

THE BROOKINGS INSTITUTION

FALK AUDITORIUM

WHAT "ICARUS" TELLS US ABOUT  
RUSSIA'S MEDDLING IN INTERNATIONAL AFFAIRS

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**Panel Discussion:**

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## P R O C E E D I N G S

MR. WITTES: (in progress) and of course, Strobe really needs no introduction in this room. For those of you who don't know this about Strobe, long before he was president of Brookings, he was a very wise and deep voice on all this U.S./Russia. So, I can't imagine a better group of people to discuss this incredible movie with.

So, Bryan, I just want to start with you. Bring us up to date. So, the movie ends with Grigory going into federal protection. The other day, a lot of people in the audience will know this, he wrote an op-ed in the New York Times. What do we know, what can you tell us about where he now, how he is, what has happened to his family and what the level of threat that he's facing today, is?

MR. FOGEL: I think before I answer that, where the film and his journey essentially ends in July of last year when I bring him into protective custody. As you see in December of last year, Richard McLaren releases his findings that implicates a thousand athletes and essentially Richard McLaren doesn't even know how far back this scandal and this scheme goes. So, here we are essentially a year and a half, almost, where Grigory has been in protective custody and the IOC, the Olympic Commission has yet to do anything in regard to any sort of punishment even when faced with this staggering amount of evidence. As of right now, Russia is going to the Winter Olympics and they are hosting next year's World Cup. They are in the process of trying to discredit Richard McLaren and his investigation to feed their own machine and their own monster. So, that, I think, is very distressing and the fall out of this film. And Grigory's op-ed, which he wrote to the New York Times two weeks ago, essentially was a cry for help. Here's a guy who risked his life, who came forward as an extraordinary whistleblower with a staggering amount of evidence and yet the Olympic Commission don't seem to want to care about what is going on.

And in regards to Grigory, he essentially has been living a pretty isolated life since July of last year. They've seized the assets of his family in Russia and that has actually accelerated.

They first seized his country home, then they seized his bank accounts. They've now went after an apartment that Grigory helped his daughter buy and they are now trying to take his wife's Moscow apartment and there is talk that I'm hearing that they're looking at potentially trying to charge his wife of crimes, I would imagine in a game to try to get him back. And the fallout of this New York Times op-ed, Russia has issued a global arrest warrant for Grigory asking for his extradition.

As of today, at this moment, Russia has denied any responsibility in this scandal and has outright denied that there was any state sponsored doping and are literally placing the entire blame of this scandal onto Grigory. So, that is about as current of an update that I can give you and we're actively trying to figure out how to continue to protect Grigory.

MR. WITTES: So Dan, you're one of the characters in this movie that I really feel for. You clearly took on a movie that was about one thing. It comes to be about something completely different. It's not, at the end of the day, a sports movie or even a doping moving. It's a movie about covert actions and international politics. Just walk us through that change. The change that you see in the film pivots kind of 45 minutes into it. But what's the change of the production in the film? When did you realize that this eccentric project that you took on of the guy sitting to your right and my left who wants to dope himself and prove that athletes are doping. You're actually dealing with the FSB and something completely different.

MR. COGAN: Yes. So, in the summer of 2015, Bryan came to me. I run a company that finances documentary films. Bryan came to me with this idea of doping himself and using that as a way of showing that the system was a fraud. And I loved it because of the playful perversity of it. We signed on to do that movie and within three months, Grigory had been outed by this German documentary and these other Russian whistleblowers and he was calling us saying, my life is in danger, I need to come to the United States.

At that point, we were dealing with a crisis and secondarily making a film. So, we continued shooting everything and it gave us a whole other film to make but we were working on

getting white collar criminal lawyers for Grigory. We were hiding him simultaneously from the FSB and from the FBI. We were working on immigration lawyers and trying to figure out the best path towards long term immigration status for him which related to whether or not he would cooperate with DOJ and have an S visa. Or did we need to go down the route of political asylum.

So, we were deep into crisis management mode at the same time that we were making a film. It was an exhausting and stressful moment. In the scene up there where we're talking to the guy whose face is blacked who we're getting some legal advice from, I felt as miserable as I looked. It was stressful because we felt the weight of the responsibility of the story and we felt the weight of the responsibility of this man's safety which we were learning how to handle every day as we went through it.

