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COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, D.C.

TELEPHONE INTERVIEW OF: CHRISTOPHER JOHN NITKOWSKI

This is a preliminary transcript of a Committee interview. It has not yet been subject to a review process to ensure that the statements within are appropriately attributed to the witness, member of Congress, Committee staff, or other individual who made them; to determine whether there are any inconsistencies between the statements within and what was actually said at the proceeding; or to make any other corrections to ensure the accuracy of the record.

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Washington, D.C.

The telephone interview in the above matter was held at
Room B-373 Rayburn House Office Building, commencing at 5:32

p.m.

Appearances:

For Committee on Oversight and Government Reform:

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[The following testimony was delivered via teleconference.]

Mr. Cohen. This is an interview of Mr. C.J. Nitkowski conducted by the House Committee on Oversight and Government Reform. The interview is part of the committee's investigation into the use of performance-enhancing drugs in professional baseball.

Mr. Nitkowski, thank you for joining us today.

Mr. Nitkowski. You are welcome.

Mr. Cohen. Could you please state your full name for the record?

Mr. Nitkowski. Sure. Christopher John Nitkowski.

Mr. Cohen. My name is Brian Cohen, and I am an investigator with the committee. I am accompanied by four of my colleagues, and I will give them a chance to introduce themselves.

Mr. Gordon. Hi, Brian. Michael Gordon. I am one of the counsel for the committee staff.

Mr. Glickman. Steve Glickman, counsel with the Majority staff as well.

Ms. Safavian. Hello, this is Jennifer Safavian. I am with the Republican staff.

Mr. Castor. C.J., Steve Castor, also with Republican staff. And just so you know, we always have like five of us

at these things. So please don't read into the fact that we have five of us here.

Mr. Nitkowski. Okay, not a problem.

Mr. Cohen. And because this is a telephone interview, we will make sure to identify ourselves. If different people are asking questions, we will make sure we identify who is asking the questions.

Mr. Nitkowski. Okay. Thank you.

Mr. Cohen. Before beginning with the questions, I would like to go over some standard instructions and explanations regarding the interview. The interview will proceed as follows. I will ask you questions regarding the subject matter of the committee investigation for up to 1 hour. When I am finished, the Minority staff will then have the opportunity to ask you questions for up to an hour. I should add, my sense is this probably won't take an hour.

Mr. Nitkowski. Okay.

Mr. Cohen. Additional rounds of questioning, alternating between the Majority and Minority staff may follow until the interview is completed.

The court reporter we have here will be taking down everything you say and will make a written record of the interview. Please give verbal, audible answers because the reporter cannot record nods or gestures, nor can we see them on our end.

You have the right to an attorney, although you do not presently have an attorney present. Our understanding is that you would like to proceed with the interview. Is that correct?

Mr. Nitkowski. Correct.

Mr. Cohen. Okay. You are required to answer questions from Congress truthfully. Is there any reason you are unable to provide truthful answers in today's interview?

Mr. Nitkowski. No.

Mr. Cohen. If you knowingly provide false testimony, you could be subject to criminal prosecution for making false statements or other related offenses. Do you understand this?

Mr. Nitkowski. Yes.

Mr. Cohen. Any questions before we begin?

Mr. Nitkowski. No.

Mr. Cohen. Okay. Great.

Mr. Castor. You might also say, Brian, that our intent, C.J. as we move forward, is to work to see if this transcript can remain anonymous, if that is -- confidential, if that is possible. So to the extent, you know, you have information that you are more comfortable sharing in a confidential -- on a confidential basis, you know, if you would let us know, you know, that will help us moving forward.

Mr. Nitkowski. Okay.

Mr. Cohen. We are not at this point -- I should clarify, we are not in a position to make any kind of a commitment on confidentiality right now.

Mr. Nitkowski. Yeah, I picked up on that.

Mr. Cohen. That is something we will consider as we progress.

Mr. Nitkowski. Sure.

Mr. Cohen. But it would be useful for us, of course, that that is something for us to consider as we move forward. So it would be useful to point that out. Great.

EXAMINATION

BY MR. COHEN:

Q Our first round of questions is on your relationship with Mr. McNamee, your work with Mr. McNamee. Can you tell when did you first meet Mr. McNamee?

A The first time I met him was in 1995, when I was playing for the Detroit Tigers. That was my rookie year. We came through Yankee Stadium. We came through to play the Yankees. And I don't remember who, but somebody introduced him to me, or maybe he even introduced himself to me, just because we had both gone to St. John's University, and there was kind of a connection there. It was just kind of a one-time social meeting at Yankee Stadium.

Q And when did you begin working with Mr. McNamee?

A Following the 2001 season.

Q And what led to the -- what interactions did you have with Mr. McNamee that led to the working relationship you began in 2001?

A We had a conversation at Comerica Park in 2001 during the season. He was in uniform with the Yankees at the time. I remember we were in the bullpens, and the way the bullpens used to be configured, they were real close to each other so you could socialize with the other players and coaches. And he and I were just talking. He was filling me in on what he was doing at that time. I knew he had been the strength coach with the Blue Jays, and didn't know why he was with the Yankees all of a sudden in uniform. And he explained to me that he was, you know, personally training players, you know, specifically Roger, and that, you know, even though he was in uniform with the Yankees, it was more he was there mostly to train Roger and Andy, which is what he was doing.

They both live in Houston. I was living in Houston at the time. And he said to me, you know, if you are interested, I can talk to those guys, and when I come into town to train them, you know, if it is all right with them, you know, you can come along and train with us if you like. And it was something I was interested in at the time. And that's how the working relationship began.

Q I see. So you began working with Mr. McNamee in the off season following the 2001 baseball season?

A Correct.

Q Okay. And did you at any point work with him during the regular season, or it was just in the off season?

A Yeah, not personally. I never saw him during the season once I began training with him. We would stay in contact during the season.

Q Uh-huh.

A And that was part of the program for me, which is I worked out when I saw him, but we kept in contact if any issues arose or, you know, if I had any questions, whatever it may be. So I never saw him personally during the season, but we stayed in contact.

Q Okay. And the off-season workouts that began following the 2001 off season, how frequent were those workouts?

A I only saw Brian a handful of times in the off season. I tell you, I really can't tell you for sure exactly how many times. That first year I want to say maybe he made -- maybe he made three trips into Houston that year.

Q Uh-huh.

A And, you know, that is just a guess. I just don't remember.

Q Okay.

A So when he would come in, it would be usually -- at least when I saw him, you know, somewhere around a week, 5 to 7 days. And that first year, I believe, it was just that first year that we only went to Roger's house. So he would stay at Roger's house. He would let me know, hey, we are working out, Roger said it is okay, and I would come. I probably came up, you know, maybe 4 days, every time he came in, maybe three times. So maybe -- you know, maybe I spent a couple of weeks there total in the off season.

Q So he came four times, and he would stay for several days at a time?

A Usually. I mean, sometimes he would make smaller trips, but as far as when he would contact me, it usually seemed like it was something, you know, a Monday to a Friday, or a Monday to a Thursday, and they were getting four or five workouts in, and I would tag along for a couple of them at least.

Q Okay. Now the following year, let's move on to the 2002 off season.

A Uh-huh.

Q Were you still working with Mr. McNamee?

Actually, let's stick with 2001. The workouts in 2001 --

A Uh-huh.

Q -- who else besides you and Mr. McNamee -- who else

was present at those off-season workouts?

A Andy would come most of the time. Every once in a while Woody Williams came one time I think that one year. I think I only saw Woody one time ever since I started working with Mac. Justin Thompson, who was a former teammate of mine, came a couple of times for a couple of years.

Q Uh-huh.

A Steve Sparks, who is a good friend of mine, came once maybe, and that was more just because he was my workout partner, you know, down by me. He just kind of came with me one time, but he didn't do it regularly. He never employed Mac as a trainer. He just kind of came along because he needed a place to work out 1 or 2 days during that whole span of 8 years I trained with Mac. Predominantly it was Roger and Andy.

Q Just to clarify, that's Roger Clemens and Andy Pettitte?

A Correct. And every once in a while Justin Thompson for a while there. Those were the only guys that would go consistently.

