, alleges Armstrong and his cronies defrauded the U.S. Postal Service of tens of millions. Under the False Claims Act, the defendants could be penalized more than \$100 million. But when the U.S. Department of Justice joined Landis as a plaintiff in the suit in 2012, the DOJ did not name Weisel as a defendant.

Weisel, who made a fortune helping technology companies go public, is an avid amateur athlete who has for decades been a major benefactor in the American road cycling and Alpine skiing communities. He frequently attended the Tour de France, riding along in team cars.

In 2006, when Landis launched a strident legal attack on anti-doping authorities after he tested positive for exogenous testosterone at the Tour de France, Weisel donated generously to Landis' legal defense fund.

USING MOBILE? CLICK HERE TO SEE DOCUMENT

# UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA ex rel. FLOYD LANDIS,

Plaintiffs,

v.

Civil Action No. 10-cv-00976 (RLW)

TAILWIND SPORTS CORPORATION, et al.,

Defendants.

### MEMORANDUM OPINION AND ORDER

This memorandum opinion and order addresses Fred Woodrow Mauney Jr.'s Motion for Leave to File Amicus Curiae Brief and Statement of Interest (Dkt. No. 151).

District courts "have inherent authority to appoint or deny amici." *Jin v. Ministry of State Sec.*, 557 F. Supp. 2d 131, 136 (D.D.C. 2008). Mr. Mauney Jr. filed his motion on January 31, 2014, more than two months after this Court heard argument on all pending motions to dismiss and had taken these motions under advisement. *See* Nov. 18, 2013 Min. Order. The Court therefore denies his motion as untimely, because it was filed after the motions had been fully briefed and argued. *See, e.g., Ellsworth Assocs., Inc. v. United States*, 917 F. Supp. 841, 846 (D.D.C. 1996) ("[A] court may grant leave to appear as an *amicus if the information offered is 'timely* and useful.' " (emphasis added) (quoting *Waste Mgmt. of Pennsylvania v. City of York*, 162 F.R.D. 34, 36 (M.D. Pa. 1995))). Accordingly, it is hereby

ORDERED that Fred Woodrow Mauney Jr.'s Motion for Leave to File Amicus Curiae Brief and Statement of Interest is DENIED.

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SO ORDERED.

Date: February 11, 2014



Digitally signed by Judge Robert L. Wilkins
DN: cn=Judge Robert L. Wilkins, o=U.S. District Court, ou=Chambers of Honorable Robert L. Wilkins, email=RW@dc.uscourt.gov, c=US Date: 2014.02.12 11:43:01-05'00'

ROBERT L. WILKINS United States Circuit Judge (Sitting by designation in the United States District Court for the District of Columbia)