MR. WITTES: Julia, why does Vladimir Putin care enough about Olympic medals that he's willing to use an elaborate intelligence operation over a sustained period of time up to and apparently including murder, to win a little bit more. I have seen this, I believe it, I'm not doubting it and yet it all seems over something so profoundly unimportant. I'm interested and it is completely inconceivable that a U.S. intelligence operation would organize around something like this. So, what is it that Russia sees in its strategic interest or that Putin sees in his strategic interest that makes this worth this kind of operation over this long period of time?

MS. IOFFE: Well, you don't see it because you are a naïve American and a nerd. If you were a real Russian man, you would understand. So, Putin is a child of the Soviet Union to the core. He is a statist and symbols of the state and symbols of the state's strength and prestige are extremely important, not only internationally but also domestically and they shore up his power both at home and abroad and there is an interplay there that is very important to his staying in power. It is very important to think about where Vladimir Putin was, for example, when the Berlin Wall was collapsing. He was in East Germany in Dresden shoveling sensitive documents into a furnace. He was trying to call Moscow; the line was dead and after 1991 and

the great Soviet sports machine collapse. I mean, the Soviet sports machine was a juggernaut. There were so many resources dedicated to it. There was so much prestige involved in it. These were the people who ran that in the Soviet Union had to be really politically vetted because they were also traveling abroad a lot. So, this was a very sensitive, very important part of Soviet propaganda to the world and again, at home.

In the 90s, it completely collapsed. A lot of Soviet athletes found themselves outside the borders of Russia and Ukraine and Belarus without the resources even inside Russia to pursue their Olympic dreams and to win gold medals for the mother land. Many of them ended up in Israel and the U.S. and Canada and Australia. That's how you get athletes like Sholopala. They've scattered to the four winds. This was one of the many ways in Putin's eyes that Russia lost prestige and lost its standing in the world. This is just one aspect. It's the nukes it's the army, it's the economic strength, it's sticking a finger of the eye in the U.S. geopolitically wherever possible. This is just one aspect of projecting Russian strength abroad and it also matters a lot domestically.

The collapse of the Soviet Union was really a powerful, psychological blow to a lot of Russian's. Imagine you're an American, you're from Texas and one morning you wake up and you're just from Texas and this country that you were from no longer exists and you don't know what to think of yourself and your place in the world and your place in life. You used to be part of this great nation that projected its power all over the world and Putin has given Russian's a lot of that, that they were missing and the Olympics are part of it. Bryan, you touched on this when you were talking to the completely chagrined scientist. Did they read the New York Times article before, by the way, when you presented them with the binders?

MR. FOGEL: Yes. That was right in the fallout of the New York Times. I think all of them there were still, they had read the article but they hadn't faced it face to face. So, I think it was still a shock and awe.

MS. IOFFE: So, you mentioned Vancouver there and I think Vancouver was key.

I was living in Moscow when Vancouver happened and just, it's hard to overstate how badly the Russians performed in the Olympics. The medal count that they lost miserably in hockey which has a lot of national pride tied up into it. So, you had like taxi drivers and cashiers and regular people on the street just tearing their hair out over how terribly Russia did and how ridiculous the country looked.

And Mutko almost lost his head for that. He was almost ousted, especially when it came out how much money he was spending on hotels for Russian officials in Vancouver, how all the resources were going to stupid non-sports related stuff. I think that's a very key aspect. You had this drop in performance and you have Rodchenkov saying this very classic Russian thing, the decision was made, do better and then the troops start marching in that direction.

MR. WITTES: Okay, we will return to, the decision was made, do better, in a moment. Strobe, I watched this movie and I said, this is the interference in the election. It is an international process that you decide that you want to corrupt because there is some piece of national greatness as well as thumb in the eye of the American's as well as implicated by it. So, you invest a great deal of operational capability and frankly, take a lot of risks in order to corrupt those international processes.

My question is, am I wrong, is there some other way to think about the relationship between the election crisis and this film and the story that it tells. Or are they just variance of a theme, the text of one is a U.S. election, the text of another is doping in sports but the operational spirit is basically the same thing.

MR. TALBOT: Yeah, I think you're quite right. And having seen this terrific film now twice, it is, I think, an additional dimension of what is, I think, and can be called, a new Cold War. It's kind of a hybrid Cold War. Rodchenkov, at some point in there laughed and said, we Russian's have to over cheat and they are doing that in multiple ways. They are flagrantly sending their military aircraft and their navy into the sovereign waters of the Nordics and that kind of thing. They are, of course, occupying the territory of neighboring states. What I think

really grabbed me in this, and I hadn't thought of it before, is that they are on a country, many of whose population have always wanted to be a normal and modern country. Putin, a very cynical and actually quite successful way, is taking a part of modernity itself and weaponizing it. The two examples that, of course, we all have been very aware of for all the last months, is the technology of the digital age. And what we're seeing in this film, is the weaponization of medical science.