Q Okay. So now how many years -- did you continue that type of workout relationship with Mr. McNamee in 2002? Were you also working out in Houston when he was --

A Correct. Through 2000, and the last year was last year. So following the 2006 season was the last time I did

just because I moved now, I live in Atlanta. So that pace continued. It probably -- it lessened a little bit each year, but then we started also mixing in going to Andy's house, so sometimes I would drive up to Andy's, and we would do the workouts there. But, you know, for the most part I mean a couple weeks in the off season. Then it really kind of died down the last couple of years just because I was having a hard time lining up my schedule with Brian's. And there was a couple of times where last year specifically he would come, just come to my house, and he and I would go to the gym that I work out at.

Q Okay. Now, you mentioned players in 2000 and 2001 off season were Andy Pettite, Roger Clemens, Woody Williams, Justin Thompson, Steve Sparks. In 2002 and the following years, were those same players present? Were there other players present?

A Yeah. You know, Steve Sparks I don't think came in '02, after the '01. I think that was later. I think he might have did a couple of workouts with us maybe around '03, '04. Those off seasons just kind of all gel together.

Q Right.

A You know, like Woody was just that one time, and I believe it was '01, but it could have been '02. Justin was a little bit more frequent for a few years while he was still playing.

Q Okay.

A But, you know, as far as recalling specifically what players were there what years, very difficult for me to do --

Q Okay.

A -- because I don't remember exactly.

Q And was Chuck Knoblauch ever at any of these sessions?

A No.

Q Are you still in contact with Mr. McNamee? When was your most recent contact with him?

A Yes. I talked with him a couple days ago.

Q Does Mr. McNamee still train you?

A Well, I mean, I don't see him. I tried to get him down here. He was actually supposed to come, I guess, the first time you guys scheduled the hearings, which was the 15th, I think. He was going to come here, but then, you know, it looked like he was going to have to do that. So I haven't seen him personally, but I would like to, but just with everything going on, it just wasn't going to be able to work out as far as his schedule.

Q Okay.

A But if I had my choice, I would have him here every day.

Q Okay. Moving on a little bit, you have -- in some

of the interviews you have given and the stories you have written, you have described a time in your career when you were considering taking steroids, and you indicated that you discussed this with Mr. McNamee, and that he -- you indicated -- some of the press reports indicate that Mr. McNamee advised you against taking steroids?

A Correct. Yeah. I mean, I approached him on it, and, you know, again, it was that first off season. You know, and I do specifically remember having the conversation. But, you know, he never encouraged me at all. And, you know, at that time I was -- you know, I was ripe to do it is the best thing I could think of. I mean, if he would have told me yes, I would have done it. I mean, that was the point I was at at that point in my career. I was just, you know, looking for somebody who I thought might have known enough about it, where if they thought it was a good idea for me, I probably would have done it.

But he just -- it was never the case. He just, you know -- he knew that -- he believed strongly in his program. He believed in the over-the-counter supplementation, which I had never done. I never, you know, really participated in that before. And he felt like if I had just, you know, stuck to these workouts that Roger and Andy had been doing for a while and getting a lot of success from, and I supplemented correctly and ate right, he thought I would be

fine, and there was no reason for me to take steroids.

Q Okay. Did he give you any information about the health effects? When he advised you against, did he elaborate on why he believed you should not be taking steroids?

A Well, yeah, you know, like I said, he told me he didn't think I needed them. As far as I had questions, I had questions about Winstrol, you know, what were the steroids that guys were taking? I was sharing with him things that I had heard in the clubhouse. And basically I was just trying to, you know, get, you know, concrete answers from someone who was qualified to give them, as opposed to things that I was hearing in the clubhouse. So he kind of filled in the gaps for me and, you know, separated the fact from fiction and, you know -- and made sure -- you know, made sure he answered all my questions well.

Q At the time did you have reason to believe that Mr. McNamee had knowledge of steroids and their medical or physiological effects?

A You know, I mean -- you know, that's a good question as far as why did I ask him. I think you just kind of make that assumption that, you know, people that study this and make this their living, that they would have information. But, you know, at no time was he ever, you know, hey, C.J.,

if you are interested in steroids, come talk to me about it. I think I just approached him, you know, assuming that because he was a professional trainer, you know, and he had been doing it for a long time, that he would have the information that I was looking for. But he never really solicited, you know, to say, hey, you know, if you have questions, come ask me, I have answers.

Q Did he -- would you describe him as having made an effort to convince you not to use steroids or --

A Yeah, definitely. I mean for sure. Definitely at no time did he encourage me to do it. And like I said, at that point in my career I was -- if a guy like came and told me it was a good idea, and I was going to get a lot of help from it. And he told me the positive effects, too, and not just the negative or why I didn't need it. But, you know, basically it came down to him talking to me out of them, because he could get me close to those effects by doing it naturally and staying on the program.

Q One of the stories you wrote, you described Mr. McNamee as, quote, clarifying things I had heard in the clubhouse from other guys who I knew were taking it. What kind of information did Mr. McNamee clarify?

A Just as far as, you know, what guys were -- you know, what was the right steroids to take, you know, what kind of effects you were going to get from them. And, you

know, like again, I don't remember the exact specifics, but I am sure he talked about, you know, the negative things. And as far as, you know, like you hear things about Winstrol is a water-based steroid, it is the sprinter's steroid, you know, Ben Johnson had gotten caught taking it, you know; was that the right one for pitchers? You know, those kind of questions, basically what some pitchers I knew were taking or had talked about taking. You know, if I was going to take it, is this what I should take? Those kinds of questions.

Q Okay. Did Mr. McNamee ever provide you or any other players with your knowledge with any other prescription drugs or other drugs? Did he -- for example, did he provide B-12 or pain injections for other players to your knowledge?

A For other players, no, I have no idea. I mean, we never, ever talked about other players and what they were or were not taking.

Q Did he ever provide you with any B-12 --

A No.

Q -- injections or other injections of any other medicine or painkiller?

A No. No, I have never had an injection my entire career of any kind.

Q Okay.

Mr. Gordon. This is Mike Gordon.

EXAMINATION

BY MR. GORDON:

Q I wanted to follow up on the conversations you remember having with McNamee about these different substances and what they would do. I mean, I realize this has been a while, but to the extent you can remember, what types of steroids did you discuss with him? And did he identify any that were -- that he thought were being used or were particularly well suited for pitchers?

A Well, it was the conversation about Winstrol is basically what I brought up, I had brought up to him. And like I said, I told him that I was pretty sure I knew some other guys that were taking it, and these were some effects that I was seeing that they were getting, and just kind of asking is that what I wanted to take?

And we had talked about some other steroids, and my names on them aren't great, but one is kind of called Deca, which is an oil-based steroid. And I said, you know, should I take that? And he said that is not really something a pitcher needs to take; that is more of a body-builder steroid.

And those were kind of how the conversations went. It was just only a couple of steroids that I had heard of, you know, and different -- like I said, just like different things you hear in the clubhouse and how guys say you are

supposed to take them, and mixing them, or only taking one. And what are you trying to get out of it? What is your goal? And he just kind of went over all that.

Q Did he seem to know about Winstrol?

A Yes.

Q So he could answer your questions?

A From what I remember, yeah, I felt like, you know, the answers he gave me, that he knew what he was talking about.

Q And what were the positive effects that you discussed, if any, with him?

A Well, the appeal to pitchers is two major ones: One would be an increase in velocity. You know, and what I was seeing and what I was hearing was, you know, anywhere from 3 to 5 miles an hour, which is a pretty -- you know, it is a pretty appealing side effect for a pitcher.

The other thing was recovery, quicker recovery, your ability to bounce back. And especially as a relief pitcher, you pitch multiple nights in a row, a lot of times that second or third or fourth night where you have gotten up, you are just -- you are not going to feel as good as you did the first night. And there were people that said -- and I don't remember from Mac, and I -- and I am sure we did talk about it, but I can't tell you that for sure, you know, talking about usually it feels as good on that third and

fourth day as you did on your first, because the Winstrol will help you recover quicker.

Q Do you remember whether he said he thought these steroids could help performance?

A I mean, specifically did he say it is going to help you? I mean --

Q Yeah, like in the velocity, for example?

A I am sure he confirmed that for me, because I remember walking away feeling that, yes, it was true. I mean, I had already seen it anyway, or I think I had saw it, and I think he definitely -- I would say he had confirmed that for me at some point. That wasn't really something I wasn't very sure of. I think I went into that knowing that already, and it wasn't anything I needed clarifying.

Q You knew that just from your experience with what you had seen from other players?

