

PRODUKTINFORMATION

GEBRAUCHSANWEISUNG

Medizinische Diagnosepapiere – Präzision des Millimeterpapieres „Millimeterabstand“ 0,2 mm für Abstände abschließlich 5-50 mm. Weitere Präzision weniger als 2% für die Zeilenabstände.

LAGERUNG UND ANWENDUNGSBEDINGUNGEN

Die in Thermopapieren verwendeten Farbstoffe reagieren mit Lösemitteln und anderen Verbindungen, die in Klebstoffen verwendet werden. Der Kontakt solcher Verbindungen mit dem Thermodruckbild zerstört diese im Laufe der Zeit. Dieser Effekt kann durch die im Folgenden aufgeführten Vorsichtsmaßnahmen verhindert werden:

- Legen Sie das Papier in kühler und trockener Umgebung. Ein Aussetzen des Papiers über einen längeren Zeitraum unter Bedingungen über 83°F (40°C) oder relative Luftfeuchte über 60% kann zu einem Verblässen des Schriftbildes führen. In gleicher Weise ist die Lagerung unter intensivem Sonnenlicht (UV-Licht) zu vermeiden, welches zu einer Vergrauung des Thermopapiers oder ebenfalls zur Schriftverblässung führen kann. Vermeiden Sie ebenfalls die Lagerung von Thermopapier unter folgenden Einflüssen zusammen mit:
- Papieren, die organische Lösungsmittel enthalten, einschließlich solcher (aber nicht nur), die Tributylphosphate und/oder Dibutylphosphate enthalten; Kohle- und Selbstdurchschreibepapieren;
 - Produkten, die PVC oder andere Vinylchloride enthalten, wie z.B. (aber nicht ausschließlich): Dokumentenhüllen, Umschläge, Hefter, Einlegeblätter;
 - Reinigungsmitteln und Lösemitteln, wie z.B. Alkohol, Kälone, Ester und anderen;
 - Produkten, die lösemittelhaltige Kleber enthalten, wie z.B. (aber nicht beschränkt auf) Laminierfolie, druckempfindliche transparente Filme oder Etiketten.

Für eine lange Lesbarkeit und Haltbarkeit von thermischen Aufzeichnungen bewahren Sie Ihre Ausdrücke getrennt in einer klimatisierten Umgebung auf und verwenden Sie:

- Zum Schutz nur weichmacherfreie Hüllen oder Einlegeblätter;
- Laminierfolie und Systeme mit wasserbasierenden Klebstoffzusammensetzungen.

Die Verwendung solcher Schutzgehäuse verhindert nicht die Gefahr eines Verlassens durch externe, andere Erreger.

HALTBARKEIT DER AUFZEICHNUNGEN

Die durchschnittliche Lagerzeit dieses Produktes beträgt fünf (5) Jahre, sofern diese in Übereinstimmung und den zuvor genannten Lagerbedingungen erfolgt. Sollten Ihre Aufzeichnungen längere Aufbewahrungsdauern erfordern, empfehlen Ihnen der Hersteller die Anfertigung einer Fotokopie. EINE NICHTEINHALTUNG DER GENANNTEN LAGERBEDINGUNGEN KANN ZUR VERGRAUUNG DES HINTERGRUNDES ODER VERBLÄSSUNG IHRER THERMOAUFZEICHNUNGEN FÜHREN.

ENTSORGUNG

Es können die üblichen Methoden, wie z.B. Verbrannen oder Paplerabfallentsorgung genutzt werden.

BRENNBARKEIT

Die Brennbarkeit dieses Produktes entspricht denen üblicher Büro-papiere ohne Thermoschicht. Im Falle eines Brandes können die üblichen Feuerlöschrichtungen verwendet werden.

UMWELTGEFAHREN

Die Verwendung, Lagerung und Entsorgung dieses Produktes verursacht keine Umweltschäden.

INFORMATION PRODUIT - CONSEILS D'UTILISATION

UTILISATION

Enregistrements médicaux – précision de l'éventuelle grille imprimée "espace en millimètres": 0,2 mm pour un espace compris entre 5 et 50 mm. Autrement, précisions inférieures à 2% de la distance relevée.

MANIPULATION ET CONSERVATION

Les pigments utilisés pour la réalisation du papier thermique réagissent au contact de solvants et autres éléments présents dans les substances adhésives, et le contact direct entre ces éléments et le tracé provoque une réduction anticipée du contraste de l'image. Il est conseillé de suivre attentivement les instructions suivantes afin d'éviter des dommages au papier et ou à l'enregistrement.

Stocker le papier dans des lieux frais et secs. L'exposition prolongée à température supérieure à 83°F (40°C) ou à une humidité relative de l'air au-dessus de 60% peut entraîner une dépréciation optique de l'image.

Éviter en outre l'exposition directe à la lumière solaire (rayons UV) ou à une source de lumière fluorescente, qui peut assombrir le papier et réduire le contraste de l'image.

Éviter l'archivage du papier thermique avec les éléments suivants:

- Papiers contenant des solvants organiques ou des phosphates émoullissants; papier carbone ou autocopiant;
- Produits contenant du PVC ou des substances analogues comme les enveloppes, les dossiers, les intercalaires et pochettes pour documents;
- Fluides de nettoyage et solvants comme l'alcool, l'acétone, l'éther et autres substances similaires;
- Produits contenant des substances adhésives à base de solvants comme les cassettes ou les étiquettes transparentes sensibles à la pression.

Afin de maintenir une lisibilité optimale, conserver les papiers thermiques séparés les uns des autres, dans un environnement climatique contrôlé, utilisez les produits suivants:

- Emballages pour documents en polyester ou polyamide;
- Supports d'archivage avec adhésifs à l'eau.

L'usage de ces produits pour le stockage et l'archivage ne peut cependant assurer une complète protection contre des agents externes.

RESISTANCE DANS LE TEMPS

Pour ce type de papier thermique, nous pouvons garantir une résistance à la dégradation optique de l'image de cinq (5) ans environ, s'il est stocké selon les instructions indiquées ci-dessus. Si vos besoins d'archivage de papier nécessitent un dépassement de ce temps, le fabricant suggère de photocopier les tracés. LE NON-SUIVI DES INSTRUCTIONS CI-DESSUS PEUT ÊTRE LA CAUSE DE L'ASSOMBRISSEMENT DU PAPIER OU DE LA RÉDUCTION DU CONTRASTE DU TRACÉ.

DESTRUCTION

Une destruction séparée de ce papier n'est pas nécessaire. La destruction peut être faite dans des dépôts normaux de papier ou par des incinérateurs à ordures.

INFLAMMABILITÉ

L'inflammabilité de ce papier est similaire aux autres papiers à usage normal.

DANGERS POUR L'ENVIRONNEMENT

L'utilisation, le stockage et la destruction de ce papier thermique ne provoquent aucune pollution ambiante.

INFORMAZIONI SUL PRODOTTO

DESTINAZIONE D'USO

Registrazioni medicali - precisione dell'eventuale griglia stampata "passo in millimetri": 0,2 mm per distanze comprese tra 5 - 50 mm. Oltre, precisioni inferiori al 2% della distanza rilevata.

MANIPOLAZIONE/CONSERVAZIONE

I pigmenti utilizzati per la realizzazione delle carte termiche reagiscono a contatto con solventi ed altri componenti presenti nelle sostanze adesive, ed il contatto diretto fra questi ed il tracciato provoca una riduzione del contrasto dell'immagine prima del tempo. Si consiglia di seguire attentamente le istruzioni di seguito elencate, al fine di evitare danni alla carta e/o alle registrazioni. Immagazzinare la carta in luoghi freschi ed asciutti. L'esposizione prolungata a temperature superiori a 93°F (40°C) o ad un'umidità relativa dell'aria sopra il 60% può portare ad un deterioramento ottico dell'immagine. Evitare altresì l'esposizione diretta alla luce solare (raggi UV) o a fonti di luce fluorescente, che possono scurire la carta e ridurre il contrasto dell'immagine. Evitare l'archiviazione di qualsiasi tipo di carta termica insieme ai seguenti elementi:

- Carte contenenti solventi organici o fosfati imbutilici; carta carbone o autocopiante;
- Prodotti contenenti PVC o sostanze analoghe come buste, cartelle, divisori ed involucri per documenti;
- Fluidi per la pulizia e solventi come alcool, chetoni, etere ed altre sostanze simili;
- Prodotti contenenti sostanze adesive basate su solventi come nastri o etichette trasparenti sensibili alla pressione.

Al fine di mantenere una leggibilità ottimale, conservare le carte termiche non a diretto contatto tra loro, in un ambiente climaticamente controllato, utilizzando i seguenti prodotti:

- Involucri per documenti in poliestere o poliammide;
- Supporti d'archiviazione prodotti con adesivi ad acqua.

L'uso di questi prodotti per l'immagazzinaggio e l'archiviazione non può tuttavia assicurare una completa protezione degli agenti esterni.

RESISTENZA NEL TEMPO

Per questo tipo di carta termica, possiamo garantire una resistenza al deterioramento ottico dell'immagine per circa cinque anni, se conservata secondo le istruzioni sopra indicate. Se le vostre necessità di archiviazione della carta superano questi termini, si suggerisce di fotocopiare i tracciati. LA NON OSSERVANZA DELLE ISTRUZIONI DI CUI SOPRA PUO' ESSERE LA CAUSA DELLO SCURIMENTO DELLA CARTA O DELLA RIDUZIONE DEL CONTRASTO DEL TRACCIATO.

SMALTIMENTO

Lo smaltimento può essere effettuato normali depositi cartacei o tramite inceneritore di rifiuti. Non è necessario uno smaltimento separato della carta.

INFIAMMABILITA'

L'infiammabilità di questa carta è simile alle altre carte di normale uso.

PERICOLI PER L'AMBIENTE

L'uso, l'immagazzinaggio e lo smaltimento di questa carta termica non provocano inquinamento ambientale.

PRODUCT INFORMATION

APPLICATION

Medical recordings - accuracy of the eventual printed grid "space in millimetres": 0,2 mm for distance between 5 - 50 mm. Over 50 mm accuracy lower than 2% of the measured distance.

STORAGE AND HANDLING CONDITIONS

Dyes used in the manufacture of thermally responsive papers react with solvents and other compounds found in adhesives, and direct contact between them and thermal printing will destroy the printed data over time.

Follow the precautions listed below to avoid adverse effects to the paper and/or the tracings. Store paper in cool and dry location. Exposure over long periods to temperatures over 93°F (40°C) or to a relative humidity over 60% can lighten the printed data. Also avoid exposing to sunlight (UV light) or bright light, which may darken paper and/or lighten tracings.

Also avoid storing any kind of thermal paper with the following elements:

- Papers containing organic solvents including, but not limited to, tributyl phosphate and/or dibutyl phthalate; carbon and carbonless forms;
- Products which contain PVC or other vinyl chloride such as, but not only, document protectors, envelopes, binders, sheet separators;
- Cleaning fluids and solvents such as alcohol, ketones, esters and others;
- Products that contain solvent based adhesives such as, but not limited to: mounting forms, pressure sensitive transparent tapes labels.

To maximize legibility and archivability store thermal charts separately, in a climate controlled environment, using any of the following:

- Polyester Polyimide Document/Sheet Protectors;
- Mounting Cards/Systems made with Water Based Adhesives.

The use of these storage/filing products will not provide complete protection against fading from external contaminants.

IMAGE DURABILITY

Average archivability of this product is five (5) years, if stored in accordance to the precautions listed above. If your retention/archivability requirements of thermal records/charts exceed these guidelines, the manufacturer recommends a suitable photocopy to be produced.

DISREGARD OF THESE INSTRUCTIONS MAY CAUSE THE BACKGROUND TO DARKEN OR THE TRACINGS TO LIGHTEN.

DISPOSAL

The usual methods of disposal can be used, i.e. incineration or paper disposal plants.

FIRE HAZARDS

The inflammability of this product is similar to normal uncoated papers. It is possible to use the usual fire extinguishing equipment.

ENVIRONMENTAL DANGERS

The use, storage and disposal of this product do not cause environmental pollution.

INFORMAZIONI SUL PRODOTTO	
DESTINAZIONE D'USO	Registrazioni medicale - precisione dell'eventuale griglia stampata "passo in millimetri": 0,2 mm per distanza comprese tra 5 - 50 mm. Oltre, precisioni inferiori al 2% della distanza rilevata.
MANIPOLAZIONE/CONSERVAZIONE	<p>I pigmenti utilizzati per la realizzazione delle carte termiche reagiscono a contatto con solventi ed altri componenti presenti nelle sostanze adesive, ed il contatto diretto fra questi ed il tracciato provoca una riduzione del contrasto dell'immagine prima del tempo. Si consiglia di seguire attentamente le istruzioni di seguito elencate, al fine di evitare danni alla carta e/o alle registrazioni. Immagazzinare la carta in luoghi freschi ed asciutti. L'esposizione prolungata a temperature superiori a 93°F (40°C) o ad un'umidità relativa dell'aria sopra il 60% può portare ad un deperimento ottico dell'immagine. Evitare altresì l'esposizione diretta alla luce solare (raggi UV) o a fonti di luce fluorescente, che possono scurire la carta e ridurre il contrasto dell'immagine.</p> <p>Evitare l'archiviazione di qualsiasi tipo di carta termica insieme ai seguenti elementi:</p> <ul style="list-style-type: none"> • Carte contenenti solventi organici o fosfati imbullicidi; carta-carbone-o-autocopiante; • Prodotti contenenti PVC o sostanze analoghe come buste, cartelle, divisori ed involucri per documenti; • Fluidi per la pulizia e solventi come alcool, chetoni, etere ed altre sostanze simili; • Prodotti contenenti sostanze adesive basate su solventi come nastri o etichette trasparanti sensibili alla pressione. <p>Al fine di mantenere una leggibilità ottimale, conservare le carte termiche non a diretto contatto tra loro, in un ambiente climaticamente controllato, utilizzando i seguenti prodotti:</p> <ul style="list-style-type: none"> • Involucri per documenti in poliestere o poliammide; • Supporti d'archiviazione prodotti con adesivi ad acqua. <p>L'uso di questi prodotti per l'immagazzinaggio e l'archiviazione non può tuttavia assicurare una completa protezione dagli agenti esterni.</p>
RESISTENZA NEL TEMPO	Per questo tipo di carta termica, possiamo garantire una resistenza al deperimento ottico dell'immagine per circa cinque anni, se conservata secondo le istruzioni sopra indicate. Se le vostre necessità di archiviazione della carta superano questi termini, si suggerisce di fotocopiare i tracciati. LA NON OSSERVANZA DELLE ISTRUZIONI DI CUI SOPRA PUO' ESSERE LA CAUSA DELL'O SCURIMENTO DELLA CARTA O DELLA RIDUZIONE DEL CONTRASTO DEL TRACCIATO.
SMALTIMENTO	Lo smaltimento può essere effettuato normali depositi cartacei o tramite inceneritore di rifiuti. Non è necessario uno smaltimento separato della carta.
INFIAMMABILITA'	L'infiammabilità di questa carta è simile alle altre carte di normale uso.
PERICOLI PER L'AMBIENTE	L'uso, l'immagazzinaggio e lo smaltimento di questa carta termica non provocano inquinamento ambientale.

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PRODUCT INFORMATION	
APPLICATION	Medical recordings - accuracy of the eventual printed grid "space in millimetres": 0,2 mm for distance between 5 - 50 mm. Over 50 mm, accuracy lower than 2% of the measured distance.
STORAGE AND HANDLING CONDITIONS	<p>Dyes used in the manufacture of thermally responsive papers react with solvents and other compounds found in adhesives, and direct contact between them and thermal printing will destroy the printed data over time.</p> <p>Follow the precautions listed below to avoid adverse effects to the paper and/or to the tracings. Store paper in cool and dry locations. Exposure over long periods to temperatures over 93°F (40°C) or to a relative humidity over 60% can lighten the printed data. Also avoid exposing to sunlight (UV light) or bright light, which may darken paper and/or lighten tracings.</p> <p>Also avoid storing any kind of thermal paper with the following elements:</p> <ul style="list-style-type: none"> • Papers containing organic solvents including, but not limited to, tributyl phosphate and/or dibutyl phthalate; carbon and/or carbonless forms; • Products which contain PVC or other vinyl chloride such as, but not only, document protectors, envelopes, binders, sheet separators; • Cleaning fluids and solvents such as alcohol, ketones, esters and others; • Products that contain solvent based adhesives such as, but not limited to: mounting forms, pressure sensitive transparent tapes or labels. <p>To maximize legibility and archivability store thermal charts separately, in a climate controlled environment, using any of the following:</p> <ul style="list-style-type: none"> • Polyester Polyimide Document/Sheet Protectors; • Mounting Cards/Systems made with Water Based Adhesives. <p>The use of these storage/filing products will not provide complete protection against fading from external contaminants.</p>
IMAGE DURABILITY	Average archivability of this product is five (5) years, if stored in accordance to the precautions listed above. If your retention/archivability requirements of thermal records/charts exceed these guidelines, the manufacturer recommends a suitable photocopy to be produced.
DISREGARD OF THESE INSTRUCTIONS MAY CAUSE THE BACKGROUND TO DARKEN OR THE TRACINGS TO LIGHTEN.	
DISPOSAL	The usual methods of disposal can be used, i.e. incineration or paper disposal plants.
FIRE HAZARDS	The inflammability of this product is similar to normal uncoated papers. It is possible to use the usual fire extinguishing equipment.
ENVIRONMENTAL DANGERS	The use, storage and disposal of this product do not cause environmental pollution.

Die in Thermopapieren verwendeten Farbstoffe reagieren mit Lösemitteln und anderen Verunreinigungen, die in Lösungsmitteln verwendet werden. Der Kontakt solcher Verbindungen mit dem Thermodruckbild zerstört diese im Laufe der Zeit. Dieser Effekt kann durch im Folgenden aufgeführten Vorsichtsmaßnahmen verhindert werden:

Lagern Sie das Papier in kühler und trockener Umgebung. Ein Aussetzen des Papiers über einen längeren Zeitraum unter Bedingungen über 93°F (40°C) oder relative Luftfeuchte über 60% kann zu einem Verblasen des Schriftbildes führen. In gleicher Weise ist die Lagerung unter intensivem Sonnenlicht (UV-Licht) zu vermeiden, welches zu einer Vergrauung des Thermopapier oder ebenfalls zur Schriftverblässung führen kann. Vermeiden Sie ebenfalls die Lagerung von Thermopapier unter folgenden Einflüssen zusammen mit:

- Papieren, die organische Lösungsmittel enthalten, einschließlich solcher (aber nicht nur), die Tributylphosphate und/oder Dibutylphosphate enthalten; Kohle- und Selbstdurchschreibepapieren;
- Produkten, die PVC oder andere Vinylchloride enthalten, wie z.B. (aber nicht ausschließlich): Dokumentenhüllen, Umschläge, Hefter, Einlegeblätter;
- Reinigungsmitteln und Lösemitteln, wie z.B. Alkohol, Ketone, Ester und anderen;
- Produkten, die lösemittelhaltige Kleber enthalten, wie z.B. (aber nicht beschränkt auf) Laminierfolie, druckempfindliche transparente Filme oder Etiketten.

Für eine lange Lesbarkeit und Haltbarkeit von thermischen Aufzeichnungen bewahren Sie Ihre Ausdrücke getrennt in einer klimatisierten Umgebung auf und verwenden Sie:

- Zum Schutz nur weichmacherfreie Hüllen oder Einlegeblätter;
- Laminierfolie und Systeme mit wasserbasierenden Klebstoffzusammensetzungen.

Die Verwendung solcher Schutzhüllen verhindert nicht die Gefahr eines Verblasens durch externe, andere Erreger.

HALTBARKEIT DER AUFZEICHNUNGEN

Die durchschnittliche Lagerzeit dieses Produktes beträgt fünf (5) Jahre, sofern diese in Übereinstimmung und den zuvor genannten Lagerbedingungen erfolgt. Sollten Ihre Aufzeichnungen längere Aufbewahrungszeiten erfordern, empfiehlt Ihnen der Hersteller Anfertigung einer Fotokopie. EINE NICHTEINHALTUNG DER GENANNTEN LAGERBEDINGUNGEN KANN ZUR VERGRAUUNG DES HINTERGRUNDES ODER VERBLÄSSUNG IHRER THERMOAUFZEICHNUNGEN FÜHREN.

ENTSORGUNG

Es können die üblichen Methoden, wie z.B. Verbrennen oder Papierabfallsorgung genutzt werden.

BRENNBARKEIT

Die Brennbarkeit dieses Produktes entspricht denen üblicher Büropapiere ohne Thermoschicht. Im Falle eines Brandes können die üblichen Feuerlöscheinrichtungen verwendet werden.

UMWELTGEFAHREN

Die Verwendung, Lagerung und Entsorgung dieses Produktes verursacht keine Umweltschäden.

INFORMATION PRODUIT - CONSEILS D'UTILISATION

UTILISATION

Enregistrements médicaux — précision de l'éventuelle grille imprimée "espace en millimètres": 0,2 mm pour un espace compris entre et 50 mm. Autrement, précisions inférieures à 2% de la distance relevée.

MANIPULATION ET CONSERVATION

Les pigments utilisés pour la réalisation du papier thermique réagissent au contact de solvants et autres éléments présents dans substances adhésives, et le contact direct entre ces éléments et le tracé provoque une réduction anticipée du contraste de l'image. Il est conseillé de suivre attentivement les instructions suivantes afin d'éviter des dommages au papier et ou à l'enregistrement.

Stockez le papier dans des lieux frais et secs. L'exposition prolongée à température supérieure à 93°F (40°C) ou à une humidité relative de l'air au-dessus de 60% peut entraîner une dépréciation optique de l'image.

Évitez en outre l'exposition directe à la lumière solaire (rayons UV) ou à une source de lumière fluorescente, qui peut assombrir le papier et réduire le contraste de l'image.

Évitez l'archivage du papier thermique avec les éléments suivants:

- Papiers contenant des solvants organiques ou des phosphates émoullissants; papier carbone ou autocopiant;
- Produits contenant du PVC ou des substances analogues comme les enveloppes, les dossiers, les intercalaires et pochettes pour documents;
- Fluides de nettoyage et solvants comme l'alcool, l'acétone, l'éther et autres substances similaires;
- Produits contenant des substances adhésives à base de solvants comme les cassettes ou les étiquettes transparentes sensibles à la pression.

Afin de maintenir une lisibilité optimale, conservez les papiers thermiques séparés les uns des autres, dans un environnement climatique contrôlé, utilisez-les produits suivants:

- Emballages pour documents en polyester ou polyamide;
- Supports d'archivage avec adhésifs à l'eau.

L'usage de ces produits pour le stockage et l'archivage ne peut cependant assurer une complète protection contre des agents externes.

RESISTANCE DANS LE TEMPS

Pour ce type de papier thermique, nous pouvons garantir une résistance à la dégradation optique de l'image de cinq (5) ans environ, est stocké selon les instructions indiquées ci-dessus. Si vos besoins d'archivage de papier nécessitent un dépassement de ce temps, le fabricant suggère de photocopier les tracés. LE NON-SUIVI DES INSTRUCTIONS CI-DESSUS PEUT ÊTRE LA CAUSE L'ASSOMBRISSEMENT DU PAPIER OU DE LA RÉDUCTION DU CONTRASTE DU TRACÉ.

DESTRUCTION

Une destruction séparée de ce papier n'est pas nécessaire. La destruction peut être faite dans des dépôts normaux de papier ou des incinérateurs à ordures.

INFLAMMABILITÉ

L'inflammabilité de ce papier est similaire aux autres papiers à usage normal.

DANGERS POUR L'ENVIRONNEMENT

L'utilisation, le stockage et la destruction de ce papier thermique ne provoquent aucune pollution ambiante.

PENTOTHAL[®]

THIOPENTAL SODIUM
FOR INJECTION, USP



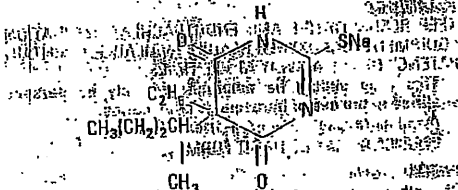
WARNING: MAY BE
HABIT FORMING

Rx only

DESCRIPTION

Pentothal (Thiopental Sodium for Injection, USP) is a thiobarbiturate, the sulfur analogue of sodium pentobarbital. The drug is prepared as a sterile powder and after reconstitution with an appropriate diluent is administered by the intravenous route.

Pentothal is chemically designated sodium 5-allyl-5-(1-methylbutyl)-2-thiobarbiturate and has the following structural formula:



The drug is a yellowish, hygroscopic powder, stabilized with anhydrous sodium carbonate as a buffer (60 mg/g of thiopental sodium).

CLINICAL PHARMACOLOGY

Pentothal (Thiopental Sodium for Injection, USP) is an ultrashort-acting depressant of the central nervous system which induces hypnosis and anesthesia, but not analgesia. It produces hypnosis within 30 to 40 seconds of intravenous injection. Recovery after a small dose is rapid, with some somnolence and retrograde amnesia. Repeated intravenous doses lead to prolonged anesthesia because fatty tissues act as a reservoir; they accumulate Pentothal in concentrations 8 to 12 times greater than the plasma concentration, and they release the drug slowly to cause prolonged anesthesia.

The half-life of the elimination phase after a single intravenous dose is three to eight hours.

The distribution and fate of Pentothal (as with other barbiturates) is influenced chiefly by its lipid solubility (partition coefficient), protein binding, and extent of ionization. Pentothal has a partition coefficient of 680.

Approximately 80% of the drug in the blood is bound to plasma protein. Pentothal is largely degraded in the liver and to a smaller extent in other tissues, especially the kidney and brain. It has a pKa of 7.4.

Concentration in spinal fluid is slightly less than in the plasma.

Biotransformation products of thiopental are pharmacologically inactive and mostly excreted in the urine.

