

ORIGINAL

1 GRAND JURY

2 NORTHERN DISTRICT OF CALIFORNIA

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5 GJ INVESTIGATION NO. 2002R01596 )

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CONFIDENTIAL

10 REPORTER'S TRANSCRIPT OF PROCEEDINGS

11 TESTIMONY OF

12 TIM MONTGOMERY

13 AT UNITED STATES DEPARTMENT OF JUSTICE

14 450 GOLDEN GATE AVENUE

15 SAN FRANCISCO, CALIFORNIA 94102

16 THURSDAY, NOVEMBER 6, 2003; 10:38 A.M.

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20 FOR THE GOVERNMENT:

21 KEVIN V. RYAN, UNITED STATES ATTORNEY

22 BY: JEFF NEDROW, ASSISTANT UNITED STATES ATTORNEY

23 UNITED STATES DEPARTMENT OF JUSTICE

24 450 GOLDEN GATE AVENUE

25 SAN FRANCISCO, CALIFORNIA 94102

1 but it just seems like why would you be taking stuff  
2 from -- why would you potentially be working with, like,  
3 Trevor Graham who's not your coach to potentially take  
4 something?

5 THE WITNESS: He was his wife's coach. And  
6 Trevor Graham is -- he wanted to be known as the master  
7 mind in chemistry also. So, before they had this real  
8 chemist, Trevor Graham was the chemist, he was the  
9 person that provided --

10 GRAND JUROR: Had the stuff.

11 THE WITNESS: That had the stuff. And C.J.'s  
12 coach didn't, because everyone is not going to be  
13 willing to give you stuff or able to get the stuff. But  
14 Trevor had a connection to get the stuff. So, C.J. had  
15 a relationship with Trevor from -- Trevor coaches  
16 sprinters, not shot put.

17 GRAND JUROR: What do you think Trevor Graham's  
18 connection to getting the stuff was before he knew  
19 Victor Conte? Because if he hadn't had a relationship  
20 with Victor --

21 THE WITNESS: It was Memo had sent -- a guy  
22 named Memo out of San Antonio.

23 BY MR. NEDROW:

24 Q. And when you say Memo, that's what you knew him  
25 as, M-e-m-o; is that correct?

1 A. Yes.

2 Q. Do you know anything else about him besides  
3 that?

4 A. No.

5 Q. And you say San Antonio -- San Antonio, Texas?

6 A. Yes.

7 Q. And how do you know that Memo was the  
8 connection for Mr. Graham?

9 A. Because I traveled out to San Antonio, Texas  
10 myself.

11 Q. And did you meet Memo?

12 A. Yes, I did.

13 Q. What does he look like?

14 A. Heavy-set Mexican guy.

15 Q. And based on your trip out there, did you get  
16 any information about where Memo would get whatever this  
17 stuff was that would come through to Trevor and then be  
18 given to the athletes?

19 A. Yes. His daddy was a -- a horse doctor at a  
20 university. He was a teacher at the university over in  
21 Mexico. And he was -- he was over the horses. He was,  
22 I guess, a veterinarian for the university or something.  
23 And so most steroids people use them on horses. And so  
24 he would get it from Mexico, bring it over, send it to  
25 Trevor. And that's how it was.

1 A. No.

2 Q. Don't recognize that at all?

3 A. No.

4 Q. Did Mr. Conte ever give you or talk to you

5 about norbolothone?

6 A. No.

7 Q. Did you ever hear --

8 A. I heard a name, but he never said that he had

9 made a new thing. All I know about is the trenbolone.

10 Q. Did Mr. Conte ever provide you with human

11 growth hormone?

12 A. Yes, he did.

13 Q. Okay. And how -- approximately how often or

14 how many times did he give you human growth hormone?

15 A. He would send you four vials a month.

16 Q. Okay.

17 A. Each vial would last you one a week.

18 Q. Okay. And approximately how many months --

19 four vials a month. Did he give you human growth

20 hormone every month that you were working with

21 Mr. Conte, the whole time?

22 A. Yes, he did.

23 Q. And so the totality of that time frame is

24 about -- let's see, you said --

25 A. Maybe eight months.

1 Q. Maybe eight months?

2 A. Times --

3 Q. Four?

4 A. No.

5 Q. No, I'm sorry.

6 A. Times about 16.

7 Q. Okay. So, eight times 16 would be the number

8 of vials of human growth hormone you got from him?

9 A. Yes.

10 Q. Okay. All right. So, eight times --

11 A. Sixteen --

12 Q. So, eight times 16 would be approximately 120,

13 is that right? Whatever that would be, anyway.

14 A. Yeah, you right, 120 -- 102, like that.

15 You got it.

16 GRAND JUROR: I got 108 -- 128.

17 MR. NEDROW: Is that it? In any event, we can

18 figure it out.

19 BY MR. NEDROW:

20 Q. Does that seem be about right?

21 A. Yes.

22 Q. Okay. Good.

23 And the human growth hormone again is the

24 banned stuff that's injected with a syringe actually in

25 your body; correct?

1 A. Yes, it is.

2 Q. And did you take that?

3 A. Yes, I did.

4 Q. What about this EPO stuff, did he give you that  
5 stuff?

6 A. No. We had -- we had decided that sprinters  
7 wouldn't need EPO due to the fact that you're not  
8 running as far. If I was running 200, then it may be  
9 good for me. But my hematocrit was already good. So,  
10 he decided -- so, he decided. He had sent it and I sent  
11 it back to him because we decided not to do it.

12 Q. Okay.

13 A. Because I had heard somewhere that EPO could  
14 cause you to have a heart attack. And I got a small  
15 murmur and it may affect that right there.

16 Q. Right. So, you didn't want any part in that?

17 A. Yeah, yeah.

18 Q. Did Mr. Conte ever talk to you about getting  
19 someone to right prescriptions for stimulants and things  
20 of that sort?

21 A. Yes, he did.

22 Q. What did he tell you about that?

23 A. He said: "I can get you anything you want when  
24 it come to a prescription like Clomid." They use Clomid  
25 to stretch out the Clear.