A Yeah. You know, there were just some rumors, and I can't tell you for sure that I know 100 percent for a fact that some guys took steroids. You know, it was just one of those things in baseball when you were in a clubhouse, you weren't concerned about, you know, trying to prove it in a court of law. You just kind of knew. You didn't necessarily have the evidence for it, but certainly, you know, I could say with confidence to other players, yeah, this guy was taking, that guy was taking, but nothing that

-- nothing that would hold up in a court of law. And then you would see positive effects. And you would see a jump in the velocity, you know, and those are the kind of things that kind of led you to believe that guys were taking it.

Q Did you discuss the negative effects of Winstrol with McNamee? Do you remember if he said anything about the downsides?

A Not really. I think I just kind of walked away thinking that they weren't that bad, because, you know, another clubhouse thing was kind of, well, it is a water-based steroid, so it is not nearly as dangerous for you compared to Deca, which is an oil-based steroid. So I remember, at least from my knowledge, I think about what I know about it now, and probably is something that I took away from that meeting, which was the negative effects of Winstrol were not that negative and certainly didn't scare too many people.

Q But there was a difference; there were greater negative effects with other steroids like Deca?

A Correct. And I don't remember if that is a fact, but that's what you kind of think. That's what you walk away thinking, that it is a little bit more dangerous. You are going to get bigger, you are going to get bulkier, there is bigger negative health effects, there is bigger negative effects if you put on that kind of body mass, and the

strains you are going to put on your tendons and ligaments, you know, kind of a combination of both.

Q Did you ever discuss testing and the detectability issue?

A I don't think so, because it was a nonissue at the time. You know, it was the off season of 2001, and I don't know if I have my time correct, but we weren't testing then. So it was a nonissue. It wasn't -- the issues, as you are weighing your options, you are not thinking about I could test positive. There was no test -- there was no testing going on at the time. So, you know, it was kind of a nonissue.

The other effects were, you know. One of the things you were thinking about was, you know, is it safe? Am I going to get the effects I want? You know, how will I get caught? You know, as far as what I learned, possessing it or buying it was illegal, but as far as, you know, with regard to Major League Baseball, it was kind of a nonconcern.

BY MR. COHEN:

Q Did you ever have any discussions with Mr. McNamee about human growth hormone?

A No, not at all. We never talked about it, because after that -- for me, after that season, going into -- well, once the 2002 season started, it was just -- it was

something I wasn't interested in anymore, and I knew I wasn't -- I wasn't going to be tempted to take it. So I really don't think we had many conversations, if any, after that off season about it.

Q Okay. Just give me 1 second here.

All right. I think we are going to move on to a slightly more specific set of questions here regarding use of steroids or human growth hormone by Roger Clemens, Andy Pettitte and Chuck Knoblauch. Did you ever obtain any knowledge at any time indicating that Mr. Clemens was taking steroids or human growth hormone?

A No.

Q Did you ever hear or have any conversations with Clemens, with Mr. Pettitte, with McNamee, or with any other players regarding the use of steroids or human growth hormone by Roger Clemens?

A No. I mean -- I mean -- you know, it is so hard to say now, because there has been so much going on, but I certainly never talked to him about it. I never talked to Roger about it, never talked to Andy about it. I mean, if you are asking me if I had a social conversation, you know, over my career with someone that said, hey, do you think Roger Clemens took steroids? Yeah, those conversations took place, but that is so in-circle talk. I mean, as far as any kind of fact stuff, it wasn't just those guys, guys would

talk about that kind of stuff all the time. You think this guy took? Or that guy had a big year, do you think that guy is on the juice? I mean, there was probably some social conversations over my career that I have had with people.

Q Was there a belief among players in the clubhouse, or was there suspicion among players in the clubhouse, that Mr. Clemens might have been taking steroids?

A I think that's fair to say, that there was always maybe a little bit of an assumption. I mean, you know, just to see what he had done so late in his career, to do it so well. But at the same time, for me, because I was training with Mac, and I saw the positive effects, physically I was getting great effects from working with Mac and doing the over-the-counter supplementation, so in the back of my mind I am thinking, yeah, maybe it was possible. I was in the conversations, but at the same time I see what is going on with the workouts and see what he is doing so late in his career, you know, I guess I kind of thought it was a possibility that he was clean.

Q I am sorry, you felt it was a possibility that he was clean, or you thought --

A Yeah.

Q But at the same time you had a suspicion?

A You always kind of wonder. I mean, you know, I worked out with him, and, you know, I guess, you know, he is

40 years old, and, you know, just blowing through workouts and doing, you know, some tremendous things, and then seeing what he could do on the mound at his age. Always kind of -- in the back of your mind, it has always got to make you wonder, I think, as a player, anybody that is paying close attention will always kind of wonder about that a little bit, knowing what was going on during that time, you know, especially '95 to '05.

Q Did you ever overhear Mr. Clemens discussing steroids or human growth hormone with any individual?

A Never.

Q Not at a training session or in a clubhouse at any time?

A No. He and I never played together, so we were never in a clubhouse together.

Q I see.

Did you ever hear Mr. Pettitte discussing the use of steroids --

A No.

Q -- with Mr. McNamee or any others?

A No, never.

Q Did you ever obtain any information from Mr. McNamee indicating that he may have been providing steroids or human growth hormone to other players?

A No.

Q And did you ever obtain any information or ever hear from other players or any other individual that Mr. McNamee was discussing steroids or providing steroids to other players?

A No.

Q I would like to ask you specifically about a discussion that the committee has been made aware of that we believe occurred in 2002.

A Okay.

Q This was a training session that we have been told that Mr. McNamee, Mr. Clemens, Mr. Pettitte, and Justin Thompson and you were at this session?

A Okay.

Q You and Mr. Pettitte were engaged in a game of long toss in the gym at Mr. Clemens's house?

A Okay.

Q And there was a conversation between Mr. Pettitte and Mr. McNamee in which Mr. Pettitte said something to the effect -- Mr. Pettitte allegedly became aware that Mr. Clemens was receiving steroids from Mr. McNamee, and Pettitte began asking McNamee a series of questions: You know about this stuff. Why didn't you tell me about it?

Mr. Pettitte was referring to steroids. He may not have specifically said "steroids" in the conversation. I am sorry, Mr. Pettitte was referring to either steroids or HGH.

He may not have mentioned either one specifically in the conversation, but he was referring to Mr. McNamee knowing about stuff, and why didn't you tell me about this stuff? Does that ring a bell at all, that conversation?

A No. I mean, if we were playing long toss, and they were talking, there is a good chance I would not be in earshot of that. I mean, long toss is, in fact, that you are playing catch from, you know, pretty far distances, anywhere from, you know, 90 to 120 feet away, maybe even longer. So I didn't have any piece of that conversation at all. And I can tell you that if there was a conversation going on, you know, it wouldn't be a social one where, you know, let's bring the group in and talk about it. That would be something that would be very private. Even the time that Brian and I talked about, you know, my thoughts of using or taking steroids, that took place at Roger's house. And we -- as soon as he kind of heard me bring it up, he pulled me aside, and we didn't talk about it in front of anybody else.

So I guess what I am trying to say, it shouldn't surprise you, or I know it might sound -- you know, if you are trying to picture the situation, it might sound a little unusual that I wouldn't hear it or know what's going on, but that is exactly what would happen.

Q Okay.

Mr. Gordon. This is Mike Gordon again.

BY MR. GORDON:

Q Just to be clear, are you saying that you don't recall any conversation ever when you were working out with McNamee and others like Clemens and Pettitte about the use of steroids or HGH?

A No, I sure don't.

BY MR. COHEN:

Q To back up a little bit on some of the conversations you had mentioned with the assumption that some of the players may have been -- Mr. Clemens may have been taking steroids?

A Uh-huh.

Q Can you elaborate a little more on the -- you know, how frequent were those discussions? Who were they with? Were they with other players? What was the nature of them? Did anyone indicate they had anything besides -- what were the -- what kind of information were players mentioning when they had these discussions?