INDICATIONS AND USAGE

Pentothal (Thiopental Sodium for Injection, USP) is indicated (1) as the sole anesthetic agent for brief (15 minute) procedures, (2) for induction of anesthesia prior to administration of other anesthetic agents; (3) to supplement regional anesthesia, (4) to provide hypnosis during balanced anesthesia with other agents for analgesia or muscle relaxation, (5) for the control of convulsive states during or following inhalation anesthesia, local anesthesia, or other causes, (6) in neurosurgical patients with increased intracranial pressure, if adequate ventilation is provided, and (7) for narcocathexis and narcosynthesis in psychiatric disorders.

CONTRAINDICATIONS

Absolute Contraindications:

- (1) Absence of suitable veins for intravenous administration, (2) hypersensitivity (allergy) to barbiturates and (3) variegate porphyria (Soudi African) or acute intermittent porphyria.

Relative Contraindications:

- (1) Severe cardiovascular disease, (2) hypotension of shock, (3) conditions in which the hypnotic effect may be prolonged or potentiated - excessive premedication, Addison's disease, hepatic or renal dysfunction, myxedema, increased blood urea, severe anemia, asthma, myasthenia gravis, and (4) status asthmaticus.

WARNINGS

KEEP RESUSCITATIVE AND ENDOTRACHEAL INTUBATION EQUIPMENT AND OXYGEN READILY AVAILABLE. MAINTAIN PATENCY OF THE AIRWAY AT ALL TIMES.

This drug should be administered only by persons qualified in the use of intravenous anesthetics.

Avoid extravasation or intra-arterial injection.

WARNING: MAY BE HABIT FORMING.

PRECAUTIONS

Observe aseptic precautions at all times in preparation and handling of Pentothal (Thiopental Sodium for Injection, USP) solutions.

If used in conditions involving relative contraindications, reduce dosage and administer slowly.

Care should be taken in administering the drug to patients with advanced cardiac disease, increased intracranial pressure, ophthalmoplegia plus, asthma, myasthenia gravis and endocrine insufficiency (pituitary, thyroid, adrenal, pancreas).

Drug Interactions: The following drug interactions have been reported with thiopental:
Drug Effect

Propepidol	Prolonged action of thiopental
Diazoxide	Hypotension
Zimelidine	Thiopental antagonism
Opioid analgesics	Decreased antihypertensive action
Aminophylline	Thiopental antagonism
Midazolam	Synergism

Nursing Mothers: Thiopental sodium readily crosses the placental barrier and small amounts may appear in the milk of nursing mothers following administration of large doses.

Pregnancy Category C: Animal reproduction studies have not been conducted with Pentothal. It is also not known whether Pentothal can cause fetal harm when administered to a pregnant woman or can affect reproduction capacity. Pentothal should be given to a pregnant woman only if clearly needed.

ADVERSE REACTIONS

Adverse reactions include: respiratory depression; myocardial depression; cardiac arrhythmias, prolonged somnolence and recovery, sneezing, coughing; bronchospasm, laryngospasm and shivering. Anaphylactic and anaphylactoid reactions to Pentothal (Thiopental Sodium for Injection, USP) have been reported. Symptoms, e.g., urticaria, bronchospasm, vasodilation, and edema should be managed by conventional means.

Rarely, immune hemolytic anemia with renal failure and radial nerve palsy have been reported.

DRUG ABUSE AND DEPENDENCE

WARNING: MAY BE HABIT FORMING. Thiopental sodium is classified as a Schedule III controlled substance.

OVERDOSAGE

Overdosage may occur from too rapid or repeated injections. Too rapid injection may be followed by an alarming fall in blood pressure, even to shock levels. Apnea, occasional laryngospasm, coughing and other respiratory difficulties with excessive or too rapid injections may occur. In the event of suspected or apparent overdosage, the drug should be discontinued, a patent airway established (intubate if necessary) or maintained, and oxygen should be administered, with assisted ventilation if necessary. The lethal dose of barbiturates varies and cannot be stated with certainty. Lethal blood levels may be as low as 1 mg/100 mL for short-acting barbiturates; less if other depressant drugs or alcohol are also present.

MANAGEMENT OF OVERDOSAGE

It is generally agreed that respiratory depression or arrest due to unusual sensitivity to thiopental sodium or overdosage is easily managed if there is no concomitant respiratory obstruction. If the airway is patent, any method of ventilating the lungs (that prevents hypoxia) should be successful in maintaining other vital functions. Since depression of respiratory activity is one of the characteristic actions of the drug, it is important to observe respiration closely.

Should laryngeal spasm occur, it may be relieved by one of the usual methods, such as the use of a relaxant drug or positive pressure oxygen. Endotracheal intubation may be indicated in difficult cases.

DOSAGE AND ADMINISTRATION

Pentothal is administered by the intravenous route only. Individual response to the drug is so varied that there can be no fixed dosage. The drug should be titrated against patient requirements as governed by age, sex and body weight. Younger patients require relatively larger doses than middle-aged and elderly persons; the latter metabolize the drug more slowly. Pre-puberty requirements are the same for both sexes, but adult females require less than adult males. Dose is usually proportional to body weight and obese patients require a larger dose than relatively lean persons of the same weight.

Premedication

Premedication usually consists of atropine or scopolamine to suppress vagal reflexes and inhibit secretions. In addition, a barbiturate or an opiate is often given. Sodium pentobarbital injection (Nembutal) is suggested because it provides a preliminary indication of how the patient will react to barbiturate anesthesia. Ideally, the peak effect of these medications should be reached shortly before the time of induction.

Test Dose

It is advisable to inject a small "test" dose of 25 to 75 mg (1 to 3 mL of a 2.5% solution) of Pentothal (Thiopental Sodium

for Injection, USP) to assess tolerance or unusual sensitivity to Pentothal, and pausing to observe patient reaction for at least 60 seconds. If unexpectedly deep anesthesia develops or if respiratory depression occurs, consider these possibilities: (1) the patient may be unusually sensitive to Pentothal, (2) the solution may be more concentrated than had been assumed, or (3) the patient may have received too much premedication.

Use in Anesthesia

Moderately slow induction can usually be accomplished in the "average" adult by injection of 50 to 75 mg (2 to 3 mL of a 2.5% solution) at intervals of 20 to 40 seconds, depending on the reaction of the patient. Once anesthesia is established, additional injections of 25 to 50 mg can be given whenever the patient moves.

Slow injection is recommended to minimize respiratory depression and the possibility of overdosage. The smallest dose consistent with attaining the surgical objective is the desired goal. Momentary apnea following each injection is typical, and progressive decrease in the amplitude of respiration appears with increasing dosage. Pulse remains normal or increases slightly and returns to normal. Blood pressure usually falls slightly but returns toward normal. Muscles usually relax about 30 seconds after unconsciousness is attained, but this may be masked if a skeletal muscle relaxant is used. The tone of jaw muscles is a fairly reliable index. The pupils may dilate but later contract; sensitivity to light is not usually lost until a level of anesthesia deep enough to permit surgery is attained. Nystagmus and divergent strabismus are characteristic during early stages, but at the level of surgical anesthesia, the eyes are central and fixed. Corneal and conjunctival reflexes disappear during surgical anesthesia.

When Pentothal (Thiopental Sodium for Injection, USP) is used for induction of balanced anesthesia with a skeletal muscle relaxant and an inhalation agent, the total dose of Pentothal can be estimated and then injected in two to four fractional doses. With this technique, brief periods of apnea may occur which may require assisted or controlled pulmonary ventilation. As an initial dose, 210 to 280 mg (3 to 4 mg/kg) of Pentothal is usually required for rapid induction in the average adult (70 kg).

When Pentothal (Thiopental Sodium for Injection, USP) is used as the sole anesthetic agent, the desired level of anesthesia can be maintained by injection of small repeated doses as needed or by using a continuous intravenous drip in a 0.2% or 0.4% concentration. (Sterile water should not be used as the diluent in these concentrations, since hemolysis will occur.) With continuous drip, the depth of anesthesia is controlled by adjusting the rate of infusion.

Use in Convulsive States

For the control of convulsive states following anesthesia (inhalation or local) or other causes, 75 to 125 mg (3 to 5 mL of a 2.5% solution) should be given as soon as possible after the convulsion begins. Convulsions following the use of a local anesthetic may require 125 to 250 mg of Pentothal given over a ten minute period. If the convulsion is caused by a local anesthetic, the required dose of Pentothal will depend upon the amount of local anesthetic given and its convulsant properties.

Use in Neurosurgical Patients with Increased Intracranial Pressure

In neurosurgical patients, intermittent bolus injections of 1.5 to 3.5 mg/kg of body weight may be given to reduce intraoperative elevations of intracranial pressure, if adequate ventilation is provided.

Use in Psychiatric Disorders

For narcocathexis and narcosynthesis in psychiatric

disorders, premedication with an anticholinergic agent may precede administration of Pentothal. After a test dose, Pentothal (Thiopental Sodium for Injection, USP) is injected at a slow rate of 100 mg/min (4 mL/min of a 2.5% solution) with the patient counting backwards from 400. Shortly after counting becomes confused but before actual sleep is produced, the injection is discontinued. Allow the patient to return to a semidrowsy state where conversation is coherent. Alternatively, Pentothal may be administered by rapid I.V. drip using a 0.2% concentration in 5% dextrose and water. At this concentration, the rate of administration should not exceed 50 mL/min.

MANAGEMENT OF SOME COMPLICATIONS

Respiratory depression (hyperventilation, apnea), which may result from either unusual responsiveness to Pentothal or overdosage, is managed as stated above. Pentothal should be considered to have the same potential for producing respiratory depression as an inhalation agent, and patency of the airway must be protected at all times.

Laryngospasm may occur with light Pentothal narcosis at intubation, or in the absence of intubation if foreign matter or secretions in the respiratory tract create irritation. Laryngeal and bronchial vagal reflexes can be suppressed, and secretions minimized by giving atropine or scopolamine premedication and a barbiturate or opiate. Use of a skeletal muscle relaxant or positive pressure oxygen will usually relieve laryngospasm. Tracheostomy may be indicated in difficult cases.

Myocardial depression, proportional to the amount of drug in direct contact with the heart, can occur and may cause hypotension, particularly in patients with an unhealthy myocardium. Arrhythmias may appear if PCO₂ is elevated, but they are uncommon with adequate ventilation. Management of myocardial depression is the same as for overdosage. Pentothal (Thiopental Sodium for Injection, USP) does not sensitize the heart to epinephrine or other sympathomimetic amines.

Extravascular infiltration should be avoided. Care should be taken to insure that the needle is within the lumen of the vein before injection of Pentothal. Extravascular injection may cause chemical irritation of the tissues, varying from slight tenderness to venospasm, extensive necrosis and sloughing. This is due primarily to the high alkaline pH (10 to 11) of clinical concentrations of the drug. If extravasation occurs, the local irritant effects can be reduced by injection of 1% procaine locally to relieve pain and enhance vasodilatation. Local application of heat also may help to increase local circulation and removal of the infiltrate.

Intra-arterial injection can occur inadvertently, especially if an aberrant superficial artery is present at the medial aspect of the antecubital fossa. The area selected for intravenous injection of the drug should be palpated for detection of an underlying pulsating vessel. Accidental intra-arterial injection can cause arteriospasm and severe pain along the course of the artery with blanching of the arm and fingers. Appropriate corrective measures should be instituted promptly to avoid possible development of gangrene. Any patient complaint of pain warrants stopping the injection. Methods suggested for dealing with this complication vary with the severity of symptoms. The following have been suggested:

1. Dilute the injected Pentothal (Thiopental Sodium for Injection, USP) by removing the tourniquet and any restrictive garments.
2. Leave the needle in place, if possible.
3. Inject the artery with a dilute solution of papaverine, 10 to 80 mg, or 10 mL of 1% procaine, to inhibit smooth muscle spasm.

4. If necessary, perform sympathetic block of the brachial plexus and/or stellate ganglion to relieve pain and assist in opening collateral circulation. Papaverine can be injected into the subclavian artery, if desired.

5. Unless otherwise contraindicated, institute immediate heparinization to prevent thrombus formation.

6. Consider local infiltration of an alpha-adrenergic blocking agent such as phentolamine into the vasospastic area.

7. Provide additional symptomatic treatment as required. **Shivering** after Pentothal anesthesia, manifested by twitching face muscles and occasional progression to tremors of the arms, head, shoulder and body, is a thermal reaction due to increased sensitivity to cold. Shivering appears if the room environment is cold and if a large ventilatory heat loss has been sustained with balanced inhalation anesthesia employing nitrous oxide. Treatment consists of warming the patient with blankets, maintaining room temperature near 22° C (72° F), and administration of chlorpromazine or methylphenidate.

PREPARATION OF SOLUTIONS

Pentothal (Thiopental Sodium for Injection, USP) is supplied as a yellowish, hygroscopic powder in a variety of different containers. Solutions should be prepared aseptically with one of the three following diluents: Sterile Water for Injection, USP, 0.9% Sodium Chloride Injection, USP, or 5% Dextrose Injection, USP. Clinical concentrations used for intermittent intravenous administration vary between 2.0% and 5.0%. A 2.0% or 2.5% solution is most commonly used. A 3.4% concentration in sterile water for injection is isotonic; concentrations less than 2.0% in this diluent are not used because they cause hemolysis. For continuous intravenous drip administration, concentrations of 0.2% or 0.4% are used. Solutions may be prepared by adding Pentothal to 5% Dextrose Injection, USP, 0.9% Sodium Chloride Injection, USP or Normosol® R pH 7.4.

Since Pentothal contains no added bacteriostatic agent, extreme care in preparation and handling should be exercised at all times to prevent the introduction of microbial contaminants. Solutions should be freshly prepared and used promptly. When reconstituted for administration to several patients, unused portions should be discarded after 24 hours. Sterilization by heating should not be attempted.

WARNING: The 2.5 and larger sizes contain adequate medication for several patients.

COMPATIBILITY

Any solution of Pentothal (Thiopental Sodium for Injection, USP) with a visible precipitate should not be administered. The stability of Pentothal solutions depends upon several factors, including the diluent, temperature of storage and the amount of carbon dioxide from room air that gains access to the solution. Any factor or condition which tends to lower pH (increase acidity) of Pentothal solutions will increase the likelihood of precipitation of thiopental acid. Such factors include the use of diluents which are too acidic and the absorption of carbon dioxide which can combine with water to form carbonic acid.

Solutions of succinylcholine, tubocurarine or other drugs which have an acid pH should not be mixed with Pentothal solutions. The most stable solutions are those reconstituted in water or isotonic saline, kept under refrigeration and tightly stoppered. The presence or absence of a visible precipitate offers a practical guide to the physical compatibility of prepared solutions of Pentothal.

CALCULATIONS FOR VARIOUS CONCENTRATIONS

Concentration Desired Percent	Amounts to Use Pentothal mg/ml	Diluent mL
0.2	2	500
0.4	4	250
	20	500
2.0	20	250
	10	500
2.5	25	40
	5	200
5	50	20
	5	100

Reconstituted solutions of Pentothal (Thiopental Sodium for Injection, USP) should be inspected visually for particulate matter and discoloration, whenever solution and container permit.

HOW SUPPLIED

Pentothal is available in a variety of sizes and containers shown at the end of this insert.

Diluents in Pentothal Kits

READY-TO-MIX SYRINGES AND VIALS

(For preparing solutions of Thiopental Sodium for Injection, USP)

DESCRIPTION

The following diluents in various container syringe and vial sizes are provided in Pentothal Kits, Pentothal Ready-to-Mix Syringes and Vials for preparing solutions of Pentothal (Thiopental Sodium for Injection, USP) for clinical use:

Sterile Water for Injection, USP is a sterile, nonpyrogenic preparation of water for injection which contains no bacteriostat, antimicrobial agents or added buffers. The pH is 5.7 (5.0 to 7.0).

Sterile Water for Injection, USP is a pharmaceutical aid (solvent) for intravenous administration only after addition of a solute.

Water is chemically designated H₂O. 0.9% Sodium Chloride Injection, USP is a sterile, nonpyrogenic, isotonic solution of sodium chloride and water for injection. Each ml. contains sodium chloride 9 mg (390 mOsmol/liter calc). It contains no bacteriostat, antimicrobial agents or added buffers except for pH adjustment. May contain hydrochloric acid and/or sodium hydroxide for pH adjustment. pH is 5.7 (4.5 to 7.0).

0.9% Sodium Chloride Injection, USP is an isotonic vehicle for intravenous administration of another solute.

Sodium chloride is chemically designated NaCl, a white crystalline compound freely soluble in water.

The semi-rigid vial contained in List Nos. 3329, and 6435 is fabricated from a specially formulated polyolefin. It is a copolymer of ethylene and propylene. The safety of the plastic has been confirmed by tests in animals according to USP biological standards for plastic containers. The container requires no vapor barrier to maintain the proper labeled volume.

CLINICAL PHARMACOLOGY

Sterile Water for Injection, USP serves only as a pharmaceutical aid for diluting or dissolving drugs prior to administration.

Water is an essential constituent of all body tissues and accounts for approximately 70% of total body weight. Average normal adult daily requirement ranges from two to three liters (1.0 to 1.5 liters each for insensible water loss by perspiration and urine excretion).

Water balance is maintained by various regulatory mechanisms. Water distribution depends primarily on the concentration of dissociated electrolytes in the body compartments and sodium (Na⁺) plays a major role in maintaining a physiologic equilibrium between fluid intake and output.

0.9% Sodium Chloride Injection, USP serves only as an isotonic vehicle for drugs prior to administration.

Sodium chloride in water is an electrolyte solution of sodium (Na⁺) and chloride (Cl⁻) ions. These ions are normal constituents of the body fluids (principally extracellular) and are essential for maintaining electrolyte balance.

The distribution and excretion of sodium (Na⁺) and chloride (Cl⁻) are largely under the control of the kidney which maintains a balance between intake and output of these ions.

The small volumes of fluid and amounts of sodium chloride provided by 0.9% Sodium Chloride Injection in Ready-to-Mix Syringes are unlikely to produce a significant effect on fluid or electrolyte balance.

INDICATIONS AND USAGE

These products are indicated only for preparing Pentothal (Thiopental Sodium for Injection, USP) solutions for clinical use.

CONTRAINDICATIONS

Do not use unless the diluent is clear and the bottle or vial seal or syringe package is undamaged.

Diluents in Pentothal Kits, Ready-to-Mix Syringes or Vials should not be used for fluid or sodium chloride replacement.

WARNINGS

Intravenous administration of Sterile Water for Injection, USP without a solute may result in hemolysis.

Use aseptic technique for preparing Pentothal solutions when using Pentothal Kits, Syringes or Vials and during withdrawal from reconstituted single or multiple use containers.

Administer only clear reconstituted solutions. Use within 24 hours after reconstitution. Discard unused portions.

Do not use unless solution is clear and container is undamaged.

PRECAUTIONS

Inspect reconstituted (mixed) solutions of Pentothal (Thiopental Sodium for Injection, USP) for clarity and freedom from precipitation or discoloration prior to administration. Use reconstituted solution only if it is clear free from precipitate and not discolored.

Use transfer label on each Pentothal Kit and affix to container of reconstituted solution to show concentration and time of preparation.

Pregnancy Category C: Animal reproduction studies have not been conducted with sterile water for injection or sodium chloride injection. It is also not known whether sterile water or sodium chloride injection containing additives can cause fetal harm when administered to a pregnant woman or can affect reproduction capacity. Sterile water for injection or sodium chloride injection with additives should be given to a pregnant woman only if clearly needed.

ADVERSE REACTIONS

Reactions which may occur because of the diluents, technique of preparation or mixing or administration of reconstituted solutions of Pentothal include (a) local response or infection at the site of injection, venous thrombosis or phlebitis extending from the site of injection, and extravasation.

If an adverse reaction does occur, discontinue the

injection, evaluate the patient, institute appropriate therapeutic countermeasures and save the remainder of unused solution (or the used container or syringe) for examination if deemed necessary.

DRUG ABUSE AND DEPENDENCE

None known.

OVERDOSAGE

Used as diluents for preparing solutions of Pentothal (Thiopental Sodium for Injection, USP) the small volumes of administered fluid (from Sterile Water for Injection in bottles and vials) and amounts of sodium chloride (from 0.9% Sodium Chloride Injection in Ready-to-Mix Syringes) are unlikely to pose a threat of fluid or sodium chloride overload.

DOSAGE AND ADMINISTRATION

Pentothal solutions should be administered only by intravenous injection and by individuals experienced in the conduct of intravenous anesthesia.

The volume and choice of diluent for preparing Pentothal (Thiopental Sodium for Injection, USP) solutions for clinical use depends on the concentration and vehicle desired. Pentothal Kits provide only Sterile Water for Injection as the diluent for individual or multi-patient use; Pentothal Ready-to-Mix Syringes provide only 0.9% Sodium Chloride Injection, USP as the diluent for individual patient use; vials provide only Sterile Water for Injection, USP as the diluent for individual patient use.

Table: Pentothal (Thiopental Sodium) Ready-to-Mix Syringes and Vials

List No.	Pentothal	Pentothal Container
6108 (Kit)	5 g	Squeeze Bottle
6244 (Kit)	1 g	Squeeze Bottle
6435 (Kit)	1 g	Vial
3329 (Kit)	500 mg	Vial
9087 (Kit)	1 g	Vial
6246 (Ready-to-Mix Syringe)	400 mg	Syringe
6241 (Ready-to-Mix Syringe)	250 mg	Syringe
6243 (Ready-to-Mix Syringe)	500 mg	Syringe
3351 (Ready-to-Mix LifeShield Syringe)	250 mg	Syringe
3352 (Ready-to-Mix LifeShield Syringe)	400 mg	Syringe
3353 (Ready-to-Mix LifeShield Syringe)	500 mg	Syringe

PF — denotes Partial-Fill
W — denotes Sterile Water for Injection, USP
S — denotes 0.9% Sodium Chloride Injection, USP

CDCR 00008

PATIENT INFORMATION LEAFLET
THIOPENTAL INJECTION BP

The active ingredient in thiopental injection, thiopental sodium, is also known as thiopentone sodium.

Please read this leaflet carefully before you receive your medicine. Do not throw it away as you may want to read it again. This leaflet provides a summary of the information available on your medicine. If you have any questions, or are not sure about anything, ask your doctor, nurse or pharmacist.

WHAT IS IN MY MEDICINE?

Each vial of this product contains 300 milligrams of thiopental sodium as a powder for solution for injection, and is presented in packs of 25 vials. It is a dry powder which needs to be dissolved in Water for Injections.

WHAT IS THIOPENTAL?

Thiopental sodium is an anaesthetic agent which is usually given by intravenous injection.

MARKETING AUTHORISATION HOLDER AND MANUFACTURER

The Marketing Authorisation Holder is Link Pharmaceuticals Limited, Bishops Wood House, Albion Way, Horsham, West Sussex, RH12 1AH, UK.

Thiopental injection is manufactured by Sandoz GmbH, A-6334 Kulstein Schellenau, Tyrol, Austria.

WHAT IS THIOPENTAL USED FOR?

Thiopental may be used for any of the following reasons:

- i) as a general anaesthetic, or to make you sleepy before using another anaesthetic agent, or before using agents to prevent pain or to relax muscles.
- ii) to control fits.

IS THIOPENTAL SAFE FOR EVERYBODY?

You should not normally receive thiopental if any of the following apply to you:

- You have an obstruction in your lungs or in the tubes leading to them.
- You are having an acute asthma attack.
- You are in severe shock.
- You have the condition known as myotonic dystrophy.
- You have the condition known as porphyria.

People with these last two conditions will know if they have them.

You should tell your doctor, nurse or pharmacist if any of these apply to you. They will usually decide to use another medicine instead.

PRECAUTIONS

Although you can still receive thiopental, your doctor may decide to use another medicine in the following circumstances:

- If you have diseases of the heart or circulation as these can suddenly be made more severe by thiopental injection.
- If you have cranial hypertension (high pressure inside your head) or adrenocortical insufficiency, low blood pressure, severe bleeding, burns, muscle weakness or degeneration (associated with conditions such as myasthenia gravis or muscular dystrophies), malnutrition or wasting. Your doctor will need to take extra precautions while treating you with thiopental injection.
- If thiopental is accidentally injected into an artery instead of a vein, it can cause damage to your tissues but your doctors may be able to treat these effects (a similar problem can occur if thiopental leaks from the vein into surrounding tissue). If you feel severe pain near where the drug was injected say so immediately so that treatment can be started quickly.
- Thiopental injection has been used safely during pregnancy but if you are pregnant, or think you could be, you should make sure that your doctors know about this. They can then discuss any possible risks with you before treatment starts. If you intend breast-feeding a baby after having thiopental injection you should discuss the safety of doing so with your doctor.
- You may not be fit to drive (or operate other machinery) after receiving thiopental injection. Although this effect will wear off quite quickly, you must be certain that you are able to drive safely before you

THIOPENTAL INJECTION BP

PRECAUTIONS (Contd.)

- Other medicines which can interact with thiopental injection include medicines called beta blockers or calcium antagonists which are used to decrease your blood pressure, or any medicines prescribed to you for anxiety, or which are used to alter your mood (called antipsychotics).

If you are in doubt about the kind of medicine you are taking please contact your doctor or pharmacist.

Reduced doses may be needed if you have any of the following:

- liver disease (including jaundice), shock, dehydration, severe anaemia, high blood level of potassium, infection in your blood. Elderly patients and people who suffer from metabolic disorders may also need smaller doses. An example of this type of disease is myxoedema (a condition caused by an underactive thyroid gland).
- People who have received morphine or similar medicines before they are given thiopental injection often need lower doses. If you have received a medicine called sulfurozolo please tell your doctor. He or she may need to give you smaller doses of thiopental and give these more frequently than usual.

Increased doses: if you are a heavy and frequent drinker of alcohol, or if you regularly take non-prescribed drugs, the dose of thiopental may need to be increased or given with another medicine to increase its effect.

