

### **Declaration of Matthew A. Parrella**

1. I am an Assistant United States Attorney for the Northern District of California and was assigned, along with others, to the investigation into the distribution of anabolic steroids, human growth hormone, and money laundering by Kirk J. Radomski, a resident of Manorville, New York.

2. As part of that investigation, interviews were arranged with Brian McNamee. The interviews took place in the different offices of McNamee's counsels. Present during the interviews were myself, Special Agents from Internal Revenue Service-Criminal Investigation and the Federal Bureau of Investigation, McNamee's counsel, and McNamee.

3. Prior to the interviews, I told McNamee that he was not a target of the investigation, but that his witness status would be subject to review if he chose not to co-operate. A written proffer agreement was executed by McNamee with the United States Attorney's Office for the Northern District of California which conferred use immunity from that office for any statements made during the course of his interviews. I explained to McNamee that any false material statements made during the interviews were subject to prosecution under 18 U.S.C. § 1001.

4. As part of the Northern District of California's criminal investigation, I requested that McNamee speak to the Mitchell Commission. I told McNamee that speaking to the Mitchell Commission was part of his co-operation with the investigation in order to maintain his witness status. Prior to the interviews with the Mitchell Commission, I informed McNamee that the proffer agreement executed earlier would cover those interviews and that he could also face prosecution under 18 U.S.C. § 1001 for any false material statements made during those interviews.

5. McNamee thereupon agreed to speak to the Mitchell Commission. There were three interviews conducted with the Mitchell Commission. All arrangements, including time, date, and place, for the meetings were made by Agents or Assistant United States Attorneys. Agents and Assistant United States Attorneys participated in and were either present or on the phone line during all interviews between McNamee and the Mitchell Commission.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on December 17, 2008.

A handwritten signature in black ink, appearing to read "Matthew A. Parrella", written in a cursive style. The signature is positioned above a horizontal line.

MATTHEW A. PARRELLA  
Assistant United States Attorney