MR. WITTES: I'm not sure whether to direct this to Bryan or Dan so I'll direct it to both. You guys were finishing this movie as that latter story was unfolding. And I want you to talk about that. You have this incredible example of a, as Strobe rightly puts it, a corruption of medical science through these covert means, for the purposes that Julia describes. And you're watching as you're finishing this thing, the sort of same methodology applied to the electoral system of the country that you guys live in. So, I don't know what the question is except, walk us through it.

MR. FOGEL: I think I have an answer for that. There's two things. Dan and I, in multiple conversations, of course we couldn't have predicted a Trump presidency and that that was going to happen. We certainly couldn't have predicted the fallout of the election meddling. We had these conversations because the film premiered at Sundance which was the middle of January. And we then had four months after Sundance to keep working on the film that Netflix allowed us because we felt that we could continue to make a better movie and craft a better movie. We had conversations about whether or not we should pivot into the election meddling.

As you know, the declassified report that came out the first week of January, the CIA, FBI, NSA, determined that there were seven reasons that they believe our election was hacked. Reason number three they listed was from what they believed, from Putin's revenge for what he believed was America's involvement in the unveiling of the doping scandal and the release of the Panama Papers. Dan and I had multiple conversations which was, well even though we certainly see all the parallels, to us it was conjecture in the way that it wasn't sticking to the facts

of the film. And as a filmmaker, we were going, this is the story and we have to follow that story and if we all of the sudden go over to here, even if we want that in the end, that it's not truthful to the story and that it's more important that the audience and you guys make that analogy. That you guys go, wow, this is actually a window into how Russia operates.

MR. WITTES: But you're sitting here now, the film is done. In your mind, when you read the intelligence assessment, did you read that and say, oh, of course, this is all connected or was this two separate things in your mind?

MR. COGAN: I read that and when I saw that, part of the analysis was that the Russian's felt that the doping scandal was an American intelligence operation. I had two reactions. One was, it must be an amazing thing to live in a totalitarian society or to come of age in one and therefore to think that anything bad that happens, must be the product of government meddling. In American, shit happens and it's not because the government wanted it or did anything. I imagine that in Russia, something of this scale happening is unthinkable without a plan. So, it was a view into their mindset.

The other thing I thought, frankly, was fuck, I hope nobody blames us for Trump. So, I mean we were telling a story that we had been following for two years and we want to go all the way through to the end of that story. We didn't want to address explicitly, what had happened in the election and the election hacking. However, our perspective is that, you cannot watch this film in this context, post-election, and not think, if they were willing to go this far, as you said, to run an extensive and complicated intelligence operation purely in a world of sports to get a few extra medals, what would they be willing to do in an area that's not just soft power but that's hard power. That's real political power. What would they be willing to do there? I think, if you frame it to yourself in that way, it answers many questions about whether or not there probably was election hacking.

MR. WITTES: Julia, you wanted to jump in.

MS. IOFFE: I saw the movie in that light as well and what you're both saying



right now makes me think even more. So, covering this story has been a double challenge for me because of just the election meddling story. When you, I think, every American reporter has now gotten a taste of what it's like to report on Russia where, one day you think you've got it, you've figured it out, you have the contours of it in your hands and then you blink and it all falls apart into sand. Here you have just Russia and then you have Russian intelligence, American intelligence and you have this hall of smoke and mirrors.

I've been very skeptical of it but also seeing this film, I was like, oh my word, the meddling. But the thing is that you don't expect them to tamper with the bottles, nobody expects a Spanish inquisition, nobody expects the details of it, right? It's only in retrospect that you're like, of course. Of course, they did this and this and this and that led to that and that and that. We could still be guessing about what happened in the Olympics with the doping of Russian athletes. If Rodchenkov hadn't come forward and given you guys and the New York Times, the blueprint and walked you through how he did -- so you have the whistleblower that was the perpetrator. So far, we don't have anything like that in this case and we have a few desperate pieces of the puzzle of how the election meddling happened. But we don't have a Sherpa of the kind that Rodchenkov was.

We're starting to get a little bit more on this as the media especially pulls back its focus from Trump and just getting Trump out of office next week, and is starting to look at the broader picture of, Facebook ads, Twitter handles, troll factories and actually the Russian side of this effort. We did have actually one troll come forward last week speaking to the last independent Russia TV channel and outlining how he did his work in the troll factory. So, you're going to need, I think, to really get the full picture, you're going to need a perpetrator as whistleblower to guide us.