You should tell your doctor, nurse or pharmacist if any of these apply to you.

HOW IS THIOPENTAL GIVEN?

Thiopental injection is first made into a solution usually containing 25mg in 1ml. Sometimes a higher strength may be used.

A needle will have been placed into a vein in advance. Thiopental injection can be injected directly through this needle or it may be put into a drip which runs through it.

Dosages used for convulsions (fits) are 75mg to 125mg given as soon as possible after the convulsion begins. Further doses may be required and your doctor will decide the best dose to give you.

The normal anaesthetic dose for adults is 100mg to 150mg, injected over 10 to 15 seconds, although smaller doses may be used for elderly patients. The dose for a child depends on their weight (usually between 2mg to 7mg for every kg of body-weight). You will normally feel the effects within 30 seconds and be asleep within one minute. Further small doses will be given to you as necessary (you will normally be asleep during this process).

ARE THERE ANY SIDE EFFECTS?

The effects which have been seen with thiopental injection are listed below.

Thiopental injection can cause coughing, sneezing or spasm of the airways in your throat when it is injected. It can cause skin rashes and other allergic reactions, such as itching.

Your body's automatic breathing control may be affected causing spasm of the airways and difficulty breathing, and the pumping action of the heart can be reduced or irregular heartbeats may occur.

Thiopental injection can cause headaches.

When injected thiopental can cause severe pain at the site of injection. If this happens inform your doctor immediately.

If you experience any of the above side effects or any other side effects please tell your doctor, nurse or pharmacist.

MORE INFORMATION ABOUT THIOPENTAL INJECTION

Do not use thiopental after the expiry date printed on the pack and on each vial. The vials should not be stored above 25°C and should be kept in the outer carton.

The injection solution is quite strongly alkaline, to stop the thiopental from "going off". Because of this it cannot be mixed with other injections that are acidic. The solution should be kept cool (between 2°C and 8°C) after making it up and normally should be used within seven hours. If the solution is discoloured it should not be used.

This leaflet was written in September 2003.

PL0304

2

Thiopental Injection BP 25 x 500mg vials

Each 20ml vial of powder for solution for injection contains: Thiopental sodium BP 500mg.

Contains no preservative.

For intravenous use.

The contents of the 500mg vial should be reconstituted with 20ml of Water for Injections for a 2.5% (w/v) solution or 10ml of Water for Injections for a 5.0% (w/v) solution and administered by intravenous injection.

Store reconstituted solution between 2°C and 8°C in an upright position and use within 7 hours. Use once following reconstitution and discard any residue.

KEEP OUT OF REACH AND
SIGHT OF CHILDREN

Do not store above 25°C

Keep container in outer carton.

Administration and dosage: see SPC.

To be used as directed by your doctor.

Link Pharmaceuticals Ltd.
Horsham, West Sussex, RH12 1AH, UK.
PL 12406/0014
PA 757/4/1

POM



5 027229 000166

LINK



305636

Exp.: 05 2014
Lot: AW6022

For intravenous use.
See SPC for dilution information.
Store in an upright position.
Keep container in the outer carton.
Use as directed by your doctor.

12408/0014
7877/1

POM

Pharmaceuticals Ltd., Horsham, RH12 1AH, UK

6305634



Thiopental Injection BP
 For intravenous use
 See SPC for details
 Store in an upright position
 Keep container tightly closed
 Use as directed
 Each vial contains Thiopental sodium BP 500mg
 Do not store above 25°C
 PL 12406/0014
 PA 757/4/1
 L&K Pharmaceuticals Ltd

LETHAL INJECTION CHAIN OF CUSTODY
SAN QUENTIN STATE PRISON

This form is the chain of custody that accompanies the Lethal Injection Protocol chemicals scheduled for the execution of _____ at _____

Inmate name CDC# Time Date

Evidence Description Chemical # 1 Sodium Thiopental

kit name 24 x 500mg vials

12/2/10 24 x 500 mg. vials

AW6022

AW6022

9/30/10

12/2/10

lot # received by verified by

Evidence Description Chemical # 2 Pancuronium Bromide

kit volume

lot # received by verified by

Evidence Description Chemical # 3 Potassium Chloride

kit volume

lot # received by verified by

Evidence Received by _____ Date _____ Time _____

Evidence stored at _____ Date _____ Time _____

Evidence Received by _____ Date _____ Time _____

Evidence stored at _____ Date _____ Time _____

Evidence Received by _____ Date _____ Time _____

Evidence stored at _____ Date _____ Time _____

Evidence Received by _____ Date _____ Time _____

Evidence stored at _____ Date _____ Time _____

Returned Sodium Thiopental _____

Amount/ lot#

Reason

Pancuronium Bromide

Amount/ lot#

Reason

Potassium Chloride

Amount/ lot#

Reason

Infusion began at _____
Time

Infusion stopped at _____
Time

Name

Signature

Date

LETHAL INJECTION CHAIN OF CUSTODY
SAN QUENTIN STATE PRISON

This form is the chain of custody that accompanies the Lethal Injection Protocol chemicals scheduled for the execution of _____ at _____

Inmate name _____ CDC # _____ Time _____ Date _____

Chemical # 1 Sodium Thiopental

Received initial shipment
8/25/10

kit volume 16

76-541-DK	[REDACTED]	[REDACTED]	9/9/10
			9/10/10
76-541-DK			9/10/10
76-541-DK			9-23-10
76-541-DK			9/27/10
76-541-DK			12/21/10
lot #	received by	verified by	

~~9/9/10 Inventory 16 Kits~~
9/10/10 Inventory 16 Kits
9/10/10 Inventory 15 Kits
9-23-10 Inventory 15 Kits
9/27/10 Inventory 15 Kits
9/27/10 Inventory 14 Kits
12/21/10 Inventory 14 Kits
12/21/10 used 6 Kits for training = 8 Kits

Chemical # 2 Pancuronium Bromide

25 per kit - 10 ML

Rec'd 8/25/10

kit volume 16

89-510-EV	[REDACTED]	[REDACTED]	9/9/10
			9/10/10
			9/10/10
89-510-EV			9-23-10
89-510-EV			9/27/10
8-510-CV			12/21/10
lot #	received by	verified by	

9/9/10 Inventory 16 Kits 25 per kit
9/10/10 Inventory 16 Kits 25 per kit
9/10/10 Inventory 15 Kits 25 per kit
1 Kit 24 per kit
9-23-10 Inventory 15 Kits 25 per kit

9/27/10 Inventory 15 Kits @ 25 per kit / 1 Kit @ 24 per kit = 399 VIALS (see other side, Chemical # 3 Potassium Chloride)

Rec'd 8/25/10 25 per kit - 20 ML

kit volume 20

87-369-DK	[REDACTED]	[REDACTED]	9/9/10
			9/10/10
87-369-DK			9-23-10
			9/27/10
87-369-DK			12-21-10
lot #	received by	verified by	

9/9/10 Inventory 26 kits 25 per kit.
9/10/10 Inventory 26 kits 25 per kit
9-23-10 Inventory 26 kits 25 per kit

9/27/10 Inventory 16 kits / 25 per kit = 400
3 vials @ 20 ml used for training = 397

12/21/10 Inventory 397
3 vials @ 20 ml used for training = 394

Chemical # 4 Saline

kit volume _____

_____	/	_____
_____	/	_____
_____	/	_____
_____	/	_____
_____	/	_____
_____	/	_____
_____	/	_____
_____	/	_____

lot # _____ received by _____ verified by _____

Sodium Thiopental

Received by [redacted] #4 [redacted]
 6 kits @ 500mg execution tray
 Stored at LF

Date 12/2/10 Time 0746
 Date _____ Time _____

Pancuronium Bromide

Received by [redacted] #4 [redacted]
 5 bottles 10mg. Execution tray
 Stored at _____

Date 12/2/10 Time 0746
 Date _____ Time _____

Potassium Chloride

Received by [redacted] #4 [redacted]
 3 vials 40 mg/ml
 Stored at _____

Date 12/2/10 Time 0746
 Date _____ Time _____

Saline

Received by _____
 Stored at _____

Date _____ Time _____
 Date _____ Time _____

Returned
 Sodium Thiopental

_____	_____
_____	_____

Amount/ lot# Reason

Returned
 Pancuronium Bromide

_____	_____
_____	_____

Amount/ lot# Reason

Returned
 Potassium Chloride

_____	_____
_____	_____

Amount/ lot# Reason

Chemical # 4 Saline

kit volume _____

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

lot # _____ received by _____ verified by _____

Sodium Thiopental

Received by _____ #4
1 Kit 500mg. Execution Training
Stored at LF

Date 9/10/10 Time 09:27

Date _____ Time _____

Pancuronium Bromide

Received by _____ #4
1 bottle 10mg. Execution Training
Stored at LF

Date 9/10/10 Time 11:27

Date _____ Time _____

Potassium Chloride

Received by _____

Date _____ Time _____

Stored at _____

Date _____ Time _____

Saline

Received by _____

Date _____ Time _____

Stored at _____

Date _____ Time _____

Returned

Sodium Thiopental

_____	_____
_____	_____

Amount/ lot#

Reason

Returned

Pancuronium Bromide

_____	_____
_____	_____

Amount/ lot#

Reason

Returned

Potassium Chloride

_____	_____
_____	_____

Amount/ lot#

Reason

Returned Saline

Amount/lot#	Reason
_____	_____
_____	_____

Infusion began at _____
Time

Infusion stopped at _____
Time

TEAM LEADER: _____
Print Name

Signature _____

Date _____

Chemical # 4 Saline

	kit volume	_____
_____	/	_____
_____	/	_____
_____	/	_____
_____	/	_____
_____	/	_____
_____	/	_____
_____	/	_____
_____	/	_____
_____	/	_____
_____	/	_____
lot #	received by	verified by

Sodium Thiopental

Received by _____ Date _____ Time _____

Stored at _____ Date _____ Time _____

Pancuronium Bromide

Received by _____ Date _____ Time _____

Stored at _____ Date _____ Time _____

Potassium Chloride

Received by _____ Date _____ Time _____

Stored at _____ Date _____ Time _____

Saline

Received by _____ Date _____ Time _____

Stored at _____ Date _____ Time _____

Returned
Sodium Thiopental

_____	_____
_____	_____
_____	_____
Amount/ lot#	Reason

Returned
Pancuronium Bromide

_____	_____
_____	_____
_____	_____
Amount/ lot#	Reason

Returned
Potassium Chloride

_____	_____
_____	_____
_____	_____
Amount/ lot#	Reason

Returned Saline

Amount/ lot#	Reason
_____	_____
_____	_____

Infusion began at _____
Time

Infusion stopped at _____
Time

TEAM LEADER: _____
Print Name

Signature

Date

Chemical # 4 Saline

kit volume
lot # received by verified by

Sodium Thiopental

Received by #12
 1 kit @ 50ml utilized for training
 Stored at _____

Date 9/27/10 Time 0600
 Date 9/27/10 Time 0600
 Date _____ Time _____

Pancuronium Bromide

Received by #12
 5 vials @ 10ml utilized for training
 Stored at _____

Date 9/27/10 Time 0600
 Date _____ Time _____

Potassium Chloride

Received by #12
 3 vials @ 20ml utilized for training
 Stored at _____

Date 9/27/10 Time 0600
 Date _____ Time _____

Saline

Received by _____
 Stored at _____

Date _____ Time _____
 Date _____ Time _____

Returned
 Sodium Thiopental

Amount/ lot#	Reason

Returned
 Pancuronium Bromide

Amount/ lot#	Reason

Returned
 Potassium Chloride

Amount/ lot#	Reason

45

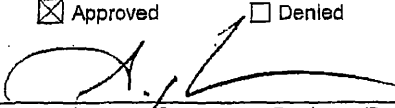
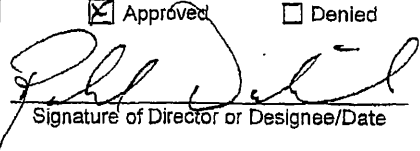
For PD Use only
NOB #:

NON-COMPETITIVELY BID (NCB) CONTRACT JUSTIFICATION

For use on all information technology (IT) and non-IT goods and services acquisitions.
Attach to Std. 65, Std. 66 or Std. 821, as applicable.

This justification document consists of two (2) pages. All information must be provided and all questions must be answered. The "Required Approvals" section must include a date for each signature, as appropriate for the transaction.

Requesting Department Information			
Agency: California Department of Corrections and Rehabilitation	Department: Division Adult Institutions <small>(*Includes Boards, Commissions, and Associations)</small>		
Institution (if applicable): San Quentin State Prison			
Department Contact Information			
Contact Name: Scott Kernan Undersecretary, Operations	Street Address: 1515 S Street Room 502 South Sacramento, CA. 95811		
Telephone: (916) ██████████	Mailing Address: same as above		
FAX: () ██████████			
E-Mail: Scott.Kernan@cdcrc.ca.gov			
Required Contract Information			
Contractor Name: ██████████			
Contractor Address: ██████████ Whittier, CA. ATTN: ██████████			
Original Contract Amount:* \$ 36,415.00 <small>(*Includes original contract and previously approved amendments)</small>	Amendment Amount:* (if applicable) \$ <small>(*Current amendment only)</small>	New Contract Amount: * \$ <small>(*Includes original contract and all amendments, including current amendment)</small>	Has work commenced? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Have goods been acquired? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>Attach explanations for any "Yes" answers.</small>
Provide a brief description of the acquisition, including all goods and/or services the contractor will provide:			
<p>This contract is not subject to public disclosure and is protected by law including, but not limited to: Executive Order S-08-09: Government Code, 6254, subdivisions (c), (f), (k), (l), and (aa); Government Code 6254.5; Government Code 6255: Evidence Code, 1040; and Procunier v. Superior Court of Monterey County (1973) 35 Cal. App. 3d 211.</p> <p>CDCR is requesting that ██████████ purchase 525 grams of Thiopental Sodium (Pentothal). A total of 1050 individual 500 milligram bottles of Thiopental Sodium will be ordered. ██████████ will work as CDCR's agent in ordering, shipping, and processing all State and Federal requirements for the importation of the drug. ██████████ has a Controlled Substance Import License registered with the United States Department of Justice specifically for the importation of Thiopental Sodium. ██████████ will make all contacts necessary with the United States Customs, Food and Drug Administration, and Drug Enforcement Agency for the importation of the Thiopental Sodium.</p>			
Contract Type and Term			
Contract Type: Select One: <input checked="" type="checkbox"/> Non-IT Goods <input type="checkbox"/> Non-IT Service <input type="checkbox"/> IT Goods <input type="checkbox"/> IT Service <input type="checkbox"/> IT Goods & Services	Contract Term: Begin: _____ End: _____ Explain late contract submittal (services only):	Type of Award: CMAS: _____ Master: _____ Competitive: _____ Form 42: _____	Will this transaction be financed? No <input checked="" type="checkbox"/> Yes _____ If yes, attach the Statement of Compliance to the State Financial Marketplace to this form
Required Approvals			

<p>Department</p> <p><input type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <hr/> <p>Signature of Director or Designee/Date</p> <hr/> <p>Type Name of Director or see Instructions</p>	<p>Agency</p> <p><input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <p></p> <hr/> <p>Signature of Agency Secretary or Designee/Date</p> <p><u>Scott Kernan, Undersecretary,</u> <u>Operations</u></p> <p>Type Name of Agency Secretary</p>	<p>Dept. of General Services</p> <p><input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <p></p> <hr/> <p>Signature of Director or Designee/Date</p> <p><u>Ronald DIERICH</u></p> <p>Type Name of Director or Designee</p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Remit completed form to: Procurement Division
One-Time Acquisitions
707 Third Street, 2nd Floor, MS: 201
West Sacramento, CA 95605

This contract is not subject to public disclosure and is protected by law including, but not limited to:
Executive Order S-08-09: Government Code, 6254, subdivisions (c), (f), (k), (l), and (aa); Government Code
6254.5; Government Code 6255; Evidence Code, 1040; and Proconier v. Superior Court of Monterey
County (1973) 35 Cal. App. 3d 211.

This contract is not subject to public disclosure and is protected by law including, but not limited to: Executive Order S-08-09: Government Code, 6254, subdivisions (c), (f), (k), (l), and (aa); Government Code 6254.5; Government Code 6255; Evidence Code, 1040; and Procunier v. Superior Court of Monterey County (1973) 35 Cal. App. 3d 211.

Signature Instructions for Agencies with an Agency Secretary

This form requires approval by Agency Secretary or Agency Undersecretary or Designee and the Director or Chief Deputy. The typed name and signature must match. The Agency Secretary may designate one person, in addition to Agency Undersecretary, to sign on his/her behalf, of cabinet officer level (e.g., Assistant Undersecretary, Deputy Secretary, etc., the actual title is dependent upon the Agency's organizational structure).

Signature Instructions for Agencies that do not have an Agency Secretary

This form requires approval by the highest ranking executive officer or designee. The typed name and signature must match. The highest ranking officer may designate one person to sign on his/her behalf subject to DGS approval.

Complete responses must be provided for all of the following items.

A. THE GOOD/SERVICE REQUESTED IS RESTRICTED TO ONE SUPPLIER FOR THE REASONS STATED BELOW:

1. Why is the acquisition restricted to this good/service/supplier?

(Explain why the acquisition cannot be competitively bid. Explain if this is an emergency purchase or how the supplier is the only source for the acquisition and reference the PCC that applies, i.e., 12102, 10301/10302, or 10340.)

Hospira, the Chicago based pharmaceutical firm that is the sole FDA approved United States manufacturer of Thiopental Sodium announced that it would not be able to resume production of the drug until early 2011. Thiopental Sodium is a Schedule III controlled substance. Federal law requires that any and all transfers of a controlled substance take place between DEA registrants of record. The Department of Justice supplied CDCR with a list of [redacted] importers with registrant import license numbers. The following is a list of pharmaceuticals with import licenses that was provide to CDCR by the Department of Justice.



[redacted] was the sole source. This request is a purchase request that applies to PCC 10340.

2. Provide the background of events leading to this acquisition.

The United States Pharmaceutical supplier of Thiopental Sodium notified CDCR of the national shortage of Thiopental Sodium and that they could only supply CDCR with eight grams with an expiration date of October 1, 2010. CDCR contacted the United States Department of Justice, Office of Diversion Control, to assist in the importation of Thiopental Sodium. The Justice Department supplied a list of importers who are authorized to import Sodium Thiopental into the United States. [redacted] was the sole source importer that agreed to act as CDCR's agent in procuring the Sodium Thiopental. (See list of importers above A. 1)

3. Describe the uniqueness of the acquisition (why was the good/service/supplier chosen?)

[redacted] is one of [redacted] authorized pharmaceutical importers that the Department of Justice supplied to CDCR. [redacted] was the sole source willing to assist CDCR in the acquisition of Thiopental Sodium.

This contract is not subject to public disclosure and is protected by law including, but not limited to: Executive Order S-08-09; Government Code, 6254, subdivisions (c), (f), (k), (l), and (aa); Government Code 6254.5; Government Code 6255; Evidence Code, 1040; and Procunier v. Superior Court of Monterey County (1973) 35 Cal. App. 3d 211.

4. What are the consequences of not purchasing the good/service or contracting with the proposed supplier?

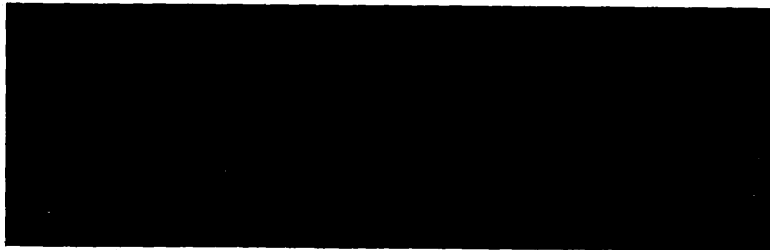
Thiopental Sodium is one of three drugs that is used by the State of California in its lethal injection protocol. CDCR's protocol does not allow any substitution. It is the first drug injected that renders the inmate unconscious. This allows the two other drugs, pancuronium bromide, a paralytic, and potassium chloride, which stops the heart, to be injected into the inmate without violating the inmate's constitutional right to an execution method that does not expose the inmate to a "demonstrated risk of severe pain." (Baze v. Rees; 533: U.S. at 61 (plurality op.)) Without the Thiopental Sodium California cannot carry out executions by lethal injection.

5. What market research was conducted to substantiate no competition, including evaluation of other items considered?

(Provide a narrative of your efforts to identify other similar or appropriate goods/services, including a summary of how the department concluded that such alternatives are either inappropriate or unavailable. The names and addresses of suppliers contacted and the reasons for not considering them must be included OR an explanation of why the survey or effort to identify other goods/services was not performed.)

California's Lethal Injection Policy specifically calls for the use of Thiopental Sodium. No alternative drugs or substitutes are authorized. The sole United States manufacturer, Hospira Inc. has stated that new batches of Thiopental Sodium will not be available until January 2011 at the earliest. [REDACTED] is a licensed importer registered with the United States Department of Justice that has located the drug and has been approved by the Department of Justice to import the 525 grams for California Department of Corrections and Rehabilitation (CDCR).

The Department of Justice supplied CDCR with a list of [REDACTED] importers with registrant import license numbers. The following is a list of pharmaceuticals with import licenses that was provide to CDCR by the Department of Justice. [REDACTED] was the only source to agree in helping CDCR procure Thiopental Sodium.



[REDACTED] was the sole source. This request is a purchase request that applies to PCC 10340.

B. PRICE ANALYSIS

1. How was the price offered determined to be fair and reasonable?
(Explain what the basis was for comparison and include cost analyses as applicable.)

Price and cost analyses was based on the actual billing of another state for the purchase of Thiopental Sodium.

2. Describe any cost savings realized or costs avoided by acquiring the goods/services from this supplier

The United States Department of Justice supplied CDCR with a list of only [REDACTED] importers. [REDACTED] was the only importer from California on the list. This alone was a cost savings realized and costs avoidance due to [REDACTED] being a California company.

This contract is not subject to public disclosure and is protected by law including, but not limited to: Executive Order S-08-09: Government Code, 6254, subdivisions (c), (f), (k), (l), and (aa); Government Code 6254.5; Government Code 6255; Evidence Code, 1040; and Procunier v. Superior Court of Monterey County (1973) 35 Cal. App. 3d 211.

Non-Competitively Bid (NCB) Contract Justification Corrective Action Plan

This section must be completed for any NCB that could have been competitively bid but was not due to insufficient time to complete the competitive acquisition process. This does not apply to emergency procurements in accordance with P.C.C. Sections 10302, 10340(b) (1) and 12102(a) (2).

Complete responses must be provided for all of the following questions:

1. Why is the submission of a NCB necessary and what are the determining factors that caused the problem?

NON APPLICABLE

2. What are the consequences of not having this NCB approved?
Describe in detail the impact to the department and to the program(s) if the NCB is not approved.

NON APPLICABLE

3. How will your department ensure adequate planning to prevent submittal of NCB's for goods or services that should have been competitively bid?

Provide a detailed plan of your department's efforts to improve your acquisition planning to maximize the use of competition to meet your needs. This plan must include how the department will provide for a tracking system to ensure timely review of upcoming requirements. Departments acknowledge that submission of a corrective action plan is the basis for how the department will provide for sufficient time to use competition in the acquisition process. Failure to follow the Corrective Action Plan may result in the loss of your department's delegated procurement authority. This plan must be kept on file for future auditing purposes.

NON APPLICABLE

From: Rice, Benjamin@CDCR
To: [REDACTED]
Subject: FW: Letter
Date: Friday, October 15, 2010 8:56:27 AM

From: McAuliffe, John@CDCR
Sent: Friday, October 15, 2010 8:56:24 AM
To: Kernan, Scott@CDCR
Cc: McCleese, Kelly@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR
Subject: Letter
Auto forwarded by a Rule

Scott

[REDACTED] needs a letter from CDCR pharmacy (SQ if possible) simply stating that CDCR is requesting that [REDACTED] order 525 grams of Sodium Thiopental from [REDACTED]. Nothing else is needed just the request. As explained to me by [REDACTED] California Law will not allow a Doctor to order on one scrip such a large volume. Pharmacy to Pharmacy will allow [REDACTED] to meet our needs to complete the process.
John

From: Rice, Benjamin@CDCR
To: [REDACTED] CDCR
Subject: FW: FDA entry item # [REDACTED]
Date: Tuesday, November 30, 2010 3:24:14 PM

From: Cate, Matt@CDCR
Sent: Tuesday, November 30, 2010 3:24:10 PM
To: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: Re: FDA entry item # [REDACTED]
Auto forwarded by a Rule

[REDACTED]

From: Kernan, Scott@CDCR
Sent: Tuesday, November 30, 2010 03:18 PM
To: Cate, Matt@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: FW: FDA entry item # [REDACTED]

[REDACTED]

From: McAuliffe, John@CDCR
Sent: Tuesday, November 30, 2010 2:06 PM
To: Kernan, Scott@CDCR
Subject: FW: FDA entry item # [REDACTED]

FYI

From: [REDACTED]@fda.hhs.gov]
Sent: Tuesday, November 30, 2010 2:00 PM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR; [REDACTED]
Subject: RE: FDA entry item # [REDACTED]

John,

This entry is currently under review by our DIOP branch. Due to the intended use they are developing a blanket policy for handling these type of shipments. If you need additional information you can call Supervisor [REDACTED] at 901-[REDACTED] or Supervisor [REDACTED] at 901-[REDACTED]. I am not authorized to make an admissibility decision on the entry.