A It is really hard to recall specific conversations. I mean, there has been so many now since all this has kind of broke. You know, since then you are talking with people, whether it is just people that aren't in baseball, people that are in baseball, and were kind of saying, do you believe him or not believe him? Prior to that, I mean, it

is one of those things where I can tell you I know I probably had those conversations, but I can't recall specific ones. I mean, I would be guessing. And, you know, I could give you maybe some, you know, educated guesses, but I can't tell you that I remember specifically talking to this player about do we think Roger Clemens took steroids. You know, it is just one of those things it got so popular at that time, especially, you know, after 2001, 2002, and now we were testing, so there was more conversations going on, and all of a sudden a couple guys tested positive, and there was anonymous testing, and it came back and say 5 percent of the guys tested positive. Who do you think the 5 percent are? You know, it was just kind of talking about guys.

But, you know, it would be unfair to for me to tell you that, you know, I had this conversation with this person and told you that, yeah, I remember saying, do you think Roger took steroids? It would be too -- I mean, I just can't do it. I just don't have a memory of those conversations with that kind of detail.

BY MR. GORDON:

Q This is Mike Gordon again.

You know, that makes perfect sense. I wonder if you recall ever having a conversation with anyone that sort of jumped out at you or jumps out at you now where the person

seemed to have more than just a suspicion or rumor, where they seemed to know something about Mr. Clemens and his use. Anything like that?

A No. No. There sure wasn't. I mean, I don't know if I played with too many guys that played with him. You know, which I could see if I played with a guy who played with him that maybe a conversation like that may have taken place. But as far as playing with some of his former teammates, ones that knew him well enough to have some information like that, I don't think I have ever really run across any of those guys.

Q This may be -- you may have already answered this one, but is your answer the same if I asked you about conversations you remember about Chuck Knoblauch using steroids or human growth hormone in that you don't remember any such conversations specifically?

A You know, I have never met Chuck Knoblauch. I never played with him. And to be honest with you, I never would have been suspicious that he took steroids. The thought never even crossed my mind. His name comes in almost as kind of like an afterthought, kind of like, oh, that is surprising. As a player, you don't really -- you are just not thinking about him as one of those guys.

You know, when guys talk about it, they are talking about the big guys, not only big physically, but big that

they are doing big things in Major League Baseball, and they are doing it later in their career, or they are just all of a sudden putting up some numbers they have never put up in their careers. Those are the kind of conversations -- or those are the kind of players that sparked those conversations. And, you know, certainly Chuck was a good player, but, you know, he had never done anything like that that kind of got people suspicious.

Q In the Mitchell report there is an allegation that he took HGH, human growth hormone.

A Uh-huh.

Q Do you remember ever hearing about that, or rumors or allegations about Knoblauch possibly using human growth hormone?

A No, no, never. And when I say steroids, I do pretty much mean both. You know, because I didn't spend a lot of time in the big leagues after, you know, 2003, and that is when HGH kind of took off, I didn't really have a lot of HGH conversations, you know, just in passing or, you know, social conversations with teammates.

Q I want to just sort of get your opinion about something. When the Mitchell report came out, lots of -- you know, it indicated that there had been pretty widespread use of steroids back at least in the time before testing started. What is your reaction to that? Did that surprise

you?

A That it was in the report?

Q No, that -- the concept that there was sort of widespread use of these drugs, of steroids in baseball?

A No, I wasn't surprised at all.

Q And why is that?

A Because, you know, again, I never really had firsthand knowledge, but there is a couple of guys that I felt strongly about. You know, it was just the era. And you look back at it, and I pretty much pitched right through the middle of it, you just kind of knew. I mean, it is just one of those things you couldn't prove it, but you just kind of knew.

There was a lot of big guys. I played in a couple of clubhouses that you were pretty confident there was a pretty good amount of guys doing it. And I remember having more conversations with guys that were considering it; not ones that ever told me they did it, but, you know, basically what that era created was people that were now forced to make the decision. And they didn't even want to be forced with the decision, but they were because they knew others guys were taking it, and now there were guys that were passing them by, and they were trying to keep jobs and figuring out what to do.

And it just -- I don't want to say it got so out of

control, but it just got so popular at that time, I would say, you know, '99 to 2002, it just -- I think, you know, almost all players at least had considered it for a moment. I am sure there was a lot that, you know, like I said, wouldn't even think about it, but there was -- I would say there was a pretty good amount that at least had to consider it. And it was popular.

But, I mean, I can say that with confidence, but, again, I can't ever tell you anything for sure why it was. I never saw a guy take a steroid in my life. I don't think I have ever seen a steroid in my life. But, you know, I was pretty confident that there were a lot of people taking them during that era.

Q Yeah. That's helpful. I am not asking about specific players that you know of or don't know of in this vein. I just wanted to get your reaction to that. And it sounds like those kind of conclusions from the Mitchell report, that it was widespread, are sort of consistent with what you were feeling at that time going on in baseball.

A Yeah, definitely.

Mr. Gordon. Okay.

BY MR. COHEN:

Q You have written an article in which you stated that, I don't doubt that what McNamee was forced to say is true.

A Correct.

Q Can you elaborate on that?

A Well, I mean, for me, I just don't see his motivation for it. It is not so much -- you know, I have never been in the business, or, you know, in all these interviews that I have done or anything I have written, I have no interest in accusing Roger Clemens of taking steroids. I like Roger a lot. He is a really nice guy. My thing was more just as far as Brian, people -- you know, people kind of jumped down his throat and said a lot of bad things about him as soon as the Mitchell report hit. And, you know, I just wanted to take an opportunity to defend him a little bit and, you know, challenge people to look at the situation objectively and really say why would he lie? What does he have to gain?

You know, Mac is not a sell-out. He has been loyal to Roger a long time, and he loves -- I think he really loves working with him. And I think he is disappointed this had to happen. But you know, from what it sounds like, and I don't know this for sure, but, you know, what it sounded like is he was facing potential jail time, and he was forced to tell the truth, and that's why he did it. You know, he doesn't have it out for Roger. He is not looking to cash in on this. He wasn't looking, you know, to try to make any money or ruin Roger's reputation. He is not happy to see

Roger have to go through this. You know, he was just -- he was forced to do it, and I just see no reason why he would lie.

Q In general, do you think Mr. McNamee is a -- do you think Mr. McNamee is a credible individual?

A I do. I mean, credible -- I mean, as far as in this instance, absolutely. I just see no reason for it. Again, I go back to what would his motivation be? I mean, you know, Mac is really good at what he does, and, you know, I said that in the article. Is he absolutely perfect, you know, throughout his life? No. But just dealing with this, you know, in this specific instance, there is no reason why someone couldn't believe what he has to say. Especially, I mean, just take a look at his demeanor in all this. If you saw that awful -- you know, that awful deal with the phone call. I mean, he wants no part of this. He has not been jumping out in front of the media and happily accusing Roger Clemens of taking steroids. He has been very reluctant to do it. And for me, that speaks volumes about is he credible or is he not.

Q Are you aware of any reason that McNamee would have to lie about Mr. Clemens or any grudge or other reason he would want to harm Mr. Clemens' reputation?

A No, not at all.

Q Okay. We are starting to get to the end here to

wrap up a couple things.

Has anyone talked to you about what you should say? Prior to this conversation, has anyone spoken to you and talked to you about what you should say in response to questions from Congress?

A No, not at all. I talked to Mac. I told him, you know, when you called me, I just said, hey, you know, an investigator called me. I just wanted to give him a heads up and let him know. But, you know, the one thing about, you know, having nothing to hide, you don't need to do any prep work. And even, you know, training with Mac, you know, he mentioned something to me -- gosh, I can't remember what it was now. Something -- oh, I think -- I can't remember what it was. We were talking. I told him, you know, that I was coming -- or, excuse me, that I was doing this conversation.

Hold on a second. I think I have this written down somewhere.

Oh, yeah. No, he just said the only time he ever mentioned my name in any of this was what you alluded to about that 2002 conversation, that I was in the room. And that was all he told me about. But as far as, you know, hey, you know, make it look this way or kind of say that, none of that stuff took place.

Mr. Gordon. This is Mike Gordon, just to follow up on

that.

BY MR. GORDON:

Q When did you talk to Brian McNamee?

A We exchanged a couple text messages I think it might have been yesterday.

Q Did you also have a phone call with him, or was it just text message?

A We talked -- no, we did have a phone conversation. I know we exchanged voice mails, but we eventually did talk.

Q And am I right, interpreting what you said, that he didn't tell you what to say in response to our questions?

A No, because he knows that he doesn't -- he doesn't have to.

Q Right.

A There is no -- you know, there is no getting together and coming up with a plan on any of this.