MR. WITTES: Right, so that raises a really interesting question. I'd love, Strobe, your thoughts on. One thing that the doping area has that I'm not sure the election interference arena has is a waddle lab with a director. That there is some choke point that all the

information, all the urine tests and the blood tests go through this single location that has to be run, that has to be than corrupted and that can be corrupted. Because you have a Rodchenkov who can then defect. Is there a WADA lab, is there a Rodchenkov thinker in this? I don't know the person's name, if we're in the stage of that, the stage when the German newspaper or television station blew Rodchenkov's name, we kind of have this idea that there was Russian interference. It doesn't have a name associated with it. Is there a Grigory Rodchenkov here or is there just some kind of nameless, faceless entities?

MR. TALBOTT: Well, I would defer to Julia on that and if she had a different answer, I agree with her. I think there probably is. Perhaps not a Rodchenkov figure. Boy, would we like to hear him or her. Putin has come very close to saying in his smug way, pretending that the Russian government has nothing to do with this but we have a lot of really smart people who can --

MS. IOFFE: The patriotic hackers who just get up in the morning and moved by the spirit to hack. That's what he said.

MR. TALBOTT: There's another difference. After I make the point, I'd like to put a question to Bryan about Rodchenkov himself. You used, a couple of times, Ben, the word covert. Well, neither of these operations are at all covert now. People are making movies about them and so that's a similarity. The difference though, and boy it is so dispiriting at the end of the movie to see that the IOC is going to barely slap them on the wrist.

But in the hacking of our democratic process in this country, Putin as an old KGB guy can say, this is maybe one of the most spectacular and successful operations that our beloved organization has ever pulled off since Dzerzhinsky. But it didn't have the resultat that he wanted. He thought it was a small percentage that he might be able to put a friend of his in the White House. Well, he has somebody who would like to be a friend of his, but, in fact, the U.S./Russian relationship is worse than it was in the Obama administration. It is probably going to stay that way because among other things, most of the Republican establishment is not about

to get friendly with Russia under these circumstances.

Bryan, can I ask one question. He's a fabulous guy and I can see why you have not only respect for him but it was great fun in the first part. Anybody who likes dogs as much as that has got to be a pretty good human being. What was his motive? What was he up to? What did he think his own resultat was going to be when all of the sudden the ceiling fell.

MR. FOGEL: Before I answer that, I just wanted to back up to one thing that you said in Russia and how they would do this elaborate thing all to win a couple of more medals. In response to that, I view it so much bigger than that. Because when you look at what the Olympic Games are, it is the only time where all of planet earth comes together under this idea of unity and harmony but what is behind that is massive geopolitics. You look at the machinery that has to go into planning an Olympics. Let's look at Beijing in 2008 with the Chinese. That was China's coming out party to the world. That was China showing the world, they are a first world power. They're not just a nuclear power, but they can pull off an Olympics. You look at what they did in Beijing and the orchestration of that opening ceremonies, that closing ceremonies, I mean, it was showing the world that they are a force to be reckoned with. According to Grigory, he got the idea to swap the urine from the Chinese in Beijing and they did the same thing. Except they didn't open up the bottles, the Chinese athletes were reporting to the drug testers and the drug testers were handing them clean urine and they were pretending to pee except it was in a tube under their armpit and Grigory got to see this.

So, what was that for China? China wanted to win those Olympic Games to show the world that they were strong and Putin and Sochi, it was the identical thing. It wasn't about a couple medals, it was about showing the world that if he was going to spend \$50 billion, it was pulling off this huge orchestra and part of that orchestra was to win. You couldn't put together this whole incredible machinery and spend \$50 billion to turn a sub-tropical climate into winter because Sochi doesn't really even have snow. They had never skied at Sochi before the Olympics. So, to do this and then not win would be a smashing defeat for Russia. To me, it

was Russia coming out and showing the world what they were capable of doing just like China did in Beijing, just like all of these Olympic Games are.

To answer your question about Grigory, I think it's a very complicated question. Because his mindset on one hand, you see him as this almost childlike character where you go, wait, what are you doing? I mean, that scene where he's at my kitchen table smuggling my urine back to Moscow, you're going oh my word. Under no circumstances should you be doing this, period. And everything was being captured on camera. So, as I'm being captured on camera, literally he would go like this. Okay, this part isn't for the camera. It's like, but the camera is rolling. He's like, okay, okay don't worry about this, we'll worry about that later.