Thank you,

[REDACTED]
US Food & Drug Administration

Phone: (901) [REDACTED]

Fax: (901) [REDACTED]

From: McAuliffe, John@CDCR [mailto:John.McAuliffe@cdcr.ca.gov]

Sent: Tuesday, November 30, 2010 3:37 PM

To: [REDACTED]

Cc: Kernan, Scott@CDCR

Subject: FDA entry item # [REDACTED]

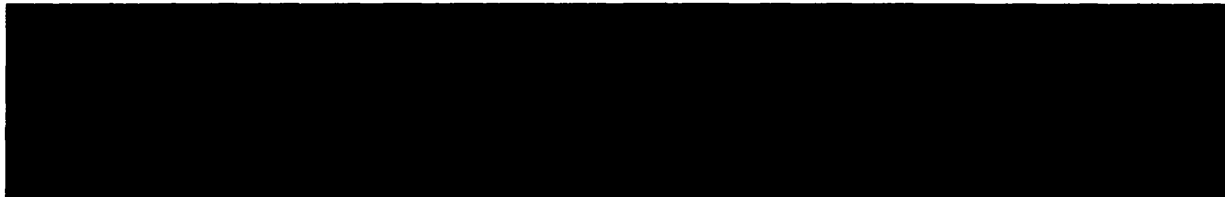
[REDACTED]

I am inquiring into the shipment (# [REDACTED]) that is currently awaiting FDA approval. The shipment is to be sent to [REDACTED] Whittier, CA. [REDACTED] by FED-EX. [REDACTED] is the FED-EX contact person) I also called your phone number 901-[REDACTED] and left a message. If you could please return my call I would like to know the timeline for release. Thank you in advance.

John McAuliffe
California Department of Corrections and Rehabilitation

From: Rice, Benjamin@CDCR
To: [REDACTED]@CDCR
Subject: FW: FDA entry item # [REDACTED]
Date: Tuesday, November 30, 2010 3:18:20 PM

From: Kernan, Scott@CDCR
Sent: Tuesday, November 30, 2010 3:18:16 PM
To: Cate, Matt@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: FW: FDA entry item # [REDACTED]
Auto forwarded by a Rule



From: McAuliffe, John@CDCR
Sent: Tuesday, November 30, 2010 2:06 PM
To: Kernan, Scott@CDCR
Subject: FW: FDA entry item # [REDACTED]

FYI

From: [REDACTED]@fda.hhs.gov]
Sent: Tuesday, November 30, 2010 2:00 PM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR; [REDACTED]
Subject: RE: FDA entry item # [REDACTED]

John,

This entry is currently under review by our DIOP branch. Due to the intended use they are developing a blanket policy for handling these type of shipments. If you need additional information you can call Supervisor [REDACTED] at 901-[REDACTED] or Supervisor [REDACTED] at 901-[REDACTED]. I am not authorized to make an admissibility decision on the entry.

Thank you,



US Food & Drug Administration

Phone: (901) [REDACTED]

Fax: (901) [REDACTED]

From: McAuliffe, John@CDCR [mailto:John.McAuliffe@cdcr.ca.gov]

Sent: Tuesday, November 30, 2010 3:37 PM

To: [REDACTED]

Cc: Kernan, Scott@CDCR

Subject: FDA entry item # [REDACTED]

[REDACTED]

I am inquiring into the shipment (# [REDACTED] that is currently awaiting FDA approval. The shipment is to be sent to [REDACTED] Whittier, CA. [REDACTED] by FED-EX. ([REDACTED] is the FED-EX contact person) I also called your phone number 901-[REDACTED] and left a message. If you could please return my call I would like to know the timeline for release. Thank you in advance.

John McAuliffe
California Department of Corrections and Rehabilitation

AMARILLO, TX

[Redacted]

Bill To:
CDCR-Scott Kernan
Undersecretary
1515 S Street, Suite 5025
Sacramento, CA 95811-7245

Ship To:
Neumiller Infirmary Pharmacy
California State Prison, San Quentin
San Quentin, CA 94964
Attn: Warden Vincent Cullen

Statement Balance as of 9/30/2010

CDCR

TOTAL DUE: \$1,121.60

AMOUNT OF PAYMENT:

CREDIT CARD # _____ EXPIRATION DATE _____
SIGNATURE _____ # _____

[Redacted]

Please do not send this portion with payment
O J [Signature]

\$1121.60

MAXOR CORRECTIONAL PHARMACY SERVICES
STATEMENT BALANCE AS OF 9/30/2010

CDCR-Scott Kernan
Undersecretary
1515 S Street, Suite 5025
Sacramento, CA 95811-7245

PREVIOUS BALANCE
TOTAL CHARGES
PAYMENTS RECEIVED
TOTAL DUE

AMARILLO, TX (806) [Redacted]

Merchant ID: [Redacted]

Ref #: 0001

Phone Order

VISA

Entry Method: Manual

Total:

\$ 1,121.60

11/30/10

15:56:06

Inv #: 000001

Appr Code: [Redacted]

Batch#: 000225

Approved: Online

CIV2 Code: MATCH M

I agree to pay above total amount according to card issuer agreement (Merchant agreement if credit voucher)

Wire Instructions: Bank Name: [Redacted]
Routing #: [Redacted]
Account #: [Redacted]
Account Name: [Redacted]

Merchant Copy

THANK YOU!

17050 - 1280

From: [REDACTED] CDCR
To: [REDACTED]
Subject: [REDACTED] - credit card payment request
Date: Friday, November 19, 2010 11:59:52 AM
Attachments: [REDACTED].nvoice0001.pdf
Sensitivity: Confidential

[REDACTED],

Attached is the invoice that I discuss with you this morning. Please review and advise on payment. I would like to resolve today. Thank you.

[REDACTED]

Accounting Services
Department of Corrections and Rehabilitation
Tel: 916 [REDACTED]
Fax: 916 [REDACTED]
Cell: 916 [REDACTED]
[REDACTED] cdcr.ca.gov

AMARILLO, TX

[Redacted]

To:
CDCR-Scott Kernan
Undersecretary
1515 S Street, Suite 502S
Sacramento, CA 95811-7243

Ship To:
Neumiller Infirmary Pharmacy
California State Prison, San Quentin
San Quentin, CA 94964
Attn: Warden Vincent Cullen

Statement Balance as of 9/30/2010

CDCR

TOTAL DUE: \$1,121.60

AMOUNT OF PAYMENT:

CREDIT CARD # _____ EXPIRATION DATE ____ / ____
SIGNATURE _____

* Detach and send this portion with payment *

MasterCard

STATEMENT BALANCE AS OF 9/30/2010

CDCR-Scott Kernan
Undersecretary
1515 S Street, Suite 502S
Sacramento, CA 95811-7243

PREVIOUS BALANCE	\$0.00
TOTAL CHARGES	\$1,121.60
PAYMENTS RECEIVED	(\$0.00)
TOTAL DUE	\$1,121.60

1533973	PHARMACY SALES	09/01/2010	\$1,121.60
---------	----------------	------------	------------

Wire Instructions:

Bank Name:
Routing #:
Account #:
Account Name:

[Redacted]

Thank you for your business!

10/7/2010 3:31:43 PM

From: [REDACTED] CDCR
To: Amos, Stephen@CDCR
Subject: FW: [REDACTED] credit card payment request
Date: Friday, November 19, 2010 11:34:35 AM
Attachments: [REDACTED] Invoice0001.pdf
Sensitivity: Confidential

Stephen,

Called the vendor. All they want is a copy of the attached invoice to see what office/account they need to apply the credit. I'm going to forward this invoice to [REDACTED] so she can assist in processing the payment. Once the office/account is identified, there should be no problem with payment via Cal Card. Let me know if you have issues with this plan.

- [REDACTED]

[REDACTED]

Accounting Services
Department of Corrections and Rehabilitation
Tel: 916 [REDACTED]
Fax: 916 [REDACTED]
Cell: 916 [REDACTED]
[REDACTED] cdc.ca.gov

From: [REDACTED] CDCR
Sent: Friday, October 29, 2010 1:47 PM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR
Subject: FW: [REDACTED] - credit card payment request
Sensitivity: Confidential

[REDACTED]

Per our conversation this morning, please pay the attached invoice via Cal Card as soon as possible. According to OBS, your's and [REDACTED] cards have been activated. Please have the vendor send (i.e., scan) you the receipt for your/my records - I just want to make sure the invoice has been paid. Once you get your card holder statement, you would process as usual to Accounting. According to Scott, this expense will be paid out of the Secretary's budget.

Let me know if you have any question.

Thank you, [REDACTED]

[REDACTED]

Accounting Services
Department of Corrections and Rehabilitation
Tel: 916 [REDACTED]

Fax: 916 [REDACTED]

Cell: 916 [REDACTED]

[REDACTED] cdcr.ca.gov

From: Kernan, Scott@CDCR
Sent: Thursday, October 28, 2010 2:13 PM
To: [REDACTED]@CDCR
Subject: Re: [REDACTED]
Sensitivity: Confidential

[REDACTED]
Yes. I approve this purchase and confirm we received the product. Thank you
Scott

From: [REDACTED]@CDCR
To: Kernan, Scott@CDCR
Sent: Thu Oct 28 14:11:19 2010
Subject: [REDACTED]

Scott,

Go ahead and approve via this e-mail. We'll process this payment ASAP.

On the other invoice, we will need a Purchase Order. I believe Tim Gilpin has discussed this with someone in your office. If your staff needs specifics on setting that up, that can work with [REDACTED] in OBS.

Let me know if you need anything else.

- [REDACTED]

[REDACTED]
Accounting Services
Department of Corrections and Rehabilitation
Tel: 916 [REDACTED]
Fax: 916 [REDACTED]
Cell: 916 [REDACTED]
[REDACTED] cdcr.ca.gov

AMARILLO, TX

[Redacted]

To:
CDCR-Scott Kernan
Undersecretary
1515 S Street, Suite 502S
Sacramento, CA 95811-7243

Ship To:
Neumiller Infirmary Pharmacy
California State Prison, San Quentin
San Quentin, CA 94964
Attn: Warden Vincent Cullen

Statement Balance as of 9/30/2010	
CDCR	
TOTAL DUE:	\$1,121.60
AMOUNT OF PAYMENT:	

CREDIT CARD # _____ EXPIRATION DATE ____ / ____

SIGNATURE _____

* Detach and send this portion with payment *

MicroPDF

STATEMENT BALANCE AS OF 9/30/2010

CDCR-Scott Kernan
Undersecretary
1515 S Street, Suite 502S
Sacramento, CA 95811-7243

PREVIOUS BALANCE	\$0.00
TOTAL CHARGES	\$1,121.60
PAYMENTS RECEIVED	(\$0.00)
TOTAL DUE	\$1,121.60

1533973	PHARMACY SALES	09/01/2010	\$1,121.60
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Wire Instructions: Bank Name: [Redacted]
 Routing #: [Redacted]
 Account #: [Redacted]
 Account Name: [Redacted]

Thank you for your business!

10/7/2010 2:31:43 PM

From: [REDACTED]@CDCR
To: [REDACTED] CDCR
Cc: Amos, Stephen@CDCR
Subject: RE: [REDACTED]
Date: Friday, November 19, 2010 1:02:53 PM

I just paid it and she should be emailing me a receipt shortly. Thanks.

[REDACTED]
Executive Assistant to
Brett H. Morgan, Chief of Staff and
Lee E. Seale, Deputy Chief of Staff

(916) [REDACTED]

From: [REDACTED] CDCR
Sent: Friday, November 19, 2010 12:33 PM
To: [REDACTED]@CDCR
Subject: FW: [REDACTED]

[REDACTED]
Got everything set up with the vendor. Once I get confirmation from OBS that your card is activated, you can call [REDACTED] at [REDACTED] to make payment. Once payment goes through, she'll send us a receipt.

[REDACTED]
[REDACTED]
Accounting Services

Department of Corrections and Rehabilitation

Tel: 916 [REDACTED]

Fax: 916 [REDACTED]

Cell: 916 [REDACTED]

[REDACTED] cdcr.ca.gov

From: [REDACTED]@CDCR

Sent: Friday, November 19, 2010 12:16 PM

To: [REDACTED]@CDCR

Cc: [REDACTED] CDCR

Subject: [REDACTED]

Hi [REDACTED]

[REDACTED] is requesting to open [REDACTED] cal-card to pay the vendor [REDACTED]? [REDACTED] states [REDACTED] know about this one and was going to request the card to be opened for this purpose.

[REDACTED]

Note: Office of Business Services, Procurement Unit's physical address is 10000 Goethe Road, Suite C-1, Sacramento, CA 95827. Please direct postal deliveries to the previous address PO Box 942883, Procurement Unit Sacramento, CA 94283-001 or 1515 S Street, Procurement Unit, Sacramento, CA 95814 for daily routing of mail.

[REDACTED]

Department of Corrections

and Rehabilitation

HQ -Procurement Liaison Unit

[REDACTED]

(916) [REDACTED]

(916) [REDACTED]

[REDACTED]@cdcr.ca.gov

From: [REDACTED] CDCR
To: [REDACTED] @CDCR
Cc: Alston, Steve M@CDCR; [REDACTED] @CDCR; [REDACTED] @CDCR; [REDACTED] @CDCR; Amos, Stephen@CDCR
Subject: RE: [REDACTED]
Date: Tuesday, November 30, 2010 12:27:00 PM

Thank you [REDACTED]

[REDACTED] You should be able to use the card now. Let us know if there are problems.

- [REDACTED]

[REDACTED]
Accounting Services
Department of Corrections and Rehabilitation
Tel: 916 [REDACTED]
Fax: 916 [REDACTED]
Cell: 916 [REDACTED]
[REDACTED] cdcr.ca.gov

From: [REDACTED] @CDCR
Sent: Tuesday, November 30, 2010 12:20 PM
To: [REDACTED] CDCR
Cc: Alston, Steve M@CDCR; [REDACTED] @CDCR; [REDACTED] @CDCR
Subject: [REDACTED]

[REDACTED] - [REDACTED] Cal-Card single purchase limit was increased to \$1,500 to allow for the transaction.

Thank you,

[REDACTED] [REDACTED] [REDACTED]
Procurement Section
CDCR-Office of Business Services
(916) [REDACTED]
OBS Leading the Way
Innovation ~ Trust ~ Excellence

From: [REDACTED]@CDCR
To: [REDACTED] CDCR
Cc: [REDACTED]@CDCR; Alston, Steve M@CDCR
Subject: RE: Secretary's Request for Payment
Date: Thursday, October 28, 2010 1:56:23 PM
Importance: High
Sensitivity: Confidential

[REDACTED] let's pay using Cal-Card for the current purchase. As for the future purchase for \$35,000—I need to discuss with [REDACTED]. Thanks.

From: [REDACTED] CDCR
Sent: Thursday, October 28, 2010 1:36 PM
To: [REDACTED]@CDCR
Subject: Secretary's Request for Payment
Sensitivity: Confidential

Hi [REDACTED],

Question re the attached invoice. It's for drugs related to lethal injections. Due to political sensitivity of this payment, the Secretary's office is paying the invoice as opposed to HC. However, there is no authority to pay, i.e., PO, S&E, etc. Can we do this via cal card when the cards are activated (Bank should receive \$\$today), or can we do an S&E after the fact (I know that's found upon). I just don't want to get the payment hung up at the SCO.

Also related to the lethal injection process, the Dept is buying more drugs from another company. That bill s/b over \$35K. I will advise that they need an authority to pay for that larger payment.

Let me know your thoughts on this. Thank you.

[REDACTED]
[REDACTED]
Accounting Services
Department of Corrections and Rehabilitation
Tel: 916 [REDACTED]
Fax: 916 [REDACTED]
Cell: 916 [REDACTED]
[REDACTED] cdcr.ca.gov

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Drugs
Date: Tuesday, November 09, 2010 2:25:39 PM

From: Duffy, Brian@CDCR
Sent: Tuesday, November 09, 2010 2:25:09 PM
To: Kernan, Scott@CDCR; McAuliffe, John@CDCR
Subject: FW: Drugs
Auto forwarded by a Rule

Scott and John,

The invoice was paid today.

Brian

-----Original Message-----

From: Lewis, Dave (Budgets)@CDCR
Sent: Tuesday, November 09, 2010 2:22 PM
To: Duffy, Brian@CDCR
Subject: FW: Drugs

-----Original Message-----

From: Gilpin, Timothy@CDCR
Sent: Tuesday, November 09, 2010 2:17 PM
To: Lewis, Dave (Budgets)@CDCR
Subject: Drugs

Check today for \$36,415

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Emailing: STD204%20Payee%20Data%20Record
Date: Monday, November 08, 2010 10:17:41 AM

From: Duffy, Brian@CDCR
Sent: Monday, November 08, 2010 10:17:38 AM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Subject: FW: Emailing: STD204%20Payee%20Data%20Record
Auto forwarded by a Rule

John,

FYI. To enter the company into the system, apparently accounting needed a form filled out. The link she provided me below doesn't work, but [REDACTED] says [REDACTED] made contact with [REDACTED]. Not sure if you want to follow-up and help get completed?

Brian

-----Original Message-----

From: [REDACTED]@CDCR
Sent: Monday, November 08, 2010 9:28 AM
To: Duffy, Brian@CDCR
Subject: RE: Emailing: STD204%20Payee%20Data%20Record

I contacted [REDACTED] and fax the form to [REDACTED]. They will complete and return today. Should have a check out today or tomorrow to them..

[REDACTED]
Accounting Services
Regional Accounting
(916) [REDACTED]

-----Original Message-----

From: Duffy, Brian@CDCR
Sent: Monday, November 08, 2010 9:21 AM
To: [REDACTED]@CDCR
Subject: RE: Emailing: STD204%20Payee%20Data%20Record

[REDACTED]
I cannot open that website. Is it possible to get a copy of the form on PDF to send?

Thanks,

Brian

Brian Duffy
Special Assistant to the Undersecretary, Operations California Department of Corrections and Rehabilitation
[REDACTED]

-----Original Message-----

From: [REDACTED]@CDCR
Sent: Monday, November 08, 2010 8:59 AM
To: Duffy, Brian@CDCR
Subject: Emailing: STD204%20Payee%20Data%20Record

Brian,

This form must be completed by [REDACTED]. I'll contact the vendor too.

[REDACTED]
Accounting Services
Regional Accounting
[REDACTED]

The message is ready to be sent with the following file or link attachments:

Shortcut to:

<http://bisportal.cdcr.ca.gov/irj/go/km/docs/documents/CDCR/Homelinks/Forms/STD204%20Payee%20Data%20Record.pdf>

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Talked with Stephen on NCB
Date: Tuesday, November 02, 2010 5:33:01 PM

From: Duffy, Brian@CDCR
Sent: Tuesday, November 02, 2010 5:32:59 PM
To: Kernan, Scott@CDCR
Subject: RE: Talked with Stephen on NCB
Auto forwarded by a Rule

Talked to John. He will have done in morning and back to you.

Brian

-----Original Message-----
From: Kernan, Scott@CDCR
Sent: Tuesday, November 02, 2010 5:29 PM
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Talked with Stephen on NCB

From: Rice, Benjamin@CDCR
Sent: Tuesday, November 02, 2010 5:29:19 PM
To: Kernan, Scott@CDCR
Subject: Talked with Stephen on NCB
Auto forwarded by a Rule

He will help us out- walk it over - get it signed, etc.

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: [REDACTED] Invoice
Date: Thursday, October 28, 2010 10:45:22 AM

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 10:45:15 AM
To: Kernan, Scott@CDCR
Subject: RE: [REDACTED] Invoice
Auto forwarded by a Rule

Got it

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
[REDACTED]

From: Kernan, Scott@CDCR
Sent: Thursday, October 28, 2010 10:43 AM
To: [REDACTED]@CDCR
Subject: Re: [REDACTED] Invoice

[REDACTED]
SQ cannot get this. Please set up quick phone call with mr [REDACTED] Gets into receiver not wanting anything to do with executions. Thx

From: [REDACTED]@CDCR
To: Kernan, Scott@CDCR
Sent: Thu Oct 28 10:39:31 2010
Subject: FW: [REDACTED] Invoice

fyi

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
[REDACTED]

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 10:27 AM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR
Subject: RE: [REDACTED] Invoice

Thank you. Please advise [REDACTED] when payment has been processed.

[REDACTED]
Accounting Services
Department of Corrections and Rehabilitation
Tel: [REDACTED]
Fax: [REDACTED]
Cell: [REDACTED]
[REDACTED] cdcr.ca.gov

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 10:07 AM
To: [REDACTED]@CDCR
Subject: RE: [REDACTED] Invoice

[REDACTED] is calling San Quentin for authority to pay. We do not have an S & E for this vendor for San Quentin but the invoice belongs in our unit.

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 7:53 AM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR
Subject: FW: [REDACTED] Invoice

[REDACTED],
Is this Section B's? If so, we'll need to process. Let me know. Thank you.

[REDACTED]
Accounting Services
Department of Corrections and Rehabilitation
Tel: [REDACTED]
Fax: [REDACTED]
Cell: [REDACTED]
[REDACTED] cdcr.ca.gov

From: [REDACTED]@CDCR
Sent: Wednesday, October 27, 2010 10:28 AM
To: [REDACTED]@CDCR
Subject: FW: [REDACTED] Invoice

Bill

The invoice in question has not been received in accounting for payment. FYI All the other prior invoices are in the 700 thousand dollars.
I don't see a contract number on the invoice. I wonder if it belongs to Sacramento accounting Office. The invoice is referencing San Quentin. Let me know if you need something else. I will be out of the office until 1:00pm. Thanks.

Phone (916) [REDACTED]

From: [REDACTED] CDCR
Sent: Monday, October 25, 2010 12:57 PM
To: [REDACTED] CDCR
Cc: [REDACTED]@CDCR; [REDACTED]@CDCR
Subject: FW: [REDACTED] Invoice

[REDACTED],
Was this processed?

[REDACTED]
Accounting Services
Department of Corrections and Rehabilitation
Tel: [REDACTED]
Fax: [REDACTED]
Cell: [REDACTED]
[REDACTED]@cdcr.ca.gov

From: [REDACTED]@CDCR
Sent: Monday, October 25, 2010 12:49 PM
To: [REDACTED] CDCR
Subject: FW: [REDACTED] Invoice

[REDACTED]
You're right, this yours (San Quentin).

[REDACTED]
Accounting Services- CDCR
[REDACTED]@cdcr.ca.gov
(916) [REDACTED]

From: Gilpin, Timothy@CDCR
Sent: Monday, October 25, 2010 12:29 PM
To: [REDACTED]@CDCR
Cc: [REDACTED] CDCR; [REDACTED] CDCR
Subject: Fw: [REDACTED] Invoice

██████ please provide status

From: ██████ CDCR
To: Gilpin, Timothy@CDCR
Sent: Mon Oct 25 12:10:53 2010
Subject: FW: ██████ Invoice

Hi, anything on this yet?

Thanks,

██████
Executive Assistant to Scott Kernan
Undersecretary, Operations
██████

From: ██████ CDCR
Sent: Wednesday, October 20, 2010 12:44 PM
To: Gilpin, Timothy@CDCR
Subject: ██████ Invoice

Hi, Scott would like confirmation of payment.

Thanks,

██████
Executive Assistant to Scott Kernan
Undersecretary, Operations
██████

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]
Date: Wednesday, October 13, 2010 5:22:53 PM

From: McAuliffe, John@CDCR
Sent: Wednesday, October 13, 2010 5:22:51 PM
To: Kernan, Scott@CDCR
Subject: Re: Importation of Thiopental by [REDACTED]
Auto forwarded by a Rule

Scott
I will see what can be done to make it work. I will be at SQ this Thursday and Friday for Team Training. I will contact the Lawyer Thursday and see.
John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Wed Oct 13 16:09:45 2010
Subject: FW: Importation of Thiopental by [REDACTED]

Don't know if this just complicates things. Sounds like we will need this if we want to write check to lawyer instead of company.

Scott

From: Gilpin, Timothy@CDCR
Sent: Wednesday, October 13, 2010 3:59 PM
To: Kernan, Scott@CDCR
Subject: RE: Importation of Thiopental by [REDACTED]

Then I need a vendor data record for the attorney and an invoice from him to pay along with a purchase document. Hope that is available.

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 3:03 PM
To: Gilpin, Timothy@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

So it does not look like I'll get invoice until Monday. Get it to you as soon as I get it. See note below, they want check payable to attorney to avoid publicity. Is that possible?