Q He asked you about a conversation similar to the one that Mr. Cohen was describing earlier that occurred allegedly during a workout session at Clemens's house? He asked you if you recalled that?

A No, no. I think what he was saying is he was just telling me that the only time he had ever brought up my name, or that he told me that he brought up my name that I was in the room is when that conversation happened.

Q I see. I see.

A You know, as far as I guess he was just telling me, hey, this is what I have told them about you. And he said, I think that is pretty much it, just so you know. Because I will be honest with you, I wouldn't have known. You know, if you tell me do you remember me having that conversation, I wouldn't have known because I was standing probably 90 or 100 feet away, and they were talking. That happened all the time.

Q Did he mention anything else about Mr. Clemens, and anything about Mr. Clemens not telling the truth about any of this?

A No. No, I don't think so. I mean, no -- I mean, you know, every time we talked ever since most of this broke, it has never been about, you know, hey, Mac, you know, I can't believe Roger took steroids. You know, when I talk to him, I am more concerned how he is doing, how his family is doing, how he is holding up during all of this. So we never get into real specifics about -- you know, I am not looking for him to tell me about exactly what he did to Roger or what Roger is taking. Again, that is something I am not really interested in. I am glad I don't know more than I do. So I never -- you know, I never asked questions to get any information out of him.

BY MR. COHEN:

Q Let me ask that question Mike asked in a slightly

more general fashion. Have the conversations, any of the communications you have had with Mr. McNamee, have they led to -- have they led you to believe or confirmed your belief that Mr. McNamee was telling the truth in his allegations about Mr. Clemens, or have they led you to question any of those allegations?

A No, they certainly haven't led me to question any of his allegations.

Q Have they in any way strengthened your belief or opinion that the allegations may be true?

A Yeah. I mean, you know, I never doubted that he was telling the truth. So, I mean, you know, if he reconfirmed it through our conversations -- I mean, it certainly wouldn't have been specifically. You know, he didn't read the testimony and tell me what he told you guys or told Senator Mitchell. You know, so I guess I have never -- I felt the same way since I read it. I don't think it's changed at all in any of the conversations we have had.

BY MR. GORDON:

Q Has anyone who represents Mr. Clemens reached out to you about this issue?

A No.

Q Have you talked about this issue of allegations of illegal drug use by Mr. Clemens with anyone other than Brian McNamee?

A I mean, have I talked about like the Mitchell report?

Q Well, specifically as it relates to Mr. Clemens, yeah.

A Sure. Yeah. I mean, I have talked to a lot of people about it. I mean, just as far as I talked to my wife about it, I talked to a couple of guys that I work out with about it.

Q Have you talked about the allegations regarding Mr. Clemens with anyone who had more information than you did about it? I mean, did you learn anything?

A No, no. No, I haven't learned anything else as far as any people that I have talked to.

Q Nothing that would, you know, either corroborate Mr. McNamee or corroborate Mr. Clemens on this issue?

A No, no, just social conversations. But nobody -- I mean, people that know him, but nobody that knows anything specific.

Q When you used -- when you hire Mr. McNamee to train you, how much do you pay him? How does that work?

A Well, that is the thing about McNamee. It is tough to get him to step down a hard number. The thing about it was, you know, Roger and Andy had him full time, and I have no idea what they were paying him. And I always had to almost force money into Mac's hands at times. You know,

just even as an example, I called him and said, I would love to get you down here for 3 days in January. I said, what do you want to charge me for the 3 days? He is like, whatever you think is fair. You know, it was kind of that way he has always operated with me.

There was a time for a couple years where -- and I will be honest with you, I don't remember exactly what I gave him, but it was just kind of a base fee, you know, less than \$2,000. And then if he came in for workouts -- the base was basically, you know, I got him available, I can talk to him whenever I need him throughout the year. He had an in with the supplement company, and I kind of fell under that umbrella because I was with him. And then maybe we would pay like per workout when he came into town, like maybe, you know, a couple hundred dollars. If he came and I worked out with him four times, you know, I would owe him maybe \$800.

Q And would you pay for his travel expenses also?

A Well, no, because I was always tagging along with those guys when he would come in, you know, for Roger and Andy. Like Roger and Andy were bringing him in, and I was just coming to work out. Now, if he had with come to Atlanta this time, I probably would have. But we had a conversation about that, and I said, you know, let me buy you a ticket. He is like, well, I have some miles, I can probably use them. And he knows I am not in the same boat

as those guys financially, but I can afford to bring him down here. I wanted to have him down here.

You know, but he was always -- you know, he was just always really good about that with me. And like I said, it was difficult -- you know, I have always kind of got on him about, you know, being a little more firm with, you know, some of these guys, because some guys would come in and work out. I am like, you need to just come up with some set rates so guys know, hey, if you want to work out with Mac, you know, this is what he charges, to kind of be done with it. But he was always kind of loose about it and generous about it --

Q Yeah.

A -- with me.

Q Did you ever know of any money disputes he had with Roger Clemens?

A No.

Q Did you say that Brian McNamee supplied you sometimes with over-the-counter supplements?

A Yes.

Q And did you pay him separately for those?

A No. He had a deal with -- did I ever pay him for supplements? I don't think I ever paid him for supplements. I paid him a couple times for some equipment that I bought off him, just some small items, no big machines or anything

like that. But the deal that he had with InVite, usually -- I think they would supply his guys -- anybody that was using Mac as a trainer, they would supply us with vitamins and some other supplements that we would use, but there was probably sometimes -- you know, I can't tell you specifically that I would pay Mac for supplements, but it wasn't very often. The last couple of years I was not paying. We were receiving vitamins through the company. And then starting last year they were providing them to me at a discount, so I started paying the company directly.

Q Do you know whether Mr. McNamee has any medical training?

A Medical training?

Q Yeah.

A I don't know. I don't think so, but I can't tell you for sure.

Q Has he ever talked to you about that or represented that he had medical training?

A No. You mean, you are talking about like an ATC, as a trainer, like an athletic trainer that you hire?

Q Well, let's start with that. Do you know whether he is licensed as a trainer?

A I don't know, but I would be surprised to find out if he was.

Q You would be surprised if he was licensed?

A You mean when you talk about a trainer, we used the phrase "trainer" when we refer to two people on medical staff with the team. Like every major league has a head trainer and assistant trainer. Those guys are medically trained, and they are certified --

Q Uh-huh.

A -- as opposed to a trainer like an exercise trainer.

Q Sure. And with McNamee are you saying it is your understanding he is not trained in the same way as those team trainers are, or not licensed in the same way as those team trainers are?

A I don't think he is.

Q He never said he was?

A No.

Q And he never said he had any other kind of licensing or formal education or training?

A No. As far as licensing, no. But as far as degrees, you know, I knew -- I have to be honest with you, I don't know if he ever told me this or I just kind of made the assumption that I knew he had his bachelor's from St. John's, and I believe he got his master's in -- you know, most of those guys get their master's in exercise physiology or exercise science. So I was pretty sure that he had completed that, because I know he was going for his Ph.D. But I just kind of made an assumption. We haven't talked

about it really specifically.

It was a nonissue because, you know, for me at that point I am training with him, and I like the training, and I am enjoying the training, and I am seeing the benefits, and I am not concerned about going back and seeing what degrees he has.

Q Sure. That makes sense.

Did you ever have an understanding about whether Mr. McNamee was qualified to administer injections?

A No, I have no information regarding that, if he was ever qualified to do that.

Q He never talked to you about that?

A No.

Q And do you know whether he ever provided injections to anyone?

A I do not. No. We never talked about it.

Mr. Glickman. Hi. This is Steve Glickman from the Majority staff. I just have two quick questions to follow up on what Mike was asking you.

EXAMINATION

BY MR. GLICKMAN:

Q You mentioned the vitamins and supplements you were receiving from Mr. McNamee. What were you receiving? What were the vitamins? What were the supplements?

A I wasn't receiving them from him. I could just call

the company directly --

Q Okay.

A -- and they would send them to me. There was times he would give them to me in the beginning when I was first trying them out. There was a daily vitamin that he actually designed, I believe he designed it for them, and kind of made it athlete-specific. And they still sell that. It is called the Peak Performance that InVite sells that I still take. It is a daily vitamin, four pills. You know, it is geared more toward the athlete as opposed to just taking a regular daily vitamin.