So, there's a part of him that almost seems like totally unaware of his own doings and at the same time, he is a genius. I think that his working with me to begin with was truly based on trust but it was also based on his playful nature. In his mind, he rationalized it that he really wasn't breaking laws because I'm an amateur athlete, I'm American, this isn't in the lab in Russia, this is all just fun and games. There was also a part of him in that first year and a half, two years of working together that he had a kind of an up yours to WADA and not in a spiteful way. But in a way of, these idiots. They can't catch anyone. This is a completely bogus operation, the Olympics were in on it, WADA was in on it and there was a, I think, a pleasure that he was getting out of showing just what a fraud this system is.

MR. WITTES: When did he become an actual whistleblower? By the end of the movie, he's going through this whole reading Orwell process, right. He's a sort of true believer by the end, in your portrayal. When does that change?

MR. COGAN: This is another way of asking a version of Strobe's question, which is, why did he does this. There are actually two whys. There is the, why did he start talking to Bryan to begin with. And then there is, once he was outted by the German documentary, why did he decide to come to the U.S. and tell everything? He could have stayed in Russia. He felt he was not safe in Russia, so okay, he left he came to us. But he could have

come to America and made clear to his bosses in Russia that he was here and he was going to stay but he was not going to talk. That's the moment that he became a whistleblower. So, there are really two whys. There is, why was he participating with Bryan in the first spot and then when he got in trouble, why did he decide to go all the way, why did he decide to become a whistleblower.

MR. TALBOTT: Well, if was going the whole way, he should have brought his family.

MR. FOGEL: They didn't want to come. He tried to bring them. As I turn to you, my mic doesn't work. He tried to bring them but they didn't want to come.

MS. IOFFE: I think the other lesson is, I'll probably get the timeline wrong. Every Russian, especially the higher up you get and the more dangerous it gets because the stakes are higher and you're exposed to more information, more (inaudible) on everybody, everybody has a very strong self-preservation instinct which is weird to me. Russian's around cameras are, it's like --

MR. FOGEL: He has a self-destruction instinct.

MS. IOFFE: Yeah. I mean, the cameras are like vampires and they will suck out their souls. But I think he was absolutely right to talk openly and to speak to the New York Times. Actually, one of my best friends is Mike Schwartz who is one of their journalists who interviewed him, a former Moscow correspondent. Because up the street, is the Dupont Circle Hotel where (inaudible), the former information minister, founder of Russia today, died of natural causes after suffering blunt force trauma to the head, neck, trunk, arms and legs. He fell down a ladder 50 times. And then it came out that the room was paid for by the feds and he had an appointment at the DOJ the next day. So, the lesson is, talk quickly and talk publically to protect yourself.

MR. FOGEL: And Grigory, in multiple conversations I had with him, he to this day, believes that every single day of his life since he got out of Russia and essentially escaped.

Because the only reason why he was able to get out is he had a U.S. visa to come here and lecture because he was lecturing at anti-doping symposiums. He gets out six days after the release of the first investigation. So, Russia was kind of blindsided. He was still going to the lab every day and cleaning up his mess. He had been working with him for all these years. They weren't thinking, oh he's going to flee. And it happened so fast, they probably didn't realize he had a visa to come to the U.S. and it was like that. But he said to me, that every single day that he got to Los Angeles, that he viewed it was an extra day that he was alive. He viewed himself as dead. And to this day, every day that he lives, is another day that he should be dead.

So, in his mind, he was a dead man walking. There was no way that he was going to live, even if he kept his mouth shut in Russia, he was going to be gone.

MS. IOFFE: Or even if he kept his mouth shut here.

MR. FOGEL: Or even if he kept his mouth shut here, once they knew he was here and what information he had. So, I think he just said, hey this is my only chance at survival. On top of that, there were a lot of other, and I wouldn't call it revenge reasons. But he was very upset at the ministry because what had happened, is he had went from essentially being a scientist. And we don't get into this in the film but he develops a test called the long term metabolite test. This test is put into action, essentially, right in time for the Beijing Olympics. This test allowed the detection for steroids to go from about three weeks to about seven months. Now, at the same time that he develops this test, it becomes the worldwide standard to catch all the athletes around the world using steroids if they had been using them within three weeks. He develops the anti-venom to his own test which is the three drug cocktail that he's feeding steroids to the Russian athletes by diluting them in Chivas for the men because men like whiskey and martini for the women. This is true. And he had realized that if you gave the steroids and used alcohol, that the steroids didn't get absorbed into the blood and that all the Russians athletes were able to evade the test that he had created. So, he was the venom and the anti-venom. He was literally on both sides of this. And that, for him, was

science.