Scott

From: McAuliffe, John@CDCR
Sent: Wednesday, October 13, 2010 11:32 AM

To: Kernan, Scott@CDCR
Subject: Fw: Importation of Thiopental by [REDACTED]

Scott
See email concerning invoice.
John

From: [REDACTED] >
To: McAuliffe, John@CDCR
Cc: [REDACTED]
Sent: Wed Oct 13 10:19:44 2010
Subject: Re: Importation of Thiopental by [REDACTED]

Sure John. I just spoke to [REDACTED] and there will be a delay of a few days because the shipment needs to be approved by Homeland Security. This has nothing to do with his import license but is simply a post 911 security measure. According to [REDACTED] this will only take a few days so I am hopeful I can get you an invoice by Monday of next week- no later than Wednesday. [REDACTED] also is concerned about publicity; is it acceptable for you to make the check payable to my attorney trust account and I'll cut the checks to all the appropriate entities. We working on it. [REDACTED]

From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>
Date: Wed, 13 Oct 2010 10:06:07 -0700
To: [REDACTED]
Subject: RE: Importation of Thiopental by [REDACTED]

[REDACTED]
Per our conversation.....Please email (PDF) an invoice for services requested from [REDACTED]
[REDACTED] Specifically, the invoice should reflect:
Costs of 525 grams of Sodium Thiopental
Importation request to DEA
Insurance on shipment
Duty fees to Customs
Additional DEA and FDA Insurance on shipment
[REDACTED] fees (fees should account for all additional costs to include shipping, attorney fees, etc...without listing them as separate)
We are also asking for the Thiopental to be shipped directly to [REDACTED] for CDCR to pick up upon arrival. [REDACTED] has told us that the Thiopental that is being ordered will have an expiration date of May 2014. It is important that all 525 grams have that expiration date of May 2014. Thank you for your assistance in this matter.
John McAuliffe

From: [REDACTED]
Sent: Tuesday, October 12, 2010 1:39 PM
To: McAuliffe, John@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

John- see my email below. [REDACTED]
--
[REDACTED]

[REDACTED]
Irvine, California [REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]
[REDACTED]

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----- Forwarded Message

From: [REDACTED]
Date: Tue, 12 Oct 2010 13:35:32 -0700
To: <John.McAuliffe@cdcr.ca.com>
Cc: [REDACTED]
Conversation: Importation of Thiopental by [REDACTED]
Subject: Importation of Thiopental by [REDACTED]

Hi John- as we discussed yesterday, I am the lawyer that represents [REDACTED] and its owner [REDACTED]. I acknowledge CDCR's request that [REDACTED] act as importer of a quantity of Thiopental. And, also as we discussed yesterday, please be advised that [REDACTED] is very interested in assisting the CDCR in this regard subject to [REDACTED] and CDCR agreeing on the terms for importation. At best I can only estimate the costs involved as follows: Cost of 525 grams of drug= \$16,590; Fee For Importation Request to DEA= \$100; Insurance on Shipment= \$3000; Shipping Fee= \$1500; Duty Fee to Customs= \$1700; Additional DEA and FDA fees= \$500; Broker Fees= \$1500; [REDACTED] Fee Including Attorney's Fees = \$12,500 for a total of \$37,390. I understand that if this proposal is acceptable the CDCR is requesting an invoice only itemizing the cost of the drug and expressing the remaining costs as included in [REDACTED] fee. Allow me to reiterate these costs are estimates. Additional costs may be incurred such as a Homeland Security fee or storage fees if the shipment is held up by Customs for any reason. [REDACTED] would reserve the right to issue an additional invoice to CDCR for such additional costs and would refund CDCR in the event of an overpayment. We suggest that the CDCR pick up the shipment at the port of entry and that the CDCR write a letter to Customs or otherwise inform Customs of the need for these supplies. Please let me know your thoughts. [REDACTED]

--
[REDACTED]
Irvine, California [REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]
[REDACTED]

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----- End of Forwarded Message

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW:
Date: Wednesday, October 13, 2010 8:59:23 AM
Importance: High

From: Gilpin, Timothy@CDCR
Sent: Wednesday, October 13, 2010 8:59:19 AM
To: Kernan, Scott@CDCR; Lewis, Dave (Budgets)@CDCR
Subject: RE:
Importance: High
Auto forwarded by a Rule

I'll be downtown after lunch for the AR meeting, I can pick it up then. Make sure we have an order number, PO number and I will then have the staff write a check for payment.

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 8:46 AM
To: Gilpin, Timothy@CDCR; Lewis, Dave (Budgets)@CDCR
Subject:

Tim,

I am getting an invoice for the purchase of drugs from England. I will need to affect payment immediately. Its going to be around 40k. How do I make this happen quick.

Scott

From: Kernan, Scott@CDCR
To: [REDACTED] CDCR; Duffy, Brian@CDCR
Subject: FW:
Date: Monday, October 11, 2010 12:49:19 PM

From: McAuliffe, John@CDCR
Sent: Monday, October 11, 2010 12:49:17 PM
To: Kernan, Scott@CDCR
Subject: Fw:
Auto forwarded by a Rule

Scott
Link Pharm out of England.
John

From: McAuliffe, John@CDCR
To: [REDACTED]
Sent: Mon Oct 11 12:42:43 2010
Subject: Fw:

[REDACTED]
See emails. Scott Kernan is asking.
John

From: [REDACTED] CDCR
To: McAuliffe, John@CDCR
Sent: Mon Oct 11 12:28:39 2010
Subject: RE:

Thanks. Will wait to hear then.

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
[REDACTED]

From: McAuliffe, John@CDCR
Sent: Monday, October 11, 2010 12:26 PM
To: [REDACTED] CDCR
Subject: Re:

Yes waiting for [REDACTED] to call me back. I asked that they check this AM.
John

From: [REDACTED] CDCR
To: McAuliffe, John@CDCR

Sent: Mon Oct 11 12:23:28 2010
Subject:

Hi, were you able to check on that (re Friday's email) for Scott?

Thanks,

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
[REDACTED]

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: [REDACTED]
Date: Wednesday, October 06, 2010 8:50:14 AM

From: McAuliffe, John@CDCR
Sent: Wednesday, October 06, 2010 8:50:07 AM
To: Kernan, Scott@CDCR
Subject: Fw: [REDACTED]
Auto forwarded by a Rule

FYI

From: [REDACTED]@usdoj.gov>
To: McAuliffe, John@CDCR
Sent: Wed Oct 06 01:34:07 2010
Subject: Re: [REDACTED]

Thank you. I'll make DEA's import/export unit aware of this matter.

[REDACTED]
Office of Diversion Control

From: McAuliffe, John@CDCR <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Cc: Kernan, Scott@CDCR <Scott.Kernan@cdcr.ca.gov>
Sent: Tue Oct 05 14:08:55 2010
Subject: [REDACTED]

[REDACTED]
Thank you for the list of companies listed with the DEA to import Thiopental. We have contacted [REDACTED] who has initially agreed to procure the Thiopental from London. We gave [REDACTED] your email as a point of contact with DEA since you know exactly what we have been doing and to whom we have been in contact with in your Department. Again thank you for your help and assistance.
John McAuliffe

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: [REDACTED]
Date: Wednesday, October 06, 2010 9:32:25 AM

From: McAuliffe, John@CDCR
Sent: Wednesday, October 06, 2010 9:31:44 AM
To: Kernan, Scott@CDCR
Subject: Re: [REDACTED]
Auto forwarded by a Rule

I will call now and get a projection.

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Wed Oct 06 09:29:29 2010
Subject: Re: [REDACTED]

John
Any word on how long we can expect this to take?

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Wed Oct 06 08:50:07 2010
Subject: Fw: [REDACTED]

FYI

From: [REDACTED]@usdoj.gov
To: McAuliffe, John@CDCR
Sent: Wed Oct 06 01:34:07 2010
Subject: Re: [REDACTED]

Thank you. I'll make DEA's import/export unit aware of this matter.

[REDACTED]
Office of Diversion Control

From: McAuliffe, John@CDCR <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Cc: Kernan, Scott@CDCR <Scott.Kernan@cdcr.ca.gov>
Sent: Tue Oct 05 14:08:55 2010
Subject: [REDACTED]

[REDACTED]
Thank you for the list of companies listed with the DEA to import Thiopental. We have contacted

[REDACTED] who has initially agreed to procure the Thiopental from London. We gave [REDACTED] your email as a point of contact with DEA since you know exactly what we have been doing and to whom we have been in contact with in your Department. Again thank you for your help and assistance.

John McAuliffe
[REDACTED]

[REDACTED]

From: Kernan, Scott@CDCR
To: [REDACTED] CDCR; Duffy, Brian@CDCR
Subject: FW: ATTN: [REDACTED]
Date: Wednesday, October 06, 2010 10:39:36 AM

From: McAuliffe, John@CDCR
Sent: Wednesday, October 06, 2010 10:38:53 AM
To: [REDACTED]
Cc: Kernan, Scott@CDCR
Subject: [REDACTED]
Auto forwarded by a Rule

Sir

I am forwarding this email to you for your record. CDCR would like to know if this process of obtaining the thiopental (Duty, Broker, any additional fees to include [REDACTED] fees) could be billed to CDCR as one invoice? Additionally, can you give a possible estimate as to how long this process will take before we receive the thiopental? Again, thank you for your assistance.

John McAuliffe

From: [REDACTED]@usdoj.gov]
Sent: Wednesday, October 06, 2010 1:34 AM
To: McAuliffe, John@CDCR
Subject: Re: [REDACTED]

Thank you. I'll make DEA's import/export unit aware of this matter.

[REDACTED]
Office of Diversion Control

From: McAuliffe, John@CDCR <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Cc: Kernan, Scott@CDCR <Scott.Kernan@cdcr.ca.gov>
Sent: Tue Oct 05 14:08:55 2010
Subject: [REDACTED]

[REDACTED]
Thank you for the list of companies listed with the DEA to import Thiopental. We have contacted [REDACTED] who has initially agreed to procure the Thiopental from London. We gave [REDACTED] your email as a point of contact with DEA since you know exactly what we have been doing and to whom we have been in contact with in your Department. Again thank you for your help and assistance.

John McAuliffe

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: ATTN: [REDACTED]
Date: Thursday, October 07, 2010 10:08:41 AM

From: McAuliffe, John@CDCR
Sent: Thursday, October 07, 2010 10:08:37 AM
To: Kernan, Scott@CDCR
Subject: Fw: ATTN: [REDACTED]
Auto forwarded by a Rule

FYI
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Thu Oct 07 09:48:06 2010
Subject: Re: ATTN: [REDACTED]

Dear Mr. McAuliffe:

To clarify, I have agreed only to start the process of investigating how to import this medication for the CDCR.
The amount of time, cost, complexity, risk, and liability has yet to be determined.
I will be meeting with corporate council on October 10, 2010.
In the mean time please keep this matter private no public disclosure.
I went to my files yesterday to review our previous process of importation.
I will today or tomorrow time permitting contact the DEA contact you have provided me [REDACTED]
I will keep you informed as I collect information, ask any further questions of you, and tender a final decision and cost by next week.

Thank you in advance for your consideration of my company.

[REDACTED]
Whittier, CA
(562) [REDACTED] Monday through Friday 7:30am to 4:30pm PST
Fax (562) [REDACTED]
[REDACTED]

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and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Cc: "Kernan, Scott@CDCR" <Scott.Kernan@cdcr.ca.gov>
Sent: Wed, October 6, 2010 10:38:53 AM
Subject: ATTN: [REDACTED]

Sir

I am forwarding this email to you for your record. CDCR would like to know if this process of obtaining the thiopental (Duty, Broker, any additional fees to include [REDACTED] fees) could be billed to CDCR as one invoice? Additionally, can you give a possible estimate as to how long this process will take before we receive the thiopental? Again, thank you for your assistance.

John McAuliffe

From: [REDACTED]@usdoj.gov]
Sent: Wednesday, October 06, 2010 1:34 AM
To: McAuliffe, John@CDCR
Subject: Re: [REDACTED]

Thank you. I'll make DEA's import/export unit aware of this matter.

[REDACTED]
Office of Diversion Control

From: McAuliffe, John@CDCR <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Cc: Kernan, Scott@CDCR <Scott.Kernan@cdcr.ca.gov>
Sent: Tue Oct 05 14:08:55 2010
Subject: [REDACTED]

[REDACTED]
Thank you for the list of companies listed with the DEA to import Thiopental. We have contacted [REDACTED] who has initially agreed to procure the Thiopental from London . We gave [REDACTED] your email as a point of contact with DEA since you know exactly what we have been doing and to whom we have been in contact with in your Department. Again thank you for your help and assistance.

John McAuliffe

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Progress 1
Date: Friday, October 08, 2010 4:05:59 PM

From: McAuliffe, John@CDCR
Sent: Friday, October 08, 2010 4:05:57 PM
To: Kernan, Scott@CDCR
Subject: Re: Progress 1
Auto forwarded by a Rule

Scott

I did not ask but I believe it is a subsidiary of [REDACTED]. They have international locations such as the one in Pakistan. SQ could open safe and the outside of package would ID if an [REDACTED] product but most likely not the exact subsidiary. John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 13:42:29 2010
Subject: Re: Progress 1

John

What is the name of the manufacturer on the drugs we got from az.

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 08:48:44 2010
Subject: Fw: Progress 1

Fyl
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 08:04:41 2010
Subject: Progress 1

Dear John McAuliffee

I have called and sent an e-mail to [REDACTED] to provide me with the steps and correct forms to request an importation quota for Sodium Thiopental

Will keep you informed of my progress.

Thank you again for the opportunity.

[REDACTED]
Whittier, CA

(562) [REDACTED] Monday through Friday 7:30am to 4:30pm PST

Fax [REDACTED]
[REDACTED]

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From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Progress 1
Date: Friday, October 08, 2010 4:33:31 PM

From: McAuliffe, John@CDCR
Sent: Friday, October 08, 2010 4:33:30 PM
To: Kernan, Scott@CDCR
Subject: Re: Progress 1
Auto forwarded by a Rule

Scott
Only way would be to open safe and look.
John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 16:30:07 2010
Subject: Re: Progress 1

Getting question if hospria is on label?
Scott

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 16:05:57 2010
Subject: Re: Progress 1

Scott
I did not ask but I believe it is a subsidiary of [REDACTED]. They have international locations such as the one in Pakistan. SQ could open safe and the outside of package would ID if an [REDACTED] product but most likely not the exact subsidiary. John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 13:42:29 2010
Subject: Re: Progress 1

John
What is the name of the manufacturer on the drugs we got from az.

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 08:48:44 2010
Subject: Fw: Progress 1

Fyl

John

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 08:04:41 2010
Subject: Progress 1

Dear John McAuliffe

I have called and sent an e-mail to [REDACTED] to provide me with the steps and correct forms to request an importation quota for Sodium Thiopental

Will keep you informed of my progress.

Thank you again for the opportunity.

[REDACTED]
[REDACTED]
[REDACTED]
Whittier, CA
(562) [REDACTED] Monday through Friday 7:30am to 4:30pm PST
Fax (562) [REDACTED]
[REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW:
Date: Monday, October 11, 2010 2:23:18 PM

From: Cate, Matt@CDCR
Sent: Monday, October 11, 2010 2:23:00 PM
To: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Kernan, Darby@CDCR
Subject: Re:
Auto forwarded by a Rule

[REDACTED]

From: Kernan, Scott@CDCR
To: Rice, Benjamin@CDCR; Kernan, Darby@CDCR
Cc: Cate, Matt@CDCR
Sent: Mon Oct 11 14:07:33 2010
Subject: FW:

[REDACTED]

From: McAuliffe, John@CDCR
Sent: Monday, October 11, 2010 12:49 PM
To: Kernan, Scott@CDCR
Subject: Fw:

Scott
Link Pharm out of England.
John

From: McAuliffe, John@CDCR
To: [REDACTED]
Sent: Mon Oct 11 12:42:43 2010
Subject: Fw:

[REDACTED]
See emails. Scott Kernan is asking.
John

From: [REDACTED]@CDCR
To: McAuliffe, John@CDCR
Sent: Mon Oct 11 12:28:39 2010
Subject: RE:

Thanks. Will wait to hear then.

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
[REDACTED]

From: McAuliffe, John@CDCR
Sent: Monday, October 11, 2010 12:26 PM
To: [REDACTED]@CDCR
Subject: Re:

Yes waiting for [REDACTED] to call me back. I asked that they check this AM.
John

From: [REDACTED]@CDCR
To: McAuliffe, John@CDCR
Sent: Mon Oct 11 12:23:28 2010
Subject:

Hi, were you able to check on that (re Friday's email) for Scott?

Thanks,

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
[REDACTED]

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW:
Date: Monday, October 11, 2010 2:27:51 PM

From: Kernan, Darby@CDCR
Sent: Monday, October 11, 2010 2:27:46 PM
To: Cate, Matt@CDCR; Kernan, Scott@CDCR; Rice, Benjamin@CDCR
Subject: Re:
Auto forwarded by a Rule

[REDACTED]

From: Cate, Matt@CDCR
To: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Kernan, Darby@CDCR
Sent: Mon Oct 11 14:23:00 2010
Subject: Re:

[REDACTED]

From: Kernan, Scott@CDCR
To: Rice, Benjamin@CDCR; Kernan, Darby@CDCR
Cc: Cate, Matt@CDCR
Sent: Mon Oct 11 14:07:33 2010
Subject: FW:

[REDACTED]

From: McAuliffe, John@CDCR
Sent: Monday, October 11, 2010 12:49 PM
To: Kernan, Scott@CDCR
Subject: Fw:

Scott
Link Pharm out of England.
John

From: McAuliffe, John@CDCR
To: [REDACTED]
Sent: Mon Oct 11 12:42:43 2010
Subject: Fw:

[REDACTED]
See emails. Scott Kernan is asking.

John

From: [REDACTED] CDCR
To: McAuliffe, John@CDCR
Sent: Mon Oct 11 12:28:39 2010
Subject: RE:

Thanks. Will wait to hear then.

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
[REDACTED]

From: McAuliffe, John@CDCR
Sent: Monday, October 11, 2010 12:26 PM
To: [REDACTED] CDCR
Subject: Re:

Yes waiting for [REDACTED] to call me back. I asked that they check this AM.
John

From: [REDACTED] CDCR
To: McAuliffe, John@CDCR
Sent: Mon Oct 11 12:23:28 2010
Subject:

Hi, were you able to check on that (re Friday's email) for Scott?

Thanks,

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
[REDACTED]

From: Kernan.Scott@CDCR
To: [REDACTED]@CDCR; Duffy.Brian@CDCR
Subject: FW:
Date: Monday, October 11, 2010 2:36:41 PM

From: Kernan, Darby@CDCR
Sent: Monday, October 11, 2010 2:35:50 PM
To: Cate, Matt@CDCR; Kernan, Scott@CDCR; Rice, Benjamin@CDCR
Subject: Re:
Auto forwarded by a Rule

[REDACTED]

From: Cate, Matt@CDCR
To: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Kernan, Darby@CDCR
Sent: Mon Oct 11 14:23:00 2010
Subject: Re:

[REDACTED]

From: Kernan, Scott@CDCR
To: Rice, Benjamin@CDCR; Kernan, Darby@CDCR
Cc: Cate, Matt@CDCR
Sent: Mon Oct 11 14:07:33 2010
Subject: FW:

[REDACTED]

From: McAuliffe, John@CDCR
Sent: Monday, October 11, 2010 12:49 PM
To: Kernan, Scott@CDCR
Subject: Fw:

Scott
Link Pharm out of England.
John

[REDACTED]

From: McAuliffe, John@CDCR
To: [REDACTED]
Sent: Mon Oct 11 12:42:43 2010
Subject: Fw:

█
See emails. Scott Kernan is asking.
John

From: █ CDCR
To: McAuliffe, John@CDCR
Sent: Mon Oct 11 12:28:39 2010
Subject: RE:

Thanks. Will wait to hear then.

█
Executive Assistant to Scott Kernan
Undersecretary, Operations
█

From: McAuliffe, John@CDCR
Sent: Monday, October 11, 2010 12:26 PM
To: █ CDCR
Subject: Re:

Yes waiting for █ to call me back. I asked that they check this AM.
John

From: █ CDCR
To: McAuliffe, John@CDCR
Sent: Mon Oct 11 12:23:28 2010
Subject:

Hi, were you able to check on that (re Friday's email) for Scott?

Thanks,

█
Executive Assistant to Scott Kernan
Undersecretary, Operations
█

From: Kernan.Scott@CDCR
To: Duffy.Brian@CDCR
Subject: Fw:
Date: Wednesday, October 13, 2010 11:22:18 AM
Importance: High

Please send this to john for me. Thx

From: Gilpin, Timothy@CDCR
To: Kernan, Scott@CDCR; Lewis, Dave (Budgets)@CDCR
Sent: Wed Oct 13 08:59:19 2010
Subject: RE:

I'll be downtown after lunch for the AR meeting, I can pick it up then. Make sure we have an order number, PO number and I will then have the staff write a check for payment.

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 8:46 AM
To: Gilpin, Timothy@CDCR; Lewis, Dave (Budgets)@CDCR
Subject:

Tim,

I am getting an invoice for the purchase of drugs from England. I will need to affect payment immediately. Its going to be around 40k. How do I make this happen quick.

Scott

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]
Date: Wednesday, October 13, 2010 11:32:25 AM

From: McAuliffe, John@CDCR
Sent: Wednesday, October 13, 2010 11:32:21 AM
To: Kernan, Scott@CDCR
Subject: Fw: Importation of Thiopental by [REDACTED]
Auto forwarded by a Rule

Scott
See email concerning invoice.
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Cc: [REDACTED]
Sent: Wed Oct 13 10:19:44 2010
Subject: Re: Importation of Thiopental by [REDACTED]

Sure John. I just spoke to [REDACTED] and there will be a delay of a few days because the shipment needs to be approved by Homeland Security. This has nothing to do with his import license but is simply a post 911 security measure. According to [REDACTED] this will only take a few days so I am hopeful I can get you an invoice by Monday of next week- no later than Wednesday. [REDACTED] also is concerned about publicity; is acceptable for you to make the check payable to my attorney trust account and I'll cut the checks to all the appropriate entities. We working on it. [REDACTED]

From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>
Date: Wed, 13 Oct 2010 10:06:07 -0700
To: [REDACTED]
Subject: RE: Importation of Thiopental by [REDACTED]

[REDACTED]
Per our conversation.....Please email (PDF) an invoice for services requested from [REDACTED]. Specifically, the invoice should reflect:
Costs of 525 grams of Sodium Thiopental
Importation request to DEA
Insurance on shipment
Duty fees to Customs
Additional DEA and FDA Insurance on shipment
[REDACTED] fees ([REDACTED] fees should account for all additional costs to include shipping, attorney fees, etc...without listing them as separate)
We are also asking for the Thiopental to be shipped directly to [REDACTED] for CDCR to pick up upon arrival. [REDACTED] has

told us that the Thiopental that is being ordered will have an expiration date of May 2014. It is important that all 525 grams have that expiration date of May 2014. Thank you for your assistance in this matter.

John McAuliffe

From: [REDACTED]
Sent: Tuesday, October 12, 2010 1:39 PM
To: McAuliffe, John@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

John- see my email below [REDACTED]

--

[REDACTED]
[REDACTED]
[REDACTED]
Irvine, California [REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]
[REDACTED]

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----- Forwarded Message

From: [REDACTED]
Date: Tue, 12 Oct 2010 13:35:32 -0700
To: <John.McAuliffe@cdcr.ca.com>
Cc: [REDACTED]
Conversation: Importation of Thiopental by [REDACTED]
Subject: Importation of Thiopental by [REDACTED]

Hi John- as we discussed yesterday, I am the lawyer that represents [REDACTED] and its owner [REDACTED]. I acknowledge CDCR's request that [REDACTED] act as importer of a quantity of Thiopental. And, also as we discussed yesterday, please be advised that [REDACTED] is very interested in assisting the CDCR in this regard subject to [REDACTED] and CDCR agreeing on the terms for importation. At best I can only estimate the costs involved as follows: Cost of 525 grams of drug= \$16,590; Fee For Importation Request to DEA= \$100; Insurance on Shipment= \$3000; Shipping Fee= \$1500; Duty Fee to Customs= \$1700; Additional DEA and FDA fees= \$500; Broker Fees= \$1500; [REDACTED] Fee Including Attorney's Fees = \$12,500 for a total of \$37,390. I understand that if this proposal is acceptable the CDCR is requesting an invoice only itemizing the cost of the drug and expressing the remaining costs as included in [REDACTED] fee. Allow me to reiterate these costs are estimates. Additional costs may be incurred such as a Homeland Security fee or storage fees if the shipment is held up by Customs for any reason. [REDACTED] would reserve

the right to issue an additional invoice to CDCR for such additional costs and would refund CDCR in the event of an overpayment. We suggest that the CDCR pick up the shipment at the port of entry and that the CDCR write a letter to Customs or otherwise inform Customs of the need for these supplies. Please let me know your thoughts. [REDACTED]

--

[REDACTED]
[REDACTED]
[REDACTED]
Irvine, California [REDACTED]

Ph: 949- [REDACTED]

Fax: 949- [REDACTED]
[REDACTED]

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----- End of Forwarded Message

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]
Date: Wednesday, October 13, 2010 3:58:38 PM

From: Gilpin, Timothy@CDCR
Sent: Wednesday, October 13, 2010 3:58:34 PM
To: Kernan, Scott@CDCR
Subject: RE: Importation of Thiopental by [REDACTED]
Auto forwarded by a Rule

Then I need a vendor data record for the attorney and an invoice from him to pay along with a purchase document. Hope that is available.

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 3:03 PM
To: Gilpin, Timothy@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

So it does not look like I'll get invoice until Monday. Get it to you as soon as I get it. See note below, they want check payable to attorney to avoid publicity. Is that possible?

Scott

From: McAuliffe, John@CDCR
Sent: Wednesday, October 13, 2010 11:32 AM
To: Kernan, Scott@CDCR
Subject: Fw: Importation of Thiopental by [REDACTED]

Scott
See email concerning invoice.
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Cc: [REDACTED]
Sent: Wed Oct 13 10:19:44 2010
Subject: Re: Importation of Thiopental by [REDACTED]

Sure John. I just spoke to [REDACTED] and there will be a delay of a few days because the shipment needs to be approved by Homeland Security. This has nothing to do with his import license but is simply a post 911 security measure. According to [REDACTED] this will only take a few days so I am hopeful I can get you an invoice by Monday of next week- no later than Wednesday. [REDACTED] also is concerned about publicity; is it acceptable for you to make the check payable to my attorney trust account and I'll cut the checks to all the appropriate entities. We working on it. [REDACTED]

From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>

Date: Wed, 13 Oct 2010 10:06:07 -0700

To: [REDACTED]

Subject: RE: Importation of Thiopental by [REDACTED]

[REDACTED]
Per our conversation.....Please email (PDF) an invoice for services requested from [REDACTED]. Specifically, the invoice should reflect:

- Costs of 525 grams of Sodium Thiopental
- Importation request to DEA
- Insurance on shipment
- Duty fees to Customs
- Additional DEA and FDA Insurance on shipment

[REDACTED] fees (*fees should account for all additional costs to include shipping, attorney fees, etc...without listing them as separate*)

We are also asking for the Thiopental to be shipped directly to [REDACTED] for CDCR to pick up upon arrival. [REDACTED] has

told us that the Thiopental that is being ordered will have an expiration date of May 2014. It is important that all 525 grams have that expiration date of May 2014. Thank you for your assistance in this matter.