There was a lot of products that we tried over that whole time. There was a while where I would take like a joint supplement, a combination; I believe it was a combination of, gosh, like chondroitin, MSN, glucosamine. There is a product called Sam-E, S-A-M-E, that we would take for a while. There was different grain products that we would take that -- you know, there would be things that he would say, this is a good one, you should take it. But there was some of this stuff that I just couldn't get down. But they were all over-the-counter supplements. And most of them that I took from him were through the InVite, at least toward the latter years. In the beginning they might have been supplements from other companies.

Q Could you get B-12 in other forms other than

injections, like through pills or some other form, from this company?

A You know, I don't know. I hardly know anything about B-12. I mean, I have heard about it kind of like a lot of you guys have. I heard guys taking it before. I never knew much about it. And it wasn't until, you know, Roger had mentioned that this is what he did, and this is what Roger gave him, then I was kind of more curious about it. Guys are saying, yeah, you know, it is great for your immune system and great for giving you energy. And I kind of wondered, you know, why I had never even tried it. I just don't know much about it.

BY MR. COHEN:

Q I am sorry, you heard Mr. Clemens saying this about B-12?

A No. I just read it in the media.

Q Okay.

A Like recently. You know, starting with the 60 Minutes interview.

Q Okay. So prior to the 60 Minutes interview, you never had any --

A I don't think I ever had a B-12 conversation with any player --

Q Okay.

A -- until he had mentioned it on 60 Minutes. I mean,

I had heard of it before, but I never knew much about it.

Q Okay. Did Mr. Clemens or Mr. Pettitte, when you were working out, did they ever talk to you about supplements that they were taking at the time or other legal medications they may have been taking?

A No. They never did. I mean, I just kind of always assumed, you know, Mac -- and it is not for me to say that Mac said these guys were taking this, because I don't know. But I think just, you know, I would think that based on the conversations we had, I would probably tell someone, yeah, I believe Roger and Andy both also take these because they train with Mac. You know, so they take the daily vitamin; they take the, you know, joint stuff that I was talking about. I just don't remember specifically if I could -- you know, that I could tell you that for a fact that I could recall a conversation --

Q Okay.

A -- where Mac told me that those guys take that stuff 100 percent for sure. I think I just kind of operated under that assumption.

Q And Mr. McNamee, did he ever at any time suggest that you take B-12?

A No. Never.

Q Okay. Just one more, just a few housekeeping items. Mike had asked you if any representatives from Roger Clemens

had been in touch with you, and your answer was no. Am I correct?

A Correct.

Q Has Roger Clemens himself been in touch with you?

A No.

Q Any representatives of Andy Pettitte been in touch with you?

A No.

Q And has Mr. Pettitte himself been in touch with you?

A No.

BY MR. GORDON:

Q You haven't been in touch with Mr. Knoblauch recently, have you?

A No. I have never talked with him in my life.

Mr. Gordon. All right. Well, the Majority staff, I think, have completed this round of questions, so we are going to turn it over to Jennifer and Steve to see if they have any additional questions.

EXAMINATION

BY MR. CASTOR:

Q Hey, C.J., this is Steve Castor with the Republican side of the House.

Going back to the B-12 question --

A Uh-huh.

Q -- you played for a number of teams. You played for

the Reds, Tigers, Astros, Mets, Rangers, Yankees, Braves, Nationals.

A I think you missed a couple.

Q Did I miss a couple?

A I am just kidding. There is 11. I have been with 11 organizations total, 8 in the major leagues.

Q You ever have any awareness that trainers or team physicians were giving out B-12 shots on any of those teams?

A Not specifically. You know, if somebody asked me that question 6 months ago, I don't even know how I would answer it, you know, because you hear so much about it now. You know, do trainers give out shots of B-12? I guess I would say probably yes, but never like specific knowledge of it. But I would say, yeah, I think trainers do do that.

Q Some of the other matters we have looked at in the last couple years, you know, folks on our staff have talked to the people down at the Rangers and the Orioles, and you know, as it turns out, at least historically, the Rangers had a practice where apparently they would give B-12 shots, and the Orioles wouldn't. So I guess that is sort of the foundation for that question there.

A Yeah, I mean, it could be an organization-to-organization thing. Certainly -- listen, there is, you know, teams that you played for where the trainers are more aggressive, or the team doctors are more

aggressive. You talk to players and say, I am going to this team, and they say, you know what, you are going to have a really hard time getting meds on that team. I am going to this other team, and they say, you are going to love it, they give out meds like they are candy. So certainly there is a difference team to team.

Q You have any awareness that the B-12 shots are more popular among some of the players from Latin America, the Dominican Republic?

A Yeah, I mean, maybe a little bit just because you kind of hear that. You kind of hear B-12, and it seems like those conversations take place more regarding a Latin America player.

Q And you have already said that you never really had too many conversations about B-12, so maybe this is a moot question, but have you ever had any conversations that, you know, you got to be careful with B-12, it could be, you know, mixed with some sort of banned substance?

A Never. But you would always -- I mean, you always kind of operate under that assumption as well that, listen, you know, see who you are getting your shot from. If you are going to get any kind of a shot, you just -- you know, it is risky, because you just never know what is going to be in it. I think that was kind of a safe assumption that guys should know that going in.

But the one thing to kind of remember in all this, and that time period, or, you know, just any time period, guys were always looking for an edge. And guys would do some things that -- you know, that might surprise you a little bit and take some chances as far as what they will put in their body because the guy standing next to him or the guy's friend or another teammate will tell you, this will help you, and just take it without doing a lot of homework.

Q All right. How many -- you know, you hear about Greg Anderson and Barry Bonds, and now Brian McNamee and Roger Clemens. How prevalent is it for these big-time superstars to have personal trainers attached to the team and working out with them in a dedicated fashion?

A It got real popular, I would say, probably late '90's. And a lot of the big guys were starting to -- you know, a lot of guys had trainers, small entourage; you know, for some players it went beyond the trainer. It seemed like it was, you know, kind of only reserved for the one or two superstars on your team. But it just got really popular. And it all depended a lot of times on what kind of access the major league team would give the guy's personal trainer, and for a while there, there was a lot of guys had access. And then, you know, things started happening, and, you know, testing, or a guy or two got in trouble, and then a lot of times a lot of teams just kind of put an end to that and

wouldn't give access anymore to personal trainers, you know, as far as access to the team weight room, you know, access to the guy on the field stretching him or whatever it may be.

But it was pretty popular. You look at a guy like me, you know, the fact that I used one, you know, and, you know, over my career that I have used one starting in 2001, I only spent a couple of years total in the major leagues. Guys were looking for that competitive edge, because physically things were just getting better and better and more competitive. And guys were trying to gain an edge, whether it be legally or illegally. So more people certainly turned to the personal trainer because it seems like that is the way to go.

Q Is it fair to say if you are a personal trainer like Brian McNamee, you have this relationship where Roger Clemens is happy with you, is it fair to say that Brian was at the pinnacle of his profession?

A Sure. I would think so. I always told guys I thought he was the best. But it is hard to make that assumption, because, you know, I don't know every other trainer, I haven't worked out with any of them. But when you look at the resume of Roger and Andy, the big sell I always push guys on as far as trying to get involved in his workouts, or trying his workouts, were look at what Roger

and Andy have done as they have gotten older. You know, as compared to a lot of guys, especially pitchers, you know, 30, 32 kind of that's when you really start to go downhill. And to see what Roger did in his late forties and early forties, and what Andy did, you know, for his last 5 or 6 years, and kind of watch velocity jumps and, you know, just increase in performance, you know, that was just a big selling point for, you know, Mac's program. And that's why I always kind of believed in it. I think those were -- you know, those were his two big poster boys.

Q Is it fair to say he loved his work? He liked working with Roger?

A Oh, yeah, definitely. Definitely. I think, you know, if you get in that business of being a personal trainer, it is really hard to get to professional athletes. It is hard to, you know, to get in, first of all, and then you got to be doing a good enough job where guys are going to keep you around.

So I think Mac certainly enjoyed it. I think anybody would. If you that is what you like to do, you like to train people, I mean, who wouldn't want to train, you know, a guy who I think under Mac won three or four Cy Young awards, and, you know, Andy winning all those games and doing so well in the postseason?

Q So knowing all that, it would seem almost

inconceivable that he would want to bring an end to all of that by telling falsehoods to anyone like the Mitchell folks or the Federal prosecutors?