And what changed with Sochi was he went from being a scientist to essentially being, as he says, their doggy bag. That he was there now, just to dump out dirty piss, swap and clean piss, this was not about science anymore, this was just a fraud. And for him, there was a huge drawing a line because his job was now a job of just fraud and it wasn't about the science any longer and he took offense to that.

MR. WITTES: It's funny. It's not like the first one sounds so honorable.

MS. IOFFE: But it's so Russian. I mean, this whole film, I know you set out to make a film about cycling and doping and WADA but to me it's a film about Russia and Grigory is just the most Russian man. The way he talks, the way he moves, the way that he lives with these contradictions in himself, it's just all of it is so quintessentially Russian.

MR. WITTES: So, I want to ask Strobe and Julia, one more question before we go to the audience. That is, what should we assume here about Putin's individual involvement in any of this? In the case of the election meddling, the intelligence community assessment said that it was approved in Russia at the highest levels of government which one can only assume means Putin himself. Should we assume that Putin knows or ordered the deaths of the people who were killed? Should we assume that he knows how urine samples are being swapped. What should we assume about his level of engagement with any of this?

MR. TALBOTT: Maybe I could start and leave Julia to answer the really hard question which is whether he's actually fingering those who are going to be assassinated. It's important to remember that Putin is the most powerful Kremlin leader since Stalin. That might sound strange because Russia is not Stalinist Russia. Stalin was a tyrant and a dictator and he had no board of directors that he had to nullify and stay more or less in step with them. Everybody after that, up through Gorbachev and that didn't turn out so well for him, and Yeltsin was, of course, damaged goods pretty soon after he moved into the Kremlin. Whereas, Putin believes in what he calls, the vertical of power, and I don't think anything remotely as important

and as dangerous and perhaps successful as the two operations we're talking about, the digital weaponization and the medical weaponization. He would have had his authority at the beginning, the middle and the end.

MS. IOFFE: I agree with that. I think the comparison to Stalin is really apt and you have to understand that both Stalin and Putin derive their power basically from two pods. One is, bureaucracy and just bureaucratic jujitsu and how good both of them were at bureaucracy and maneuvering within it. Manipulating the Russian cultural affinity for bureaucracy. The other is just the monopoly on brute force. The fact that both under Stalin and under Putin, the security services and the strong man have come to dominate pretty much everything, including the economy as have the bureaucrats.

I thought what Rodchenkov laid out that was equally important as kind of the detailed mechanics, the tick tock of how the bottles were swapped and how they were opened et cetera, was the chain of command. And, of course, he knew he was next because the guy right above him was taken out. And then you have Nonbudnuf, this guy with this classic KGB face, there is many words for it in Russian and face is not the one I would use. And then you have Mutko who is kind of an idiot functionary and then you have Putin.

To illustrate how these things are generally done and how power is delegated and how missions are set, I just want to tell you an anecdote from a personal story. After my family left, many of my parent's friends stayed in Russia and were there during the capitalistic transition and most of them went into business as everybody did in the 90s to enrich themselves. One friend went to work for probably the biggest banker in Russia. Sitting in on the board meetings, the 90s were a pretty bloody time if you were in capitalism. It was like the Sopranos do capitalism. The banker, the guy, the CEO, wasn't saying this guy is a problem, take him out, or we need to necessarily acquire the following tiny banks. It was just like, listen we need to achieve this, (inaudible), we're rolling in this direction, go. And if people turned up dead like macheting their way through the forest, he didn't necessarily order it, he didn't necessarily know



about it and that's by design. It's to build plausible deniability into the system.

So, Putin probably didn't know about how the bottles were opened or even that there were bottles being opened. He might, on purpose, not know the very details and Mutko might not know the very details. So, that when he goes on a talk show, he's not really lying, he's not technically lying. In Russia, it's all about being right on a technicality. So, respecting the letter of the law while raping the spirit of the law. I think both with the hacking and this, and Grigory said it, he said it was a top level decision by you know who, you know who I mean, get the best results. And that's generally how it works. Putin sends a signal and it trickles down the bureaucracy. And at each level, you have people who are trying to both please their immediate superior and to not get in trouble. And I think, Nonbudnuf, with his FSB pass and that face, you can see that he was the muscle behind it. He seemed like the muscle and the brass knuckles behind the operation.