John McAuliffe

From: [REDACTED]

Sent: Tuesday, October 12, 2010 1:39 PM

To: McAuliffe, John@CDCR

Subject: FW: Importation of Thiopental by [REDACTED]

John- see my email below. [REDACTED]

--
[REDACTED]
[REDACTED]
[REDACTED]

Irvine, California [REDACTED]

Ph: 949-[REDACTED]

Fax: 949-[REDACTED]
[REDACTED]

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----- Forwarded Message

From: [REDACTED]

Date: Tue, 12 Oct 2010 13:35:32 -0700

To: <John.McAuliffe@cdcr.ca.com>

Cc: [REDACTED]

Conversation: Importation of Thiopental by [REDACTED]
Subject: Importation of Thiopental by [REDACTED]

Hi John- as we discussed yesterday, I am the lawyer that represents [REDACTED] and its owner [REDACTED]. I acknowledge CDCR's request that [REDACTED] act as importer of a quantity of Thiopental. And, also as we discussed yesterday, please be advised that [REDACTED] is very interested in assisting the CDCR in this regard subject to [REDACTED] and CDCR agreeing on the terms for importation. At best I can only estimate the costs involved as follows: Cost of 525 grams of drug= \$16,590; Fee For Importation Request to DEA= \$100; Insurance on Shipment= \$3000; Shipping Fee= \$1500; Duty Fee to Customs= \$1700; Additional DEA and FDA fees= \$500; Broker Fees= \$1500; [REDACTED] Fee Including Attorney's Fees = \$12,500 for a total of \$37,390. I understand that if this proposal is acceptable the CDCR is requesting an invoice only itemizing the cost of the drug and expressing the remaining costs as included in [REDACTED] fee. Allow me to reiterate these costs are estimates. Additional costs may be incurred such as a Homeland Security fee or storage fees if the shipment is held up by Customs for any reason. [REDACTED] would reserve the right to issue an additional invoice to CDCR for such additional costs and would refund CDCR in the event of an overpayment. We suggest that the CDCR pick up the shipment at the port of entry and that the CDCR write a letter to Customs or otherwise inform Customs of the need for these supplies. Please let me know your thoughts. [REDACTED]

--

[REDACTED]
[REDACTED]
[REDACTED]
Irvine, California [REDACTED]
Ph: 949- [REDACTED]
Fax: 949- [REDACTED]
[REDACTED]

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, is confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply to the sender that you have received the message in error, then delete it. Thank you.

----- End of Forwarded Message

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: [REDACTED] Invoice
Date: Monday, October 25, 2010 12:10:04 PM

From: [REDACTED]@CDCR
Sent: Monday, October 25, 2010 12:10:01 PM
To: Kernan, Scott@CDCR
Subject: RE: [REDACTED] Invoice
Auto forwarded by a Rule

k

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
[REDACTED]

From: Kernan, Scott@CDCR
Sent: Monday, October 25, 2010 12:08 PM
To: [REDACTED]@CDCR
Subject: Re: [REDACTED] Invoice

Please hit him up.

From: [REDACTED]@CDCR
To: Kernan, Scott@CDCR
Sent: Mon Oct 25 11:35:59 2010
Subject: FW: [REDACTED] Invoice

I haven't heard back from Tim on this. Should I follow-up or wait a bit?

Thanks,

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
[REDACTED]

From: [REDACTED]@CDCR
Sent: Wednesday, October 20, 2010 12:44 PM
To: Gilpin, Timothy@CDCR
Subject: [REDACTED] Invoice

Hi, Scott would like confirmation of payment.

Thanks,

[REDACTED]

Executive Assistant to Scott Kernan
Undersecretary, Operations

[REDACTED]

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: [REDACTED] Invoice
Date: Tuesday, October 26, 2010 12:45:33 PM

From: [REDACTED]@CDCR
Sent: Tuesday, October 26, 2010 12:45:30 PM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR; Gilpin, Timothy@CDCR; Kernan, Scott@CDCR
Subject: RE: [REDACTED] Invoice
Auto forwarded by a Rule

Hi, what is the status please?

Thanks,

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
[REDACTED]

From: Gilpin, Timothy@CDCR
Sent: Monday, October 25, 2010 12:29 PM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR; [REDACTED]@CDCR
Subject: Fw: [REDACTED] Invoice

[REDACTED] please provide status

From: [REDACTED]@CDCR
To: Gilpin, Timothy@CDCR
Sent: Mon Oct 25 12:10:53 2010
Subject: FW: [REDACTED] Invoice

Hi, anything on this yet?

Thanks,

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
[REDACTED]

From: [REDACTED]@CDCR
Sent: Wednesday, October 20, 2010 12:44 PM
To: Gilpin, Timothy@CDCR

Subject: [REDACTED] Invoice

Hi, Scott would like confirmation of payment.

Thanks,

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
[REDACTED]

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: [REDACTED] Invoice
Date: Thursday, October 28, 2010 10:39:58 AM
Attachments: [REDACTED].Invoice0001.pdf

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 10:39:31 AM
To: Kernan, Scott@CDCR
Subject: FW: [REDACTED] Invoice
Auto forwarded by a Rule

fyi

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
[REDACTED]

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 10:27 AM
To: Pereira, Tammy@CDCR
Cc: [REDACTED]@CDCR
Subject: RE: [REDACTED] Invoice

Thank you. Please advise [REDACTED] when payment has been processed.

[REDACTED]
Accounting Services
Department of Corrections and Rehabilitation
Tel: [REDACTED]
Fax: [REDACTED]
Cell: [REDACTED]
[REDACTED]@cdcr.ca.gov

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 10:07 AM
To: [REDACTED]@CDCR
Subject: RE: [REDACTED] Invoice

[REDACTED] is calling San Quentin for authority to pay. We do not have an S & E for this vendor for San Quentin but the invoice belongs in our unit.

[REDACTED]

From: [REDACTED] CDCR
Sent: Thursday, October 28, 2010 7:53 AM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR
Subject: FW: [REDACTED] Invoice

[REDACTED]

Is this Section B's? If so, we'll need to process. Let me know. Thank you.

[REDACTED]

Accounting Services
Department of Corrections and Rehabilitation
Tel: [REDACTED]
Fax: [REDACTED]
Cell: [REDACTED]
[REDACTED] cdcr.ca.gov

From: [REDACTED]@CDCR
Sent: Wednesday, October 27, 2010 10:28 AM
To: [REDACTED] CDCR
Subject: FW: [REDACTED] Invoice

[REDACTED]

The invoice in question has not been received in accounting for payment. FYI All the other prior invoices are in the 700 thousand dollars.
I don't see a contract number on the invoice. I wonder if it belongs to Sacramento accounting Office.
The invoice is referencing San Quentin. Let me know if you need something else. I will be out of the office until 1:00pm. Thanks.

[REDACTED]
Phone (916) [REDACTED]

From: [REDACTED] CDCR
Sent: Monday, October 25, 2010 12:57 PM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR; [REDACTED]@CDCR
Subject: FW: [REDACTED] Invoice

[REDACTED]

Was this processed?

[REDACTED]

[REDACTED]
Accounting Services

Department of Corrections and Rehabilitation

Tel: [REDACTED]

Fax: [REDACTED]

Cell: [REDACTED]

[REDACTED] cdcr.ca.gov

From: [REDACTED]@CDCR
Sent: Monday, October 25, 2010 12:49 PM
To: [REDACTED] CDCR
Subject: FW: [REDACTED] Invoice

[REDACTED]
You're right, this yours (San Quentin).

[REDACTED]
Accounting Services- CDCR

[REDACTED] cdcr.ca.gov

(916) [REDACTED]

From: Gilpin, Timothy@CDCR
Sent: Monday, October 25, 2010 12:29 PM
To: [REDACTED]@CDCR
Cc: [REDACTED] CDCR; [REDACTED] CDCR
Subject: Fw: [REDACTED] nvoice

[REDACTED] please provide status

From: [REDACTED] CDCR
To: Gilpin, Timothy@CDCR
Sent: Mon Oct 25 12:10:53 2010
Subject: FW: [REDACTED] Invoice

Hi, anything on this yet?

Thanks,

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
[REDACTED]

From: [REDACTED] CDCR
Sent: Wednesday, October 20, 2010 12:44 PM
To: Gilpin, Timothy@CDCR

Subject: [REDACTED] Invoice

Hi, Scott would like confirmation of payment.

Thanks,

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
[REDACTED]

AMARILLO, TX

[Redacted]

To:
CDCR-Scott Kernan
Undersecretary
1515 S Street, Suite 502S
Sacramento, CA 95811-7243

Ship To:
Neumiller Infirmary Pharmacy
California State Prison, San Quentin
San Quentin, CA 94964
Attn: Warden Vincent Cullen

Statement Balance as of 9/30/2010
CDCR

TOTAL DUE: \$1,121.60
AMOUNT OF PAYMENT:

CREDIT CARD # _____ EXPIRATION DATE ____ / ____
SIGNATURE _____

* Detach and send this portion with payment *

MerxCP6

STATEMENT BALANCE AS OF 9/30/2010

CDCR-Scott Kernan
Undersecretary
1515 S Street, Suite 502S
Sacramento, CA 95811-7243

PREVIOUS BALANCE \$0.00
TOTAL CHARGES \$1,121.60
PAYMENTS RECEIVED (\$0.00)
TOTAL DUE \$1,121.60

1533973 PHARMACY SALES 09/01/2010 \$1,121.60

Wire Instructions:

Bank Name:
Routing #:
Account #:
Account Name:

[Redacted]

Thank you for your business!

10/7/2010 3:31:43 PM

From: Kernan, Scott@CDCR
To: [REDACTED] CDCR; Duffv, Brian@CDCR
Subject: FW: [REDACTED]
Date: Thursday, October 28, 2010 2:11:39 PM
Attachments: [REDACTED].Invoice0001.pdf
Sensitivity: Confidential

From: [REDACTED] CDCR
Sent: Thursday, October 28, 2010 2:11:19 PM
To: Kernan, Scott@CDCR
Subject: [REDACTED]
Sensitivity: Confidential
Auto forwarded by a Rule

Scott,

Go ahead and approve via this e-mail. We'll process this payment ASAP.

On the other invoice, we will need a Purchase Order. I believe Tim Gilpin has discussed this with someone in your office. If your staff needs specifics on setting that up, that can work with [REDACTED] in OBS.

Let me know if you need anything else.

- [REDACTED]

[REDACTED]
Accounting Services
Department of Corrections and Rehabilitation
Tel: [REDACTED]
Fax: [REDACTED]
Cell: [REDACTED]
[REDACTED] cdcr.ca.gov

From: Kernan, Scott@CDCR
To: [REDACTED] CDCR; Duffy, Brian@CDCR
Subject: FW: [REDACTED]
Date: Thursday, October 28, 2010 2:42:26 PM
Sensitivity: Confidential

From: [REDACTED] CDCR
Sent: Thursday, October 28, 2010 2:39:40 PM
To: Kernan, Scott@CDCR
Subject: RE: [REDACTED]
Sensitivity: Confidential
Auto forwarded by a Rule

Thank you.

[REDACTED]
Accounting Services
Department of Corrections and Rehabilitation
Tel: [REDACTED]
Fax: [REDACTED]
Cell: [REDACTED]
[REDACTED] cdcr.ca.gov

From: Kernan, Scott@CDCR
Sent: Thursday, October 28, 2010 2:13 PM
To: [REDACTED] CDCR
Subject: Re: [REDACTED]
Sensitivity: Confidential

[REDACTED]
Yes. I approve this purchase and confirm we received the product. Thank you
Scott

From: [REDACTED] CDCR
To: Kernan, Scott@CDCR
Sent: Thu Oct 28 14:11:19 2010
Subject: [REDACTED]

Scott,

Go ahead and approve via this e-mail. We'll process this payment ASAP.

On the other invoice, we will need a Purchase Order. I believe Tim Gilpin has discussed this with someone in your office. If your staff needs specifics on setting that up, that can work

with [REDACTED] in OBS.

Let me know if you need anything else.

- [REDACTED]

[REDACTED]

Accounting Services

Department of Corrections and Rehabilitation

Tel: [REDACTED]

Fax: [REDACTED]

Cell: [REDACTED]

[REDACTED] cdcr.ca.gov

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: NCB
Date: Friday, October 29, 2010 12:50:16 PM
Attachments: [NCBJustification.doc](#)

From: Alston, Steve M@CDCR
Sent: Friday, October 29, 2010 12:50:13 PM
To: Kernan, Scott@CDCR
Cc: Morgan, Brett@CDCR
Subject: NCB
Auto forwarded by a Rule

Scott,

Per our conversation, please find attached the NCB template to be used for the goods discussed.
We will be happy to work with you and your team to process this request.

Steve

For PD Use only
NCB #:

NON-COMPETITIVELY BID (NCB) CONTRACT JUSTIFICATION

For use on all information technology (IT) and non-IT goods and services acquisitions.
Attach to Std. 65, Std. 66 or Std. 821, as applicable.

This justification document consists of two (2) pages. All information must be provided and all questions must be answered. The "Required Approvals" section must include a date for each signature, as appropriate for the transaction.

Requesting Department Information			
Agency:	Department:		
	(*Includes Boards, Commissions, and Associations)		
Institution (if applicable):			
Department Contact Information			
Contact Name:	Street Address:		
Telephone: ()	Mailing Address:		
FAX: ()			
E-Mail:			
Required Contract Information			
Contractor Name:			
Contractor Address:			
Original Contract Amount:* \$ (*Includes original contract and previously approved amendments)	Amendment Amount:* (if applicable) \$ (*Current amendment only)	New Contract Amount: * \$ (*Includes original contract and all amendments, including current amendment)	Has work commenced? <input type="checkbox"/> Yes <input type="checkbox"/> No Have goods been acquired? <input type="checkbox"/> Yes <input type="checkbox"/> No Attach explanations for any "Yes" answers.
Provide a brief description of the acquisition, including all goods and/or services the contractor will provide:			
Contract Type and Term			
Contract Type: Select One: <input type="checkbox"/> Non-IT Goods <input type="checkbox"/> Non-IT Service <input type="checkbox"/> IT Goods <input type="checkbox"/> IT Service <input type="checkbox"/> IT Goods & Services	Contract Term: Begin: _____ End: _____ Explain late contract submittal (services only):	Type of Award: CMAS: _____ Master: _____ Competitive: _____ Form 42: _____	Will this transaction be financed? No _____ Yes _____ If yes, attach the Statement of Compliance to the State Financial Marketplace to this form
Required Approvals			
Department <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Agency <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Dept. of General Services <input type="checkbox"/> Approved <input type="checkbox"/> Denied	
_____ Signature of Director or Designee/Date	_____ Signature of Agency Secretary or Designee/Date	_____ Signature of Director or Designee/Date	
_____ Type Name of Director or see Instructions	<u>Mary S. Fernandez, Undersecretary, Administration</u> Type Name of Agency Secretary	_____ Type Name of Director or Designee	

Remit completed form to:

Procurement Division
One-Time Acquisitions
707 Third Street, 2nd Floor, MS: 201
West Sacramento, CA 95605

Signature Instructions for Agencies with an Agency Secretary

This form requires approval by Agency Secretary or Agency Undersecretary or Designee **and** the Director or Chief Deputy. The typed name and signature must match. The Agency Secretary may designate one person, in addition to Agency Undersecretary, to sign on his/her behalf, of cabinet officer level (e.g., Assistant Undersecretary, Deputy Secretary, etc., the actual title is dependent upon the Agency's organizational structure).

Signature Instructions for Agencies that do not have an Agency Secretary

This form requires approval by the highest ranking executive officer or designee. The typed name and signature must match. The highest ranking officer may designate one person to sign on his/her behalf subject to DGS approval.

Complete responses must be provided for all of the following items.

A. THE GOOD/SERVICE REQUESTED IS RESTRICTED TO ONE SUPPLIER FOR THE REASONS STATED BELOW:

1. **Why is the acquisition restricted to this good/service/supplier?**
(Explain why the acquisition cannot be competitively bid. Explain if this is an emergency purchase or how the supplier is the only source for the acquisition and reference the PCC that applies, i.e., 12102, 10301/10302, or 10340.)

2. **Provide the background of events leading to this acquisition.**

3. **Describe the uniqueness of the acquisition (why was the good/service/supplier chosen?)**

4. **What are the consequences of not purchasing the good/service or contracting with the proposed supplier?**

5. **What market research was conducted to substantiate no competition, including evaluation of other items considered?**
(Provide a narrative of your efforts to identify other similar or appropriate goods/services, including a summary of how the department concluded that such alternatives are either inappropriate or unavailable. The names and addresses of suppliers contacted and the reasons for not considering them must be included OR an explanation of why the survey or effort to identify other goods/services was not performed.)

B. PRICE ANALYSIS

1. **How was the price offered determined to be fair and reasonable?**
(Explain what the basis was for comparison and include cost analyses as applicable.)

2. **Describe any cost savings realized or costs avoided by acquiring the goods/services from this supplier**

Non-Competitively Bid (NCB) Contract Justification Corrective Action Plan

This section must be completed for any NCB that could have been competitively bid but was not due to insufficient time to complete the competitive acquisition process. This does not apply to emergency procurements in accordance with PCC Sections 10302, 10340(b)(1) and 12102(a)(2).

Complete responses must be provided for all of the following questions:

1. Why is the submission of a NCB necessary and what are the determining factors that caused the problem?

Explain why your department has not conducted a competitive bid. Provide the background of events (timeline) leading to the submission of this NCB. Identify any critical time delays or issues that prevented your department from completing this acquisition using a competitive process (i.e., budget, approvals, and/or appropriate analysis).

2. What are the consequences of not having this NCB approved?

Describe in detail the impact to the department and to the program(s) if the NCB is not approved.

3. How will your department ensure adequate planning to prevent submittal of NCB's for goods or services that should have been competitively bid?

Provide a detailed plan of your department's efforts to improve your acquisition planning to maximize the use of competition to meet your needs. This plan must include how the department will provide for a tracking system to ensure timely review of upcoming requirements. Departments acknowledge that submission of a corrective action plan is the basis for how the department will provide for sufficient time to use competition in the acquisition process. Failure to follow the Corrective Action Plan may result in the loss of your department's delegated procurement authority. This plan must be kept on file for future auditing purposes.

From: [Duffy, Brian@CDCR](mailto:Duffy.Brian@CDCR)
To: McAuliffe, John@CDCR
Subject: FW: NCB
Date: Tuesday, November 02, 2010 4:59:00 PM
Attachments: [NCBJustification.doc](#)

John,

Did you receive this? We need to fill this out and submit as soon as possible to make the purchase. I thought I sent this to you last week, but maybe not.

If you have questions, please call me.

Brian

Brian Duffy
Special Assistant to the Undersecretary, Operations
California Department of Corrections and Rehabilitation

Cell [REDACTED]

From: Kernan, Scott@CDCR
Sent: Friday, October 29, 2010 12:50 PM
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: NCB

From: Alston, Steve M@CDCR
Sent: Friday, October 29, 2010 12:50:13 PM
To: Kernan, Scott@CDCR
Cc: Morgan, Brett@CDCR
Subject: NCB
Auto forwarded by a Rule

Scott,

Per our conversation, please find attached the NCB template to be used for the goods discussed. We will be happy to work with you and your team to process this request.

Steve

For PD Use only
NCB #:

NON-COMPETITIVELY BID (NCB) CONTRACT JUSTIFICATION

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Attach to Std. 65, Std. 66 or Std. 821, as applicable.

This justification document consists of two (2) pages. All information must be provided and all questions must be answered. The "Required Approvals" section must include a date for each signature, as appropriate for the transaction.

Requesting Department Information			
Agency:	Department:		
	(*Includes Boards, Commissions, and Associations)		
Institution (if applicable):			
Department Contact Information			
Contact Name:	Street Address:		
Telephone: ()			
FAX: ()	Mailing Address:		
E-Mail:			
Required Contract Information			
Contractor Name:			
Contractor Address:			
Original Contract Amount:* \$ (*Includes original contract and previously approved amendments)	Amendment Amount:* (if applicable) \$ (*Current amendment only)	New Contract Amount: * \$ (*Includes original contract and all amendments, including current amendment)	Has work commenced? <input type="checkbox"/> Yes <input type="checkbox"/> No Have goods been acquired? <input type="checkbox"/> Yes <input type="checkbox"/> No Attach explanations for any "Yes" answers.
Provide a brief description of the acquisition, including all goods and/or services the contractor will provide:			
Contract Type and Term			
Contract Type: Select One: <input type="checkbox"/> Non-IT Goods <input type="checkbox"/> Non-IT Service <input type="checkbox"/> IT Goods <input type="checkbox"/> IT Service <input type="checkbox"/> IT Goods & Services	Contract Term: Begin: _____ End: _____ Explain late contract submittal (services only):	Type of Award: CMAS: _____ Master: _____ Competitive: _____ Form 42: _____	Will this transaction be financed? No _____ Yes _____ If yes, attach the Statement of Compliance to the State Financial Marketplace to this form
Required Approvals			
Department <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Agency <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Dept. of General Services <input type="checkbox"/> Approved <input type="checkbox"/> Denied	
_____ Signature of Director or Designee/Date	_____ Signature of Agency Secretary or Designee/Date	_____ Signature of Director or Designee/Date	
_____ Type Name of Director or see Instructions	<u>Mary S. Fernandez, Undersecretary, Administration</u> Type Name of Agency Secretary	_____ Type Name of Director or Designee	

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One-Time Acquisitions
707 Third Street, 2nd Floor, MS: 201
West Sacramento, CA 95605

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(Explain why the acquisition cannot be competitively bid. Explain if this is an emergency purchase or how the supplier is the only source for the acquisition and reference the PCC that applies, i.e., 12102, 10301/10302, or 10340.)

- 2. Provide the background of events leading to this acquisition.**

- 3. Describe the uniqueness of the acquisition (why was the good/service/supplier chosen?)**

- 4. What are the consequences of not purchasing the good/service or contracting with the proposed supplier?**

- 5. What market research was conducted to substantiate no competition, including evaluation of other items considered?**
(Provide a narrative of your efforts to identify other similar or appropriate goods/services, including a summary of how the department concluded that such alternatives are either inappropriate or unavailable. The names and addresses of suppliers contacted and the reasons for not considering them must be included OR an explanation of why the survey or effort to identify other goods/services was not performed.)

B. PRICE ANALYSIS

- 1. How was the price offered determined to be fair and reasonable?**
(Explain what the basis was for comparison and include cost analyses as applicable.)

- 2. Describe any cost savings realized or costs avoided by acquiring the goods/services from this supplier**

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Complete responses must be provided for all of the following questions:

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Explain why your department has not conducted a competitive bid. Provide the background of events (timeline) leading to the submission of this NCB. Identify any critical time delays or issues that prevented your department from completing this acquisition using a competitive process (i.e., budget, approvals, and/or appropriate analysis).

2. What are the consequences of not having this NCB approved?

Describe in detail the impact to the department and to the program(s) if the NCB is not approved.

3. How will your department ensure adequate planning to prevent submittal of NCB's for goods or services that should have been competitively bid?

Provide a detailed plan of your department's efforts to improve your acquisition planning to maximize the use of competition to meet your needs. This plan must include how the department will provide for a tracking system to ensure timely review of upcoming requirements. Departments acknowledge that submission of a corrective action plan is the basis for how the department will provide for sufficient time to use competition in the acquisition process. Failure to follow the Corrective Action Plan may result in the loss of your department's delegated procurement authority. This plan must be kept on file for future auditing purposes.

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Talked with Stephen on NCB
Date: Tuesday, November 02, 2010 5:29:22 PM

From: Rice, Benjamin@CDCR
Sent: Tuesday, November 02, 2010 5:29:19 PM
To: Kernan, Scott@CDCR
Subject: Talked with Stephen on NCB
Auto forwarded by a Rule

He will help us out- walk it over - get it signed, etc.

From: [REDACTED] CDCR
To: Duffy, Brian@CDCR
Subject: Emailing: STD204%20Payee%20Data%20Record
Date: Monday, November 08, 2010 8:58:47 AM

Brian,

This form must be completed by [REDACTED] I'll contact the vendor too.

[REDACTED]
Accounting Services

(916) [REDACTED]

The message is ready to be sent with the following file or link attachments:

Shortcut to:

<http://bisportal.cdcr.ca.gov/irj/go/km/docs/documents/CDCR/HomeLinks/Forms/STD204%20Payee%20Data%20Record.pdf>

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

From: [REDACTED] CDCR
To: Duffy, Brian@CDCR
Subject: RE: Emailing: STD204%20Payee%20Data%20Record
Date: Monday, November 08, 2010 9:28:22 AM

I contacted [REDACTED] and fax the form to him. They will complete and return today. Should have a check out today or tomorrow to them..

[REDACTED]
Accounting Services
[REDACTED]
(916) [REDACTED]

-----Original Message-----

From: Duffy, Brian@CDCR
Sent: Monday, November 08, 2010 9:21 AM
To: [REDACTED] CDCR
Subject: RE: Emailing: STD204%20Payee%20Data%20Record

[REDACTED]
I cannot open that website. Is it possible to get a copy of the form on PDF to send?

Thanks,

Brian

Brian Duffy
Special Assistant to the Undersecretary, Operations California Department of Corrections and Rehabilitation
[REDACTED]

-----Original Message-----

From: [REDACTED] CDCR
Sent: Monday, November 08, 2010 8:59 AM
To: Duffy, Brian@CDCR
Subject: Emailing: STD204%20Payee%20Data%20Record

Brian,

This form must be completed by [REDACTED] I'll contact the vendor too.

[REDACTED]
Accounting Services
[REDACTED]
(916) [REDACTED]

The message is ready to be sent with the following file or link attachments:

Shortcut to:
<http://bisportal.cdcr.ca.gov/irj/go/km/docs/documents/CDCR/HomeLinks/Forms/STD204%20Payee%20Data%20Record.pdf>

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

From: [REDACTED] CDCR
To: [Duffy, Brian@CDCR](mailto:Duffy.Brian@CDCR)
Cc: [Giloin, Timothy@CDCR](mailto:Giloin.Timothy@CDCR)
Subject: FW: Emailing: STD204%20Payee%20Data%20Record
Date: Monday, November 08, 2010 11:21:32 AM

FYI, received STD 204 from the vendor, will establish in SAP and pay invoice by ORF today. Let me know if you have any questions.