A Absolutely.

Q And is that sort of the part of what you were getting at when you wrote that article, I guess it was on the AP, that, you know, he has no reason to lie?

A Yeah, exactly.

Q Because he is at the pinnacle of his profession, he has got this great deal with -- you know, he is working out with Roger Clemens. Roger likes him, Andy likes him. Is that kind of what you were thinking?

A Absolutely. Yes.

Q In any of your conversations with Brian McNamee about whether or not steroids were a good option for you, did he ever make any mention that one of the downsides is that they are illegal?

A I don't think so. I mean, I think he knew at that point when these conversations happened, if you are going that far, you know, it is illegal, and you are kind of already looking past that. If you are even considering it, I mean, I can't imagine -- maybe there is people out there that get close to considering it that don't realize they are illegal. I guess that is possible. But I think you are already kind of operating, you know, under that assumption,

saying, you know, they are illegal, so it wasn't anything really talked about.

Q Do you know if he had any conversations with other players where he was trying to convince them not to go that route?

A No, I sure don't.

Q But if Mr. McNamee were to say, hey, look, you know, I try to tell these guys not to use steroids, and I try to work with them to convince them that it is not necessary, would that make -- would that jibe with some of the conversations you had with him?

A Absolutely. You know, the thing I kind of told people all along is, you know, in regards to Mac -- and I came to Mac asking him about it, you know, and kind of, you know, thinking about it. If I had come to him and told him, I am doing this, I want to do it, I think that, you know, he would have looked out for me and made sure that I did it right. But if I went and I gave him an option and saying -- I am telling him, you know, kind of I am thinking about doing it, I think it is going to help me, you know, he believes strongly in what he does. And I kind of understand why. But I think that has gotten lost in all of this. And he is a really good trainer and believes you don't need it. But if I would have told him I am going to do it, he isn't going to, you know, let me walk off and, you know, take some

risks.

Q You know, as I understand it, when individuals use Winstrol, they also have to -- they call it stacking, I guess, where they combine it with some other substances. Did you have any awareness of what else you need to use if you are going to go on Winstrol?

A No. I mean, I think that is just one of the options you have, from what I understood. And I really haven't had a -- you know, like a technical steroid conversation in a long time, but the way I always understood it was that it was an option. You hear guys saying, you know, I know that guy is stacking, meaning he is taking both. At least that's what I always thought it meant. But if you take Winstrol, you don't have to take Deca, but you could combine the two or stack the two.

Q Mr. Pettitte's come out pretty strongly and said, hey, I used HGH a couple times when I was on the DL in 2002. Are you aware of any facts that would point to anything beyond his statement there?

A No, not at all. I was very surprised when I found that out that he did, that he had done it.

Q You were surprised that he had done it?

A Yes.

Q Is it fair to say Andy Pettitte's well known for being an -- I guess people have told us he is very

religious; he -- without sounding gratuitous here, he takes the truth-telling process, you know, very seriously. Is that something you are familiar with with Andy?

A Absolutely. I mean, Andy is a solid Christian, and that's why I was surprised -- you know, the one good thing -- not that you really want to hear this part, but the one good thing about that is it is an example that, you know, even Christians make mistakes, but when you do, this is how you handle it. And, you know, Andy is solid in his faith, and I have always admired him for that. And so, you know, I was happy to see that he has taken the route that he has as far as the way that he has handled these accusations.

Q And so as we move forward and we get an opportunity to speak with Mr. Pettitte, you certainly view him as someone that is credible and a truth-telling person?

A Absolutely.

EXAMINATION

BY MS. SAFAVIAN:

Q This is Jennifer Safavian. I just have a couple of questions.

You have mentioned a couple times throughout this interview, you referred to what Mr. McNamee did for players as "Mac's program."

A Correct.

Q What do you mean by that? What was the program that

he developed?

A Just as far as the routine that we would do regarding, you know, off-season and in-season training, what kind of exercises we would do in the off season, what kind of lifting we would do, what kind of running we would do, what kind of throwing we did, and the order in which we did it, combined with the over-the-counter supplementation.

Q And you said you only perhaps trained with him a couple times a year during the off season. Is that correct?

A I would say anywhere -- you know, as far as in person.

Q Right.

A You know, anywhere from as little as maybe 4 times to as many as 15. And I would continue to stay on the program.

Q Oh, I see. So he kind of set forth what you should do, and you would do that on your own?

A Correct. And, you know, there was times, especially in the beginning, where he would e-mail me, you know, maybe a month's worth of workouts.

Q Oh, I see. Okay. And then during the season did you continue to stay on the program?

A Correct. Yeah.

There is a different, you know, in-season and off-season training program. It is pretty simple, or it has

become pretty routine for me, but mostly it is about, you know, for me as a relief pitcher, the kind of weight training I was doing in the season.

Q And you would continue with the same supplements?

A Correct. Yes.

Q And are you still getting kind of, you know, the program from Mr. McNamee today?

A Well, I stay on it. There hasn't been any major changes. I mean, that is one of the things that is nice about seeing him is that maybe he will add something new or take something away. You know, if I don't get to see him, I just kind of continue to do the same program. It is not that he has to keep in contact with me anymore and say, hey, we are doing this now, or we are changing this and that. It has been pretty steady throughout, you know, these 8 years or whatever I have been doing it. There is just minor adjustments, but not very frequent.

Q And I think you mentioned earlier that you would push guys to work out with Mr. McNamee?

A Or -- yeah, or I would talk to guys about it when they were in the area, or I would just share the program with some guys to give it a try. Like during the season, I would have conversations with guys that were, again, like getting to the point in their career where they were kind of looking for something different or looking to gain an edge,

but do it legally, and I would tell them about, you know, my program, because they would see me, even though I was in the minor leagues at, you know, at 33 and 34 years old, like physically things were still going really well for me, and I still had good velocity and kind of a live arm, and I always credited it to the work I did with Mac or his program. And so I would share it with guys and kind of write it out a little bit and say, this is what we do; you know, give it a try, and, you know, this is how I supplement and those kind of things.

Q Do you know of any of them actually signed up with McNamee?

A No, I don't think so. I mean, I had a couple of kids that have tried it, college kids. But as far as, you know, guys that really were in the boat to hire a personal trainer, as far as the guys I shared it with throughout my career, I don't believe any of them. I would have known, because Mac would have told me. And they would have contacted me and said, hey, I really would like to train with you full time.

Q And with those guys, you would tell them about the supplements you were taking also?

A Correct.

Q Do you know whether they would add that to their diet?

A That I don't know for sure.

Q Okay.

A I just kind of always told them, and they were on their own after that.

Q I was curious. You had mentioned earlier in the interview that some guys had -- you know, would speak with you about, you know, whether or not maybe they should or shouldn't take steroids?

A Uh-huh.

Q And I am not looking for any names here.

A Sure.

Q Did you ever tell any of those players who, you know, broached the subject with you that they should speak with McNamee because he has information, he can explain the pros and cons?

A No.

Ms. Safavian. Thank you. That is all that I have.

Mr. Nitkowski. Okay.

BY MR. COHEN:

Q Just a couple quick follow-ups on our end.

A Sure.

Q You had mentioned that certain teams have reps as -- reputations as being easy teams to get meds on or difficult or not eager to hand out meds. Do you have a sense -- or at the time you were in Major League Baseball, what was the

reputation of the Blue Jays?

A That I couldn't tell you. There wasn't a team -- there is only a couple that kind of had any kind of reputation, but certainly the Blue Jays were not one of them, at least that I knew of. I never had a conversation regarding how they were about giving out meds.

Q How about the Yankees?

A Well, I played for them, so, you know, I kind of saw it firsthand. It seemed a little difficult, at least for me. I just specifically remember asking for something, and kind of being told I didn't need it. But I knew I wanted it, my body felt like -- it seemed like it needed it, and they certainly were uneasy about it.

BY MR. GLICKMAN:

Q This is Steve Glickman again. I just have two quick follow-up questions.

You mentioned in your Major League Baseball career you had never received injections before, but I assume you had other types of pain medications throughout your career?

A Correct.

Q What kind of pain medications did you take?