MR. FOGEL: Yeah, Grigory always said that Nonbudnuf, he could kill anybody. And Grigory was most in fear of him. One interesting point when you talk about Putin's involvement and we leave this out of the film. Right after Sochi, Grigory was awarded the Medal of Friendship by Putin.

MR. WITTES: On that cheerful note, I'm going to set a direction and if people get killed by machetes as we move in that direction, that's just one of the things that are going to happen. At some point, Julia is going to need to slip out. So, if her body shows up in the aisle, that's just one of the casualties that happens. We have time for a few questions. Please wait for the microphone and when it comes, please say who you are and ask your question in the form of a question please and keep it brief. Sir.

MR. CAMPBELL: Leonard Campbell. My question is for Bryan. What happened with your biking performance? I mean, you took all of these drugs and they're supposed to make you superman and then you did pretty poorly. I guess, how does that reflect upon the overall scandal of, hey they went through all of this and that's why they won but again, you did

pretty poorly.

MR. FOGEL: In fairness, and it became kind of on the cutting room floor. When you're looking on a level of what was important in the film, that became not important. It only became the vehicle to get us to the turn in the film. So, I actually statistically by the number, I didn't do better but I had a malfunction that cost me an hour. I had a crash that cost me five minutes. I had a flat tire on the first day and I couldn't get support on that flat tire for about five minutes. So, would I have won the race, no. Had these things not happened, I think I probably would have gotten 10th out of about 660 guys versus 14th out of 440.

But the one thing I can tell you is, two things. One, is all the drugs in the world are not going to make you a champion if you don't have already that genetic wiring for it. Meaning, all the drugs in the world, it isn't going to turn me into LeBron James. I'm 5'8". It's not happening nor is it going to turn me into Lance Armstrong who was born with a VO2 max of like 82. With or without the drugs, the guy was superhuman. So, these drugs, at the very highest level of professional sports, these people are fighting over hundredths of seconds or one percent and that is a big difference.

But what they do do is recovery. And the hugest difference between that first year and the second year is, the first year I walked out of the seven day race, I couldn't walk, I had Achilles tendonitis, I had hip dysplasia, I was a wreck. And the second year, by the end of day seven, not only was I recovering, I was getting better. And I had a physiotherapist with me during that second race and every night she would work on me and she would say, oh my word, your muscles, it's like you're not in a race.

So, all the pain and suffering was there but the recovery was substantial. And if you can recover, you can train harder. And if you can train harder, you can get faster. That's the misnomer of the idea between doping and performance enhancing when it really is training enhancement. Because you can go do that four hour effort and the next day you've recovered so you can go do that four hour effort again and again and again and over time, that's what

makes you stronger.

MR. TALBOTT: Bryan, would Lance have been a champion if he hadn't doped?

MR. FOGEL: I believe that, you know, if you look at history, every single cyclist of his era, every single one of them doped. And what we found out in his confession by all of his teammates ratting him out in exchange for their own immunity is that they had all doped and they hadn't even been caught even through there was quite a few that had been caught. I think that if you look at Lance, and he's said this all along. The doping was just one part, in his opinion, a small part of it of him being a perfectionist. He took sport in what he was doing and turned it into a science. Everything about what he was doing, forget about the doping. This guy revolutionized time trialing. This guy revolutionized how people peddle on a bike. This guy revolutionized bike positioning, this guy was working in wind tunnels on aerodynamics. Everything about him was trying to perfect the system and he did.

So, I believe that if nobody was doping, he would have won. Everybody was doping and he still won. What you've got to remember is that every one of his peers, they were doping, they were doing the same thing as he was and he beat them. And when I started on the first part of this journey, I had interviewed a lot of cyclists that had raced against him. What is interesting is, every single one of these guys who doped as well as he did, I would say, did Lance win seven tours. Every one of them said yes. And I said, did Lance win seven tours fairly and every one of these guys who raced against him, said yes.

MR. WITTES: Sir.

MR. ROSE: Herb Rose. You touched a number of chords. I commend you for producing a really great film. I come from a background of not a competitive cyclist but an alpine cyclist. So, I did probably about half the mountain passes in the Tour de France over a few years. I also come from a science background. So, for a long time, I believe that Lance Armstrong was being unfairly criticized by the French. I read several of his books. I believed him until you couldn't believe him anymore. But I wonder, considering all that's been found and

all that you disclosed, Grigory disclosed, and this sounds like a rhetorical question. When is the IOC and FIFA going to grow a pair?