[REDACTED]
Accounting Services
[REDACTED]
(916) [REDACTED]

-----Original Message-----

From: [REDACTED] CDCR
Sent: Monday, November 08, 2010 9:28 AM
To: Duffy, Brian@CDCR
Subject: RE: Emailing: STD204%20Payee%20Data%20Record

I contacted [REDACTED] and fax the form to him. They will complete and return today. Should have a check out today or tomorrow to them..

[REDACTED]
Accounting Services
[REDACTED]
(916) [REDACTED]

-----Original Message-----

From: Duffy, Brian@CDCR
Sent: Monday, November 08, 2010 9:21 AM
To: [REDACTED] CDCR
Subject: RE: Emailing: STD204%20Payee%20Data%20Record

[REDACTED]
I cannot open that website. Is it possible to get a copy of the form on PDF to send?

Thanks,

Brian

Brian Duffy
Special Assistant to the Undersecretary, Operations California Department of Corrections and Rehabilitation
[REDACTED]

-----Original Message-----

From: [REDACTED] CDCR
Sent: Monday, November 08, 2010 8:59 AM
To: Duffy, Brian@CDCR
Subject: Emailing: STD204%20Payee%20Data%20Record

Brian,

This form must be completed by [REDACTED] I'll contact the vendor too.

[REDACTED]
Accounting Services
[REDACTED]

The message is ready to be sent with the following file or link attachments:

Shortcut to:

<http://bisportal.cdcr.ca.gov/irj/go/km/docs/documents/CDCR/HomeLinks/Forms/STD204%20Payee%20Data%20Record.pdf>

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

From: Kernan, Scott@CDCR
To: [REDACTED]_DCR; Duffy, Brian@CDCR
Subject: FW: Emailing: STD204%20Payee%20Data%20Record
Date: Monday, November 08, 2010 11:32:53 AM

From: Duffy, Brian@CDCR
Sent: Monday, November 08, 2010 11:32:50 AM
To: Kernan, Scott@CDCR; McAuliffe, John@CDCR
Subject: FW: Emailing: STD204%20Payee%20Data%20Record
Auto forwarded by a Rule

FYI.

-----Original Message-----
From: [REDACTED] CDCR
Sent: Monday, November 08, 2010 11:21 AM
To: Duffy, Brian@CDCR
Cc: Gilpin, Timothy@CDCR
Subject: FW: Emailing: STD204%20Payee%20Data%20Record

FYI, received STD 204 from the vendor, will establish in SAP and pay invoice by ORF today. Let me know if you have any questions.

[REDACTED]
Accounting Services
[REDACTED]
(916) [REDACTED]

-----Original Message-----
From: [REDACTED] CDCR
Sent: Monday, November 08, 2010 9:28 AM
To: Duffy, Brian@CDCR
Subject: RE: Emailing: STD204%20Payee%20Data%20Record

I contacted [REDACTED] and fax the form to him. They will complete and return today. Should have a check out today or tomorrow to them..

[REDACTED]
Accounting Services
[REDACTED]
(916) [REDACTED]

-----Original Message-----
From: Duffy, Brian@CDCR
Sent: Monday, November 08, 2010 9:21 AM
To: [REDACTED] CDCR
Subject: RE: Emailing: STD204%20Payee%20Data%20Record

[REDACTED]

I cannot open that website. Is it possible to get a copy of the form on PDF to send?

Thanks,

Brian

Brian Duffy
Special Assistant to the Undersecretary, Operations California Department of Corrections and Rehabilitation
[REDACTED]

-----Original Message-----

From: [REDACTED] CDCR
Sent: Monday, November 08, 2010 8:59 AM
To: Duffy, Brian@CDCR
Subject: Emailing: STD204%20Payee%20Data%20Record

Brian,

This form must be completed by [REDACTED] I'll contact the vendor too.

[REDACTED]
Accounting Services

[REDACTED]
(916) [REDACTED]

The message is ready to be sent with the following file or link attachments:

Shortcut to:

<http://bisportal.cdc.ca.gov/irj/go/km/docs/documents/CDCR/Homelinks/Forms/STD204%20Payee%20Data%20Record.pdf>

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

From: [Lewis.Dave\(Budgets\)@CDCR](mailto:Lewis.Dave(Budgets)@CDCR)
To: Duffy.Brian@CDCR
Subject: FW: Drugs
Date: Tuesday, November 09, 2010 2:21:57 PM

-----Original Message-----

From: Gilpin, Timothy@CDCR
Sent: Tuesday, November 09, 2010 2:17 PM
To: Lewis, Dave (Budgets)@CDCR
Subject: Drugs

Check today for \$36,415

From: [McAuliffe, John@CDCR](mailto:McAuliffe,John@CDCR)
To: Duffy, Brian@CDCR
Subject: Re: Any Word?
Date: Wednesday, November 10, 2010 5:16:25 PM

Brian

Not yet but since Thursday is a holiday I am hoping Friday. I will call [REDACTED] Friday morning. He has told me everything is set and in motion with our order to include Customs, FDA, and DEA.
John

From: Duffy, Brian@CDCR
Sent: Wednesday, November 10, 2010 03:34 PM
To: McAuliffe, John@CDCR
Subject: Any Word?

Hi John,

Have you heard anything about when the order may be filled?

Thanks,

Brian

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Any Word?
Date: Wednesday, November 10, 2010 5:16:59 PM

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 5:16:57 PM
To: Kernan, Scott@CDCR
Subject: Fw: Any Word?
Auto forwarded by a Rule

FYI

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 05:16 PM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

Brian

Not yet but since Thursday is a holiday I am hoping Friday. I will call [REDACTED] Friday morning. He has told me everything is set and in motion with our order to include Customs, FDA, and DEA.
John

From: Duffy, Brian@CDCR
Sent: Wednesday, November 10, 2010 03:34 PM
To: McAuliffe, John@CDCR
Subject: Any Word?

Hi John,

Have you heard anything about when the order may be filled?

Thanks,

Brian

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Any Word?
Date: Friday, November 12, 2010 9:40:04 AM

From: Duffy, Brian@CDCR
Sent: Friday, November 12, 2010 9:40:02 AM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Subject: RE: Any Word?
Auto forwarded by a Rule

Hi John,

Sorry to push, but when you hear something, please let me know. Scott is on vacation, but I'm keeping him updated.

Thanks,

Brian

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 5:16 PM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

Brian

Not yet but since Thursday is a holiday I am hoping Friday. I will call [REDACTED] Friday morning. He has told me everything is set and in motion with our order to include Customs, FDA, and DEA.
John

From: Duffy, Brian@CDCR
Sent: Wednesday, November 10, 2010 03:34 PM
To: McAuliffe, John@CDCR
Subject: Any Word?

Hi John,

Have you heard anything about when the order may be filled?

Thanks,

Brian

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Any Word?
Date: Tuesday, November 16, 2010 9:05:48 AM

From: Duffy, Brian@CDCR
Sent: Tuesday, November 16, 2010 9:04:04 AM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Subject: RE: Any Word?
Auto forwarded by a Rule

Morning John,

Just checking in to see if you have heard anything.

Thanks,

Brian

Brian Duffy
Special Assistant to the Undersecretary, Operations
California Department of Corrections and Rehabilitation
[REDACTED]

From: McAuliffe, John@CDCR
Sent: Friday, November 12, 2010 9:44 AM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

No problem
John

From: Duffy, Brian@CDCR
Sent: Friday, November 12, 2010 09:40 AM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Subject: RE: Any Word?

Hi John,

Sorry to push, but when you hear something, please let me know. Scott is on vacation, but I'm keeping him updated.

Thanks,

Brian

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 5:16 PM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

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Not yet but since Thursday is a holiday I am hoping Friday. I will call [REDACTED] Friday morning. He has told me everything is set and in motion with our order to include Customs, FDA, and DEA.
John

From: Duffy, Brian@CDCR
Sent: Wednesday, November 10, 2010 03:34 PM
To: McAuliffe, John@CDCR
Subject: Any Word?

Hi John,

Have you heard anything about when the order may be filled?

Thanks,

Brian

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Update
Date: Friday, November 19, 2010 10:20:08 AM

From: Duffy, Brian@CDCR
Sent: Friday, November 19, 2010 10:18:58 AM
To: Kernan, Scott@CDCR
Subject: Update
Auto forwarded by a Rule

I just got an update on the shipping. Appears will be sent to customs on Monday. Everything is a go, unable to get an exact delivery date, but hopeful by December 1.

From: Kernan, Scott@CDCR
To: [REDACTED] CDCR; Duffy, Brian@CDCR
Subject: FW: Confidential: [REDACTED] credit card payment request
Date: Friday, November 19, 2010 12:06:31 PM
Attachments: [REDACTED] Invoice0001.pdf
Sensitivity: Confidential

From: Amos, Stephen@CDCR
Sent: Friday, November 19, 2010 12:06:19 PM
To: Morgan, Brett@CDCR; Kernan, Scott@CDCR
Cc: [REDACTED]@CDCR
Subject: Confidential: [REDACTED] - credit card payment request
Sensitivity: Confidential
Auto forwarded by a Rule

Brett and Scott,

I am working with [REDACTED] to discretely address this issue as indicated below. We have a compounded problem of the Cal Cards being turned off. I should have addressed this particular issue early next week.

Stephen

From: [REDACTED] CDCR
Sent: Friday, November 19, 2010 11:35 AM
To: Amos, Stephen@CDCR
Subject: FW: [REDACTED] - credit card payment request
Sensitivity: Confidential

Stephen,

Called the vendor. All they want is a copy of the attached invoice to see what office/account they need to apply the credit. I'm going to forward this invoice to [REDACTED] so she can assist in processing the payment. Once the office/account is identified, there should be no problem with payment via Cal Card. Let me know if you have issues with this plan.

[REDACTED]

[REDACTED]

Accounting Services

Department of Corrections and Rehabilitation

Tel: [REDACTED]

Fax: [REDACTED]

Cell: [REDACTED]

[REDACTED] cdcr.ca.gov

From: [REDACTED] CDCR
Sent: Friday, October 29, 2010 1:47 PM
To: [REDACTED]@CDCR
Cc: [REDACTED] CDCR
Subject: FW: [REDACTED] - credit card payment request
Sensitivity: Confidential

[REDACTED]

Per our conversation this morning, please pay the attached invoice via Cal Card as soon as possible. According to OBS, your's and [REDACTED] cards have been activated. Please have the vendor send (i.e., scan) you the receipt for your/my records - I just want to make sure the invoice has been paid. Once you get your card holder statement, you would process as usual to Accounting. According to Scott, this expense will be paid out of the Secretary's budget.

Let me know if you have any question.

Thank you, [REDACTED]

[REDACTED]

Accounting Services
Department of Corrections and Rehabilitation
Tel: [REDACTED]
Fax: [REDACTED]
Cell: [REDACTED]
[REDACTED] cdcrcr.ca.gov

From: Kernan, Scott@CDCR
Sent: Thursday, October 28, 2010 2:13 PM
To: [REDACTED] CDCR
Subject: Re: [REDACTED]
Sensitivity: Confidential

[REDACTED]

Yes. I approve this purchase and confirm we received the product. Thank you
Scott

From: [REDACTED] CDCR
To: Kernan, Scott@CDCR
Sent: Thu Oct 28 14:11:19 2010
Subject: [REDACTED]

Scott,

Go ahead and approve via this e-mail. We'll process this payment ASAP.

On the other invoice, we will need a Purchase Order. I believe Tim Gilpin has discussed this with someone in your office. If your staff needs specifics on setting that up, that can work with [REDACTED] in OBS.

Let me know if you need anything else.

- [REDACTED]

[REDACTED]

Accounting Services

Department of Corrections and Rehabilitation

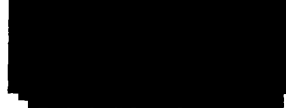
Tel: [REDACTED]

Fax: [REDACTED]

Cell: [REDACTED]

[REDACTED] cdcr.ca.gov

AMARILLO, TX



Bill To:
CDCR-Scott Kernan
Undersecretary
1515 S Street, Suite 502S
Sacramento, CA 95811-7243

Ship To:
Neumiller Infirmary Pharmacy
California State Prison, San Quentin
San Quentin, CA 94964
Attn: Warden Vincent Cullen

Statement Balance as of 9/30/2010
CDCR

TOTAL DUE: \$1,121.60
AMOUNT OF PAYMENT:

CREDIT CARD # _____ EXPIRATION DATE ____ / ____
SIGNATURE _____

* Detach and send this portion with payment *

MHWCPs

STATEMENT BALANCE AS OF 9/30/2010

CDCR-Scott Kernan
Undersecretary
1515 S Street, Suite 502S
Sacramento, CA 95811-7243

PREVIOUS BALANCE \$0.00
TOTAL CHARGES \$1,121.60
PAYMENTS RECEIVED (\$0.00)
TOTAL DUE \$1,121.60

1533973	PHARMACY SALES	09/01/2010	\$1,121.60
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Wire Instructions:

Bank Name:
Routing #:
Account #:
Account Name:



Thank you for your business!

10/7/2010 3:31:43 PM

From: Kernan.Scott@CDCR
To: Cate.Matt@CDCR; Rice.Benjamin@CDCR
Subject: Fw: FYI
Date: Tuesday, November 09, 2010 6:30:26 AM

Fyi
Scott

From: [REDACTED]
Sent: Tuesday, November 09, 2010 04:21 AM
To: Kernan, Scott@CDCR
Subject: FYI

Okla. Seeks Court Permission for New Execution Drug

Published November 09, 2010 | The Wall Street Journal

Oklahoma is preparing to argue in court next week that a drug used to euthanize animals can also be used to execute death row inmates amid a nationwide shortage of an anesthetic used in executions.

It is one of a number of states scrambling to find the drugs needed to perform capital punishment due to a shortage of thiopental sodium, the only anesthetic that states have so far used in lethal injections, according to lawyers.

States tend to adopt the death-row methods used by other states, so the Oklahoma court decision could have an impact elsewhere in the U.S.

Hospira Inc., the sole U.S. maker of thiopental, announced this summer that it had ceased production of the drug until 2011, citing a shortage in one of thiopental's raw ingredients.

Oklahoma, which is scheduled to execute John David Duty on Dec. 16, has said that veterinarians regard pentobarbital, which it is proposing as a substitute anesthetic for death row inmates, "as an ideal anesthetic agent for humane euthanasia in animals," that is "substantially" similar to thiopental, according to a court filing last month.

If approved, pentobarbital could be a new standard for lethal injections.

[Click here to read more on this story from the Wall Street Journal.](#)



From: Kernan.Scott@CDCR
Subject: Re: Boomer Sooner
Date: Thursday, October 28, 2010 6:41:21 AM

Thank you. Good news for us I think.
Scott

From: [REDACTED]
To: Kernan, Scott@CDCR
Cc: [REDACTED]
Sent: Wed Oct 27 10:23:27 2010
Subject: Boomer Sooner

Hi Scott: I know you have already seen this but if not, wanted to share...very interesting.

Arizona's Jeffrey Landrigan executed despite concerns drugs not FDA-approved: Supreme Court gives OK

BY [Aliyah Shahid](#)
DAILY NEWS STAFF WRITER

Wednesday, October 27th 2010, 7:37 AM

The state of [Arizona](#) executed a convicted murderer on Tuesday night despite objections from attorneys that the state would use a non-approved drug from overseas for the lethal injection.

Just hours before [Jeffrey Landrigan's](#) death, the Supreme Court voted 5-4 to lift a stay issued by a federal judge to halt the execution.

"There is no evidence in the record to suggest that the drug obtained from a foreign source is unsafe," the Supreme Court said

Due to a [U.S.](#) shortage, the state turned to a non-FDA approved drug. It was later revealed that the source was the [U.K.](#), although the actual company that makes the drug is still unknown.

Experts argue the practice raises concerns about the effectiveness of the drug. It may also cause difficulties for executions in the 35 states that allow them, as those on death row challenge the use of drugs not approved by the feds.

"The impact could be huge," [Deborah Denno](#), a law professor at [Fordham University](#) said.

Landrigan, 50, filed a lawsuit, arguing he could suffer great pain if the drug did not work. Shortage of the drug,

anesthetic sodium thiopental, has forced many lethal injections to be delayed.

Landrigan was convicted of the grisly 1989 murder of Chester Dean Dyer, whom he strangled during an armed burglary after escaping from an Oklahoma jail where he had been serving another sentence for second-degree murder.

When asked for his last words, the inmate said, "Well I'd like to say thank you to my family for being here and all my friends," the Arizona Republic reported. He added "and Boomer Sooner," a cheer used by University of Oklahoma fans.

Read more: http://www.nydailynews.com/news/national/2010/10/27/2010-10-27_arizonas_jeffrey_landrigan_executed_despite_concerns_drugs_not_fdaapproved_supre.html#ixzz13a30jY9f

From: Kernan, Scott@CDCR
To: Cate, Matt@CDCR; Rice, Benjamin@CDCR
Subject: Fw: Boomer Sooner
Date: Wednesday, October 27, 2010 10:31:19 AM

From: [REDACTED]
To: Kernan, Scott@CDCR
Cc: [REDACTED]
Sent: Wed Oct 27 10:23:27 2010
Subject: Boomer Sooner

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Read more: http://www.nydailynews.com/news/national/2010/10/27/2010-10-27_arizonas_jeffrey_landrigan_executed_despite_concerns_drugs_not_fdaapproved_supre.html#ixzz13a30jY9f

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Subject: Re: Use of Drug Challenged in Death Penalty Case
Date: Monday, October 25, 2010 10:08:23 AM

Thx. Not quick enough for AZ. You sure called it. Get word to you on when we can test. Did you hear from [REDACTED] on note from pharmacy?

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Mon Oct 25 10:04:27 2010
Subject: Fw: Use of Drug Challenged in Death Penalty Case

Scott
From drugs leaving SQ to LA lab to shipping for testing approximately 10 days.
John

From: Duffy, Brian@CDCR
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Sent: Mon Oct 25 08:36:23 2010
Subject: Fw: Use of Drug Challenged in Death Penalty Case

Good Morning John,

Please see below.

Brian

From: Kernan, Scott@CDCR
To: Duffy, Brian@CDCR
Sent: Mon Oct 25 08:26:30 2010
Subject: Fw: Use of Drug Challenged in Death Penalty Case

Brian
Please send this to john fyi. Ask him to shoot me note on testing of our drugs. Specifically, how long did they say it would take to actually test the drug? Thx
Scott

From: Kernan, Darby@CDCR
To: Kernan, Scott@CDCR; Hidalgo, Oscar@CDCR; Rice, Benjamin@CDCR; Cate, Matt@CDCR
Sent: Mon Oct 25 08:23:05 2010
Subject: Use of Drug Challenged in Death Penalty Case

October 22, 2010
Use of Drug Challenged in Death Penalty Case
By JOHN SCHWARTZ

Arizona plans to execute Jeffrey Landrigan next week, but his lawyers are arguing that one of the drugs that the state intends to use to end his life may not be good enough.

The planned execution of Mr. Landrigan, convicted of murder in 1990, coincides with a shortage of the anesthetic used in the state's execution protocol, sodium thiopental. The thiopental shortage has already caused delays in executions around the country.

Arizona officials have the drug, but defense lawyers for Mr. Landrigan are asking to stay the execution until the state reveals where it got its supply.

If Arizona obtained the drug from an overseas supplier, they argue, it may be substandard and violate Food and Drug Administration rules for importation.

Kent Scheidegger, legal director for the Criminal Justice Legal Foundation, a group that supports the death penalty, said that arguing over the safety of a drug for executions is "absurd."

"As long as it's a real drug manufacturer and not mixed up in somebody's garage, it doesn't matter where it came from," Mr. Scheidegger said. While the Food and Drug Administration is supposed to determine whether drugs are safe and effective, he said, "in this case, safe and effective are opposites."

Shelly Burgess, a spokeswoman for the F.D.A., said that imported drugs must go through an approval process before being used in the United States, but added that executions are "clearly not under our purview or authority."

Megan McCracken, an adviser on lethal injection issues to the death penalty clinic at the University of California, Berkeley School of Law, argued that the origin of the drug used was nonetheless important under the law.

She cited the Eighth Amendment prohibition against cruel and unusual punishment, and a 2008 decision by the Supreme Court. In that case, Baze v. Rees, the court left room for challenges to execution methods that involve a demonstrated risk of severe pain compared with available alternatives.

To Ms. McCracken, the lack of information about the drug opens Arizona to a challenge under the Baze decision. "Its provenance matters," she said.

"I don't think you can say that thiopental is thiopental is thiopental."

Judge Roslyn O. Silver of United States District Court on Thursday asked the state to voluntarily reveal where the drug had come from. She set the matter for oral argument on Monday.

The state, in a brief filed Friday, declined to identify the source of the drug, citing state confidentiality laws intended to shield those involved in executions from harassment by death penalty opponents. It denied that the drug to be used was substandard, and suggested that the criticism of the drug was an "improper delay tactic."

The state, the brief said, "takes its responsibility to carry out an execution seriously and has attempted to construct a protocol to carry out executions as humanely as possible."

Kent E. Cattani, an Arizona assistant attorney general, said that the supply of the drug obtained by the state was effective, and noted that the protocol in place involved several

methods for determining that the inmate was unconscious before administering the final drug. While an important concern with the administration of powerful anesthetics is that the patient might receive too much, Mr. Cattani explained, "it's obviously not a consideration here."

In fact, the amount that is given to inmates is more than 10 times the recommended dose for surgical procedures. "There's little or no chance that he would regain consciousness," he said.

If the judge insists on knowing the origins of the drug, he said, "we would ask that it be disclosed under seal."

To Ms. McCracken, the state's response was inadequate, akin to saying, "Just trust us," she said.

From: Kernan.Scott@CDCR
To: Duffy.Brian@CDCR
Subject: Fw: Use of Drug Challenged in Death Penalty Case
Date: Monday, October 25, 2010 8:26:31 AM

Brian

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From: Kernan, Darby@CDCR
To: Kernan, Scott@CDCR; Hidalgo, Oscar@CDCR; Rice, Benjamin@CDCR; Cate, Matt@CDCR
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To Ms. McCracken, the state's response was inadequate, akin to saying, "Just trust us," she said.

From: Kernan, Scott@CDCR
To: Rice, Benjamin@CDCR
Subject: Re: Letter
Date: Tuesday, October 19, 2010 6:09:51 AM

----- Original Message -----

From: Rice, Benjamin@CDCR
To: Kernan, Scott@CDCR; Cate, Matt@CDCR
Sent: Fri Oct 15 10:15:21 2010
Subject: RE: Letter

-----Original Message-----

From: Kernan, Scott@CDCR
Sent: Friday, October 15, 2010 9:22 AM
To: Rice, Benjamin@CDCR; Cate, Matt@CDCR
Subject: Fw: Letter

----- Original Message -----

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Cc: McCleave, Kelly@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR
Sent: Fri Oct 15 08:56:24 2010
Subject: Letter

Scott

██████████ needs a letter from CDCR pharmacy (SQ if possible) simply stating that CDCR is requesting that ██████████ order 525 grams of Sodium Thiopental from ██████████. Nothing else is needed just the request. As explained to me by ██████████ California Law will not allow a Doctor to order on one scrip such a large volume. Pharmacy to Pharmacy will allow ██████████ to meet our needs to complete the process.

John

From: Kernan.Scott@CDCR
To: McAuliffe.John@CDCR
Subject: Re: Letter
Date: Friday, October 15, 2010 11:25:39 AM

John,

[REDACTED] Go ahead. Still working on letter from pharmacy. When will we get invoice?
Scott

----- Original Message -----

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Cc: McCleave, Kelly@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR
Sent: Fri Oct 15 08:56:24 2010
Subject: Letter

Scott

[REDACTED] needs a letter from CDCR pharmacy (SQ if possible) simply stating that CDCR is requesting that [REDACTED] order 525 grams of Sodium Thiopental from [REDACTED]. Nothing else is needed just the request. As explained to me by [REDACTED] California Law will not allow a Doctor to order on one scrip such a large volume. Pharmacy to Pharmacy will allow [REDACTED] to meet our needs to complete the process.

John

From: Kernan.Scott@CDCR
To: Rice.Benjamin@CDCR; Cate.Matt@CDCR
Subject: Fw: Letter
Date: Friday, October 15, 2010 9:21:59 AM



----- Original Message -----

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Cc: McCleave, Kelly@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR
Sent: Fri Oct 15 08:56:24 2010
Subject: Letter

Scott

██████████ Pharma needs a letter from CDCR pharmacy (SQ if possible) simply stating that CDCR is requesting that ██████████ order 525 grams of Sodium Thiopental from ██████████. Nothing else is needed just the request. As explained to me by ██████████ California Law will not allow a Doctor to order on one scrip such a large volume. Pharmacy to Pharmacy will allow ██████████ to meet our needs to complete the process.

John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]
Date: Wednesday, October 13, 2010 4:09:00 PM

Don't know if this just complicates things. Sounds like we will need this if we want to write check to lawyer instead of company.

Scott

From: Gilpin, Timothy@CDCR
Sent: Wednesday, October 13, 2010 3:59 PM
To: Kernan, Scott@CDCR
Subject: RE: Importation of Thiopental by [REDACTED]

Then I need a vendor data record for the attorney and an invoice from him to pay along with a purchase document. Hope that is available.

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 3:03 PM
To: Gilpin, Timothy@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

So it does not look like I'll get invoice until Monday. Get it to you as soon as I get it. See note below, they want check payable to attorney to avoid publicity. Is that possible?