A I took Vioxx for a while before they took that off the shelves. I mean, as far as, you know, your run-of-the-mill stuff, Advil, your ibuprofens; but as far as what you needed a prescription for, stronger stuff, Vioxx I

have tried. There was one -- I think I tried Daypro earlier in my career. I might not even have that name right. Indocin. I mean, all just kind of the stronger anti-inflammatories. I took a dose pack a couple of times, which the brand name is Medrol, I believe, M-E-D-R-O-L. And I am not even going to try to pronounce the active ingredient in that. About 25 letters long. I think that's it as far as off the top of my head.

Q And where did you get these medications from? Were they all over-the-counter? Would you get them through somewhere else?

A Bextra was another one.

You know, a lot of team doctors would supply them. They would kind of evaluate you, see what was going on, see if you needed it, and then they would give it to you.

Q Did you ever ask Mr. McNamee for any kind of medications like that?

A I did one time.

Q For what?

A I asked him if he could get me a dose pack.

Q How come you went to Mr. McNamee on that occasion?

A Because I was playing in the minor leagues, and I knew it was going to be a lot more difficult to get that from my minor league trainer. And I felt maybe that he might be able to get that for me.

Q I think you probably answered this before, but I am assuming from what you said you have never taken lidocaine before?

A No. Is that only injectable?

Q I don't know. But you never took it?

A I don't think so. No. I don't remember ever taking it. Like I said, there is always one or two that you kind of forget, like Bextra was one of them. But Bextra and Vioxx were all kind of the same, and they were all pill form.

Q Had you ever heard that Mr. McNamee was giving any kind of pain injections or any kind of other injections?

A No, I never have.

Q Would that be a surprising thing for you to hear, that he was giving out those type of injections, or is that something that you would expect?

A That he was actually doing it himself?

Q Yeah.

A I don't know. Surprising? Yeah, maybe a little bit. I mean, really hard to say. You know, I felt like -- I guess I would tell you that I felt like he might be able to get something for me. That is why I specifically asked him one time. But as far as him actually administering an injection, I don't know. I mean, you know, I guess people would expect that their trainers could do that, or at least

they could or have somebody do it for you.

So, I mean, I don't know. I guess I am not surprised, but, you know, I am not -- you know, I guess I was a little bit, but not completely.

BY MR. GORDON:

Q This is Mike Gordon. A couple of more follow-up questions.

What year were you with the Yankees?

A 2004, for the second half of the year.

Q And who was the trainer, the lead trainer?

A The same two guys that are there. They have been there forever. Steve Donahue, I think I have his name right, I think is the assistant, and Gene Monahan.

Thank you. I heard that.

Mr. Cohen. I grew up in New York, and Gene Monahan was the Yankees trainer when I was a kid. I remember his name from 30 years ago. And you remember --

Mr. Nitkowski. Probably time for him to retire.

BY MR. GORDON:

Q And do you have any recollection of sort of the way Monahan and the other assistant trainer would approach the issue of whether to prescribe medication or --

A Yeah. For me they were difficult about it. I mean, I kind of had a real problem with them. They just, you know -- I don't know, they just were difficult about me -- I

was asking for a dose pack at the end -- near the end of the season when I was there, and, you know, it was like they were saying no from the beginning. And it was kind of a headache for me. But, you know, to be honest with you, the whole time those guys -- I felt like those guys, the trainers, which was really odd for this to ever happen, but they treated me like an outsider. I struggled with those guys a little bit, just as far as the way they treated me. And you kind of get the impression that there was a hierarchy, and that usually doesn't happen in the clubhouse. It certainly does -- you have your big players, your medium players, and your small ones, but very rarely do you ever expect a trainer to treat you that way, but I kind of got that impression when I was there. So when I asked them for meds, it was kind of a fight. And I will be honest with you, I don't think I got them. I don't remember how that ended, but I don't think I got them.

Q Do you remember what kind of medication is in a dose pack?

A That is the Medrol, M-E-D-R-O-L, like methyl with prednisone or something.

Q And how would it work if you wanted something that was a prescription; would you go to the trainer and they would get the doctor involved, or would you go directly to the Yankee doctor?

A No. You would go to the trainer first, and he would go to the doctor. Now, if you had been there long enough where you knew the doctor well enough, you could approach him directly. But more often than not, you know, for me moving around and kind of going to a lot of new teams, I would at least ask the trainer first.

BY MR. COHEN:

Q The one time you mentioned that you asked McNamee to get you a dose pack of the Medrol, did he get it for you?

A No. I don't think he did. I know I got one that year. I think I ended up getting it from my trainer.

Q Did he say why? Did he say, I just can't get this for you?

A Yeah. I think, as far as I remember, and I don't feel like I am 100 percent accurate, so I have to guess and fill in, but I just remember asking him for it and him saying maybe, but then couldn't get it, or just it was a bad idea. And, yeah, because I never got it from him in the mail. So I am 95 percent sure he never got it for me.

BY MR. GLICKMAN:

Q This is Steve Glickman again.

If you were sore or needed some kind of medication, and you couldn't get it through the team trainer, what options did you have? Was the only option to get it through -- well, what options did you have to get that medication?

A If you were looking for meds, I mean, guys -- you know, guys seemed to get them all the time from different places. But, you know, for a while, and I think you can still do it, as far as ordering them over the Internet from one of these international pharmacies, you know, I have certainly heard of guys doing that. Some people know somebody who is a doctor who will get them a bunch of prescriptions or whatever, you know, whatever may be enough to get them through the year. You know, those were a couple ways that I heard of guys doing it.

Mr. Cohen. Okay. I think we have got one more question from the Minority staff, and then we are just about finished.

Mr. Castor. I just wanted to -- not even a question. I just wanted to say thank you for helping us out. You know, I appreciate you taking the time on a Sunday. And hopefully our questions weren't too painful when you got five lawyers yelling at you on a speaker phone with different questions. Certainly can appreciate that you would rather be doing a lot of other things.

Mr. Nitkowski. No, that's quite all right. I don't mind at all.

Mr. Cohen. Good.

You have the option -- when we have the transcript, which should be within a couple of days, you have the option

of reviewing the transcript.

Mr. Nitkowski. Okay.

Mr. Cohen. I know you are on your way to Japan. What is the best way for us to reach you?

Mr. Nitkowski. Can you do it electronically?

Mr. Cohen. Yeah.

Mr. Nitkowski. You have my e-mail address.

Mr. Cohen. Is there a phone number where we can reach you?

Mr. Nitkowski. Sure. I have a [REDACTED] phone number that rings with me in Japan. Are you ready?

Mr. Cohen. Uh-Huh.

[REDACTED] [REDACTED]
Mr. Cohen. Okay.

Mr. Nitkowski. Just remember I am going to be 14 hours in front of you.

Mr. Cohen. Right. Yeah.

We will be in touch with you when we get the transcript. It is a little complicated because we can't send you a copy of it. We can't just e-mail you a copy of it. We will be in touch when we get the transcript, and we can work things out if you do want to review it.

Mr. Nitkowski. Okay. That would be great.

Mr. Cohen. And it is the same e-mail address that I initially contacted you at?

Mr. Nitkowski. Correct.

Mr. Castor. It is like the policy of the committee, I guess, not to have these transcripts floating around, not for you or this interview or this investigation, but just generally, you know. We take these -- we have these interviews transcribed. We -- I guess practice is not to have the transcripts floating around out there in case people say things in them they don't want publicly out there.

Mr. Nitkowski. Okay.

Mr. Castor. That is what we are getting at here, not trying to be too complicated for you.

Mr. Nitkowski. Got you. But as far as discussing, you know, what talked about, that is fine.

Mr. Castor. Yeah. We don't have a grand jury rule. So there is no -- there is no rule that says you can't discuss this outside of, you know --

Mr. Cohen. There is no rule, I would say, but we would appreciate it if you wouldn't discuss it. We don't intend to discuss it with others. With regard to ongoing investigations --

Mr. Nitkowski. Okay.

Mr. Cohen. -- we generally have a policy of not speaking to the press about them, not speaking to outsiders.

Mr. Nitkowski. It wouldn't be the press. I told you I

still keep a relationship with Mac, and I told him I would be talking with you guys, and I told him I would let him know how it went. But, again, there is nothing -- there is no conspiracy here. We are not hiding anything. I haven't told you anything he doesn't know or anything like that. There is nothing Earth-shattering, but I know he would probably be a little bit curious to see how it went.

Mr. Cohen. All right. That sounds good.

With that, we will go off the record.

[Whereupon, at 6:51 p.m., the interview concluded.]

Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

Witness Name