MR. FOGEL: I think that to me, the most upsetting thing in the fallout when you take Russia out of it and you realize that lying and essentially discarding the truth, appears to be systemic at the highest level when business gets involved. In regards to FIFA and the IOC, this is purely business. To take Russia out of the games means loss of billion and billions of dollars. You also look at who is the largest contributor to the IOC financially and that's Russia. One of the reasons why Russia is the largest contributor to the IOC and has been the contributor of the IOC is they have been bribing the hell out of the IOC.

So, it's incredibly distressing when you see, essentially a graveyard uncovered and imagine instead of all of these clean athletes that have been robbed, here's a graveyard of 100,000 people with all bullets in their head and the IOC says, that's great, we're not going to do anything about it. That is essentially what they are doing to all of sport right now. They are essentially putting their own business interests ahead of the welfare and well-being of every clean athlete on planet earth, every single kid who dreams of going to those Olympic Games believing that they're going there and engaged in a fair competition and they are doing this for their own business interest. The same thing goes for FIFA. So, I don't know when they're ever going to grow a pair when they are essentially operating like a mafia organization.

MR. COGAN: I would add one more point to that which is that, it's not going to change unless someone makes them pay a price. Right now, if you look at it, there is shame, and then there is power and money. And power and money are much more important than shame for these guys. The only thing that's going to change is if athletes start to care and they boycott the games. And all of the sudden, if their ability to generate revenue and power is stolen from them by athletes who refuse to show up, that will change things quickly. There are some indications that that is happening but it is tricky because not all the athletes are clean.

MR. WITTES: So, we have time for one more question.

MR. SAKO: Thank you. Raphael Sako with Voice of America. By the end of this year, two IOC commissions have to announce the results of their investigations based on McLaren's report. Did anyone from those commissions contact you to ask you about your dialogues with Grigory Rodchenkov and what do you as now an insider, expect from those decisions ahead of the South Korea Olympics. Thank you.

MR. FOGEL: So, what you're referring to, what he's referring to and this is kind of also the shocking fallout of the film. So, as quickly detailed as possible, Richard McLaren releases this first report in July 2016 ahead of the Rio Olympics. That was proving what had happened in Sochi and the bottles. He examines a hundred of those bottles and all hundred of those bottles that he pulls out, he finds scratches of tampering, he finds salt content in these bottles because Grigory was putting table salt into the urine to adjust the specific gravity, basically the weight of the urine. So, that was proven in July 2016.

December 2016, McLaren is given another six months to work and he establishes that it is way beyond Sochi. It is a thousand athletes across all sports, across basically all summer and winter games including soccer, et cetera. Now, the Olympics sent me three letters, Thomas Bach and Grigory saying that they trusted Richard McLaren and that anything Richard McLaren found, they would basically uphold as the law. And WADA, of course, said that as well. But Richard McLaren was an independent investigation even though it involved Interpol, even though it involved scientists but it was an independent investigation.

So, the Olympics didn't like what Richard McLaren presented to them, their 1700 documents of evidence with forensic science and fingerprints and samples and such. So, they started their own commission and this commission's goal is to debunk Richard McLaren's findings. And this has taken the place in two forms. One, WADA just cleared 95 of 96 athletes that Richard McLaren listed in his scandal and the way that they cleared these 95 of the 96 athletes was they never came to Grigory to ask him to talk. So, since July 2016, Grigory has been available, even though he has been in protective custody, to talk to WADA, to talk to the

IOC to talk to any sporting federation and not a single one of them have come to Grigory to actually do this. WADA came up with the excuse when they cleared the 95 athletes of, oh we couldn't reach Dr. Rodchenkov, not true at all. He's been completely available and this is part of the New York Times op-ed.

The second thing is this investigation right now is completely unnecessary. There is no reason for this investigation. The investigation has already been done. So, now we're here a year and a half later and the IOC only came to Grigory about three weeks ago, finally saying they're going to talk to him as part of their investigation which they're dragging their heels on and are not going to put out an answer according to today's news, until the end of November.

So, who knows, maybe they grow a pair but as it appears right now, they are looking for any and all ways to allow Russia into those winter games.

MR. WITTES: Please join me in thanking Dan and Bryan and my two co-panelists who have vacated the stage.

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I, Carleton J. Anderson, III do hereby certify that the forgoing electronic file when originally transmitted was reduced to text at my direction; that said transcript is a true record of the proceedings therein referenced; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were taken; and, furthermore, that I am neither a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

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