Scott

From: McAuliffe, John@CDCR
Sent: Wednesday, October 13, 2010 11:32 AM
To: Kernan, Scott@CDCR
Subject: Fw: Importation of Thiopental by [REDACTED]

Scott
See email concerning invoice.
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Cc: [REDACTED] >
Sent: Wed Oct 13 10:19:44 2010
Subject: Re: Importation of Thiopental by [REDACTED]

Sure John. I just spoke to [REDACTED] and there will be a delay of a few days because the shipment needs to be approved by Homeland Security. This has nothing to do with his import license but is simply a post 911 security measure. According to [REDACTED] this will only take a few days so I am hopeful I can get you an invoice by Monday of next week- no later than Wednesday. [REDACTED] also is concerned about publicity; is it acceptable for you to make the check payable to my attorney trust account and I'll cut the checks to all the appropriate entities. We working on it. [REDACTED]

From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>

Date: Wed, 13 Oct 2010 10:06:07 -0700

To: [REDACTED]

Subject: RE: Importation of Thiopental by [REDACTED]

[REDACTED]
Per our conversation....Please email (PDF) an invoice for services requested from [REDACTED]

[REDACTED] Specifically, the invoice should reflect:

Costs of 525 grams of Sodium Thiopental

Importation request to DEA

Insurance on shipment

Duty fees to Customs

Additional DEA and FDA Insurance on shipment

[REDACTED] fees ([REDACTED] fees should account for all additional costs to include

shipping, attorney fees, etc...without listing them as separate)

We are also asking for the Thiopental to be shipped directly to [REDACTED] for CDCR to pick up upon arrival. [REDACTED] [REDACTED] has

told us that the Thiopental that is being ordered will have an expiration date of May 2014. It is important that all 525 grams have that expiration date of May 2014. Thank you for your assistance in this matter.

John McAuliffe

From: [REDACTED]

Sent: Tuesday, October 12, 2010 1:39 PM

To: McAuliffe, John@CDCR

Subject: FW: Importation of Thiopental by [REDACTED]

John- see my email below. [REDACTED]

--

[REDACTED]
[REDACTED]
[REDACTED]
Irvine, California [REDACTED]

Ph: 949- [REDACTED]

Fax: 949- [REDACTED]
[REDACTED]

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, is confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply to the sender that you have received the message in error, then delete it. Thank you.

----- Forwarded Message

[REDACTED]
Date: Tue, 12 Oct 2010 13:35:32 -0700

To: <John.McAuliffe@cdcr.ca.com>
[REDACTED]

Conversation: Importation of Thiopental by [REDACTED]

Subject: Importation of Thiopental by [REDACTED]

Hi John- as we discussed yesterday, I am the lawyer that represents [REDACTED] and its owner [REDACTED]. I acknowledge CDCR's request that [REDACTED] act as importer of a quantity of Thiopental. And, also as we discussed yesterday, please be advised that [REDACTED] is very interested in assisting the CDCR in this regard subject to [REDACTED] and CDCR agreeing on the terms for importation. At best I can only estimate the costs involved as follows: Cost of 525 grams of drug= \$16,590; Fee For Importation Request to DEA= \$100; Insurance on Shipment= \$3000; Shipping Fee= \$1500; Duty Fee to Customs= \$1700; Additional DEA and FDA fees= \$500; Broker Fees= \$1500; [REDACTED] Fee Including Attorney's Fees = \$12,500 for a total of \$37,390. I understand that if this proposal is acceptable the CDCR is requesting an invoice only itemizing the cost of the drug and expressing the remaining costs as included in [REDACTED] fee. Allow me to reiterate these costs are estimates. Additional costs may be incurred such as a Homeland Security fee or storage fees if the shipment is held up by Customs for any reason. [REDACTED] would reserve the right to issue an additional invoice to CDCR for such additional costs and would refund CDCR in the event of an overpayment. We suggest that the CDCR pick up the shipment at the port of entry and that the CDCR write a letter to Customs or otherwise inform Customs of the need for these supplies. Please let me know your thoughts. [REDACTED]

--

[REDACTED]
[REDACTED]
[REDACTED]

Irvine, California [REDACTED]

Ph: 949 [REDACTED]

Fax: 949 [REDACTED]

[REDACTED]

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----- End of Forwarded Message

From: Kernan, Scott@CDCR
To: Gilpin, Timothy@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]
Date: Wednesday, October 13, 2010 3:02:00 PM

So it does not look like I'll get invoice until Monday. Get it to you as soon as I get it. See note below, they want check payable to attorney to avoid publicity. Is that possible?

Scott

From: McAuliffe, John@CDCR
Sent: Wednesday, October 13, 2010 11:32 AM
To: Kernan, Scott@CDCR
Subject: Fw: Importation of Thiopental by [REDACTED]

Scott
See email concerning invoice.
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Cc: [REDACTED]
Sent: Wed Oct 13 10:19:44 2010
Subject: Re: Importation of Thiopental by [REDACTED]

Sure John. I just spoke to [REDACTED] and there will be a delay of a few days because the shipment needs to be approved by Homeland Security. This has nothing to do with his import license but is simply a post 911 security measure. According to [REDACTED] this will only take a few days so I am hopeful I can get you an invoice by Monday of next week- no later than Wednesday. [REDACTED] also is concerned about publicity; is it acceptable for you to make the check payable to my attorney trust account and I'll cut the checks to all the appropriate entities. We working on it. [REDACTED]

From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>
Date: Wed, 13 Oct 2010 10:06:07 -0700
To: [REDACTED]
Subject: RE: Importation of Thiopental by [REDACTED]

[REDACTED]
Per our conversation.....Please email (PDF) an invoice for services requested from [REDACTED]
[REDACTED] Specifically, the invoice should reflect:
Costs of 525 grams of Sodium Thiopental
Importation request to DEA
Insurance on shipment
Duty fees to Customs
Additional DEA and FDA Insurance on shipment
[REDACTED] fees (fees should account for all additional costs to include shipping, attorney fees, etc...without listing them as separate)
We are also asking for the Thiopental to be shipped directly to [REDACTED] for CDCR to pick up upon arrival. [REDACTED] has

told us that the Thiopental that is being ordered will have an expiration date of May 2014. It is important that all 525 grams have that expiration date of May 2014. Thank you for your assistance in this matter.
John McAuliffe

From: [REDACTED]
Sent: Tuesday, October 12, 2010 1:39 PM
To: McAuliffe, John@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

John- see my email below. [REDACTED]

--

[REDACTED]
[REDACTED]
[REDACTED]
Irvine, California [REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]
[REDACTED]

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----- Forwarded Message

From: [REDACTED]
Date: Tue, 12 Oct 2010 13:35:32 -0700
To: <John.McAuliffe@cdcr.ca.com>
Cc: [REDACTED]
Conversation: Importation of Thiopental by [REDACTED]
Subject: Importation of Thiopental by [REDACTED]

Hi John- as we discussed yesterday, I am the lawyer that represents [REDACTED] and its owner [REDACTED]. I acknowledge CDCR's request that [REDACTED] act as importer of a quantity of Thiopental. And, also as we discussed yesterday, please be advised that [REDACTED] is very interested in assisting the CDCR in this regard subject to [REDACTED] and CDCR agreeing on the terms for importation. At best I can only estimate the costs involved as follows: Cost of 525 grams of drug= \$16,590; Fee For Importation Request to DEA= \$100; Insurance on Shipment= \$3000; Shipping Fee= \$1500; Duty Fee to Customs= \$1700; Additional DEA and FDA fees= \$500; Broker Fees= \$1500; [REDACTED] Fee Including Attorney's Fees = \$12,500 for a total of \$37,390. I understand that if this proposal is acceptable the CDCR is requesting an invoice only itemizing the cost of the drug and expressing the remaining costs as included in [REDACTED] fee. Allow me to reiterate these costs are estimates. Additional costs may be incurred such as a Homeland Security fee or storage fees if the shipment is held up by Customs for any reason. [REDACTED] would reserve

the right to issue an additional invoice to CDCR for such additional costs and would refund CDCR in the event of an overpayment. We suggest that the CDCR pick up the shipment at the port of entry and that the CDCR write a letter to Customs or otherwise inform Customs of the need for these supplies. Please let me know your thoughts. [REDACTED]

--

[REDACTED]
[REDACTED]
[REDACTED]

Irvine, California [REDACTED]

Ph: 949-[REDACTED]

Fax: 949-[REDACTED]
[REDACTED]

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----- End of Forwarded Message

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Subject: Re: Progress 1
Date: Friday, October 08, 2010 4:37:57 PM

Have someone check monday? Thx

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 16:33:30 2010
Subject: Re: Progress 1

Scott
Only way would be to open safe and look.
John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 16:30:07 2010
Subject: Re: Progress 1

Getting question if hospria is on label?
Scott

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 16:05:57 2010
Subject: Re: Progress 1

Scott
I did not ask but I believe it is a subsidiary of [REDACTED]. They have international locations such as the one in Pakistan. SQ could open safe and the outside of package would ID if an [REDACTED] product but most likely not the exact subsidiary. John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 13:42:29 2010
Subject: Re: Progress 1

John
What is the name of the manufacturer on the drugs we got from az.

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 08:48:44 2010
Subject: Fw: Progress 1

Fyl
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 08:04:41 2010
Subject: Progress 1

Dear John McAuliffe

I have called and sent an e-mail to [REDACTED] to provide me with the steps and correct forms to request an importation quota for Sodium Thiopental

Will keep you informed of my progress.

Thank you again for the opportunity.

[REDACTED]
[REDACTED]
[REDACTED]
Whittier, CA
(562) [REDACTED] Monday through Friday 7:30am to 4:30pm PST
Fax (562) [REDACTED]
[REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Subject: Re: Progress 1
Date: Friday, October 08, 2010 4:30:08 PM

Getting question if hospria is on label?
Scott

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 16:05:57 2010
Subject: Re: Progress 1

Scott
I did not ask but I believe it is a subsidiary of [REDACTED]. They have international locations such as the one in Pakistan. SQ could open safe and the outside of package would ID if an [REDACTED] product but most likely not the exact subsidiary. John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 13:42:29 2010
Subject: Re: Progress 1

John
What is the name of the manufacturer on the drugs we got from az.

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 08:48:44 2010
Subject: Fw: Progress 1

Fyl
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 08:04:41 2010
Subject: Progress 1

Dear John McAuliffee

I have called and sent an e-mail to [REDACTED] to provide me with the steps and correct forms to request an importation quota for Sodium Thiopental

Will keep you informed of my progress.

Thank you again for the opportunity.

[REDACTED]

[REDACTED]
Whittier, CA

(562) [REDACTED] Monday through Friday 7:30am to 4:30pm PST

Fax (562) [REDACTED]
[REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Subject: Re: Progress 1
Date: Friday, October 08, 2010 1:42:30 PM

John
What is the name of the manufacturer on the drugs we got from az.

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 08:48:44 2010
Subject: Fw: Progress 1

Fyl
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 08:04:41 2010
Subject: Progress 1

Dear John McAuliffee

I have called and sent an e-mail to [REDACTED] to provide me with the steps and correct forms to request an importation quota for Sodium Thiopental

Will keep you informed of my progress.

Thank you again for the opportunity.

[REDACTED]
Whittier, CA
(562) [REDACTED] Monday through Friday 7:30am to 4:30pm PST
Fax (562) [REDACTED]
[REDACTED]

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From: Kernan.Scott@CDCR
To: Lindquist.Kristina@CDCR
Subject: FW: Drugs
Date: Wednesday, December 01, 2010 1:33:47 PM

-----Original Message-----

From: Kernan, Scott@CDCR
Sent: Wednesday, November 10, 2010 4:12 AM
To: Cate, Matt@CDCR; Rice, Benjamin@CDCR
Subject: Fw: Drugs

Believe in week or two we will receive drugs.
Scott

----- Original Message -----

From: Duffy, Brian@CDCR
Sent: Tuesday, November 09, 2010 02:25 PM
To: Kernan, Scott@CDCR; McAuliffe, John@CDCR
Subject: FW: Drugs

Scott and John,

The invoice was paid today.

Brian

-----Original Message-----

From: Lewis, Dave (Budgets)@CDCR
Sent: Tuesday, November 09, 2010 2:22 PM
To: Duffy, Brian@CDCR
Subject: FW: Drugs

-----Original Message-----

From: Gilpin, Timothy@CDCR
Sent: Tuesday, November 09, 2010 2:17 PM
To: Lewis, Dave (Budgets)@CDCR
Subject: Drugs

Check today for \$36,415

From: Duffy_Brian@CDCR
To: McAuliffe_John@CDCR
Cc: Kernan_Scott@CDCR
Subject: Contract
Date: Wednesday, November 17, 2010 8:32:00 AM

Hi John,

Doing my daily check for Scott to see the status of the purchase. Any word?

Thanks,

Brian

Brian Duffy
Special Assistant to the Undersecretary, Operations
California Department of Corrections and Rehabilitation
[REDACTED]

From: Duffy, Brian@CDCR
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Subject: RE: Any Word?
Date: Tuesday, November 16, 2010 9:04:00 AM

Morning John,

Just checking in to see if you have heard anything.

Thanks,

Brian

Brian Duffy
Special Assistant to the Undersecretary, Operations
California Department of Corrections and Rehabilitation
[REDACTED]

From: McAuliffe, John@CDCR
Sent: Friday, November 12, 2010 9:44 AM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

No problem
John

From: Duffy, Brian@CDCR
Sent: Friday, November 12, 2010 09:40 AM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Subject: RE: Any Word?

Hi John,

Sorry to push, but when you hear something, please let me know. Scott is on vacation, but I'm keeping him updated.

Thanks,

Brian

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 5:16 PM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

Brian

Not yet but since Thursday is a holiday I am hoping Friday. I will call [REDACTED] Friday morning.

He has told me everything is set and in motion with our order to include Customs, FDA, and DEA.
John

From: Duffy, Brian@CDCR
Sent: Wednesday, November 10, 2010 03:34 PM
To: McAuliffe, John@CDCR
Subject: Any Word?

Hi John,

Have you heard anything about when the order may be filled?

Thanks,

Brian

From: [Duffy, Brian@CDCR](mailto:Duffy_Brian@CDCR)
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Subject: RE: Any Word?
Date: Friday, November 12, 2010 9:40:00 AM

Hi John,

Sorry to push, but when you hear something, please let me know. Scott is on vacation, but I'm keeping him updated.

Thanks,

Brian

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 5:16 PM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

Brian

Not yet but since Thursday is a holiday I am hoping Friday. I will call [REDACTED] Friday morning. He has told me everything is set and in motion with our order to include Customs, FDA, and DEA.
John

From: Duffy, Brian@CDCR
Sent: Wednesday, November 10, 2010 03:34 PM
To: McAuliffe, John@CDCR
Subject: Any Word?

Hi John,

Have you heard anything about when the order may be filled?

Thanks,

Brian

From: [Duffy, Brian@CDCR](mailto:Duffy_Brian@CDCR)
To: McAuliffe, John@CDCR
Subject: Fw: Any Word?
Date: Wednesday, November 10, 2010 5:20:56 PM

Thanks John

From: Kernan, Scott@CDCR
Sent: Wednesday, November 10, 2010 05:16 PM
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Any Word?

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 5:16:57 PM
To: Kernan, Scott@CDCR
Subject: Fw: Any Word?
Auto forwarded by a Rule

FYI

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 05:16 PM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

Brian

Not yet but since Thursday is a holiday I am hoping Friday. I will call [REDACTED] Friday morning. He has told me everything is set and in motion with our order to include Customs, FDA, and DEA.
John

From: Duffy, Brian@CDCR
Sent: Wednesday, November 10, 2010 03:34 PM
To: McAuliffe, John@CDCR
Subject: Any Word?

Hi John,

Have you heard anything about when the order may be filled?

Thanks,

Brian

From: [Duffy, Brian@CDCR](mailto:Duffy.Brian@CDCR)
To: McAuliffe, John@CDCR
Subject: Any Word?
Date: Wednesday, November 10, 2010 3:34:00 PM

Hi John,

Have you heard anything about when the order may be filled?

Thanks,

Brian

From: [Duffy, Brian@CDCR](mailto:Duffy.Brian@CDCR)
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Subject: FW: Emailing: STD204%20Payee%20Data%20Record
Date: Monday, November 08, 2010 10:17:00 AM

John,

FYI. To enter the company into the system, apparently accounting needed a form filled out. The link she provided me below doesn't work, but [REDACTED] says she made contact with [REDACTED]. Not sure if you want to follow-up and help get completed?

Brian

-----Original Message-----

From: [REDACTED]@CDCR
Sent: Monday, November 08, 2010 9:28 AM
To: Duffy, Brian@CDCR
Subject: RE: Emailing: STD204%20Payee%20Data%20Record

I contacted [REDACTED] and fax the form to him. They will complete and return today. Should have a check out today or tomorrow to them..

[REDACTED]
Accounting Services
Regional Accounting
(916) [REDACTED]

-----Original Message-----

From: Duffy, Brian@CDCR
Sent: Monday, November 08, 2010 9:21 AM
To: [REDACTED]@CDCR
Subject: RE: Emailing: STD204%20Payee%20Data%20Record

[REDACTED]
I cannot open that website. Is it possible to get a copy of the form on PDF to send?

Thanks,

Brian

Brian Duffy
Special Assistant to the Undersecretary, Operations California Department of Corrections and Rehabilitation
[REDACTED]

-----Original Message-----

From: [REDACTED]@CDCR
Sent: Monday, November 08, 2010 8:59 AM
To: Duffy, Brian@CDCR
Subject: Emailing: STD204%20Payee%20Data%20Record

Brian,

This form must be completed by [REDACTED]. I'll contact the vendor too.

[REDACTED]
Accounting Services
Regional Accounting
(916) [REDACTED]

The message is ready to be sent with the following file or link attachments:

Shortcut to:

<http://bisportal.cdcr.ca.gov/irj/go/km/docs/documents/CDCR/HomeLinks/Forms/STD204%20Payee%20Data%20Record.pdf>

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

From: [Duffy, Brian@CDCR](mailto:Duffy_Brian@CDCR)
To: McAuliffe, John@CDCR
Subject: You available for a call?
Date: Wednesday, November 03, 2010 9:32:00 AM

Please call if you have a chance. I am in the office today.

Thanks,

Brian

[REDACTED]

Cell- [REDACTED]

From: Duffy_Brian@CDCR
To: McAuliffe_John@CDCR
Cc: Kernan_Scott@CDCR
Subject: Fw: Use of Drug Challenged in Death Penalty Case
Date: Monday, October 25, 2010 8:36:24 AM

Good Morning John,

Please see below.

Brian

From: Kernan, Scott@CDCR
To: Duffy, Brian@CDCR
Sent: Mon Oct 25 08:26:30 2010
Subject: Fw: Use of Drug Challenged in Death Penalty Case

Brian
Please send this to john fyi. Ask him to shoot me note on testing of our drugs. Specifically, how long did they say it would take to actually test the drug? Thx
Scott

From: Kernan, Darby@CDCR
To: Kernan, Scott@CDCR; Hidalgo, Oscar@CDCR; Rice, Benjamin@CDCR; Cate, Matt@CDCR
Sent: Mon Oct 25 08:23:05 2010
Subject: Use of Drug Challenged in Death Penalty Case

October 22, 2010
Use of Drug Challenged in Death Penalty Case
By JOHN SCHWARTZ

Arizona plans to execute Jeffrey Landrigan next week, but his lawyers are arguing that one of the drugs that the state intends to use to end his life may not be good enough.

The planned execution of Mr. Landrigan, convicted of murder in 1990, coincides with a shortage of the anesthetic used in the state's execution protocol, sodium thiopental. The thiopental shortage has already caused delays in executions around the country.

Arizona officials have the drug, but defense lawyers for Mr. Landrigan are asking to stay the execution until the state reveals where it got its supply.

If Arizona obtained the drug from an overseas supplier, they argue, it may be substandard and violate Food and Drug Administration rules for importation.

Kent Scheidegger, legal director for the Criminal Justice Legal Foundation, a group that supports the death penalty, said that arguing over the safety of a drug for executions is "absurd."

"As long as it's a real drug manufacturer and not mixed up in somebody's garage, it doesn't matter where it came from," Mr. Scheidegger said. While the Food and Drug Administration is supposed to determine whether drugs are safe and effective, he said, "in this case, safe and

effective are opposites.”

Shelly Burgess, a spokeswoman for the F.D.A., said that imported drugs must go through an approval process before being used in the United States, but added that executions are “clearly not under our purview or authority.”

Megan McCracken, an adviser on lethal injection issues to the death penalty clinic at the University of California, Berkeley School of Law, argued that the origin of the drug used was nonetheless important under the law.

She cited the Eighth Amendment prohibition against cruel and unusual punishment, and a 2008 decision by the Supreme Court. In that case, Baze v. Rees, the court left room for challenges to execution methods that involve a demonstrated risk of severe pain compared with available alternatives.

To Ms. McCracken, the lack of information about the drug opens Arizona to a challenge under the Baze decision. “Its provenance matters,” she said.

“I don’t think you can say that thiopental is thiopental is thiopental.”

Judge Roslyn O. Silver of United States District Court on Thursday asked the state to voluntarily reveal where the drug had come from. She set the matter for oral argument on Monday.

The state, in a brief filed Friday, declined to identify the source of the drug, citing state confidentiality laws intended to shield those involved in executions from harassment by death penalty opponents. It denied that the drug to be used was substandard, and suggested that the criticism of the drug was an “improper delay tactic.”

The state, the brief said, “takes its responsibility to carry out an execution seriously and has attempted to construct a protocol to carry out executions as humanely as possible.”

Kent E. Cattani, an Arizona assistant attorney general, said that the supply of the drug obtained by the state was effective, and noted that the protocol in place involved several methods for determining that the inmate was unconscious before administering the final drug. While an important concern with the administration of powerful anesthetics is that the patient might receive too much, Mr. Cattani explained, “it’s obviously not a consideration here.”

In fact, the amount that is given to inmates is more than 10 times the recommended dose for surgical procedures. “There’s little or no chance that he would regain consciousness,” he said.

If the judge insists on knowing the origins of the drug, he said, “we would ask that it be disclosed under seal.”

To Ms. McCracken, the state’s response was inadequate, akin to saying, “Just trust us,” she said.

From: [Duffy, Brian@CDCR](mailto:Duffy_Brian@CDCR)
To: [McAuliffe, John@CDCR](mailto:McAuliffe_John@CDCR)
Subject: FW: Importation of Thiopental by [REDACTED]
Date: Wednesday, October 13, 2010 4:05:00 PM

Hi John,

Just in case Scott didn't send to you.

Brian

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 3:59 PM
To: Gaddi, Kathy@CDCR; Duffy, Brian@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

From: Gilpin, Timothy@CDCR
Sent: Wednesday, October 13, 2010 3:58:34 PM
To: Kernan, Scott@CDCR
Subject: RE: Importation of Thiopental by [REDACTED]
Auto forwarded by a Rule

Then I need a vendor data record for the attorney and an invoice from him to pay along with a purchase document. Hope that is available.

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 3:03 PM
To: Gilpin, Timothy@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

So it does not look like I'll get invoice until Monday. Get it to you as soon as I get it. See note below, they want check payable to attorney to avoid publicity. Is that possible?

Scott

From: McAuliffe, John@CDCR
Sent: Wednesday, October 13, 2010 11:32 AM
To: Kernan, Scott@CDCR
Subject: Fw: Importation of Thiopental by [REDACTED]

Scott
See email concerning invoice.
John

From: [REDACTED] >

To: McAuliffe, John@CDCR
Cc: [REDACTED] >
Sent: Wed Oct 13 10:19:44 2010
Subject: Re: Importation of Thiopental by [REDACTED]

Sure John. I just spoke to [REDACTED] and there will be a delay of a few days because the shipment needs to be approved by Homeland Security. This has nothing to do with his import license but is simply a post 911 security measure. According to [REDACTED] this will only take a few days so I am hopeful I can get you an invoice by Monday of next week- no later than Wednesday. [REDACTED] also is concerned about publicity; is it acceptable for you to make the check payable to my attorney trust account and I'll cut the checks to all the appropriate entities. We working on it. [REDACTED]

From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>
Date: Wed, 13 Oct 2010 10:06:07 -0700
To: [REDACTED] >
Subject: RE: Importation of Thiopental by [REDACTED]

[REDACTED]
Per our conversation.....Please email (PDF) an invoice for services requested from [REDACTED] [REDACTED]. Specifically, the invoice should reflect:

- Costs of 525 grams of Sodium Thiopental
- Importation request to DEA
- Insurance on shipment
- Duty fees to Customs
- Additional DEA and FDA Insurance on shipment

[REDACTED] fees ([REDACTED] fees should account for all additional costs to include shipping, attorney fees, etc...without listing them as separate)

We are also asking for the Thiopental to be shipped directly to [REDACTED] for CDCR to pick up upon arrival. [REDACTED] email [REDACTED] has told us that the Thiopental that is being ordered will have an expiration date of May 2014. It is important that all 525 grams have that expiration date of May 2014. Thank you for your assistance in this matter.
John McAuliffe

From: [REDACTED]]
Sent: Tuesday, October 12, 2010 1:39 PM
To: McAuliffe, John@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

John- see my email below. [REDACTED]

--
[REDACTED]
[REDACTED]
[REDACTED]
Irvine, California [REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]
[REDACTED]

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, is confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply to the sender that you have received the message in error, then delete it. Thank you.

----- Forwarded Message

From: [REDACTED] >

Date: Tue, 12 Oct 2010 13:35:32 -0700

To: <John.McAuliffe@cdcr.ca.com>

Cc: [REDACTED]

Conversation: Importation of Thiopental by [REDACTED]

Subject: Importation of Thiopental by [REDACTED]

Hi John- as we discussed yesterday, I am the lawyer that represents [REDACTED] and its owner [REDACTED]. I acknowledge CDCR's request that [REDACTED] act as importer of a quantity of Thiopental. And, also as we discussed yesterday, please be advised that [REDACTED] is very interested in assisting the CDCR in this regard subject to [REDACTED] and CDCR agreeing on the terms for importation. At best I can only estimate the costs involved as follows: Cost of 525 grams of drug= \$16,590; Fee For Importation Request to DEA= \$100; Insurance on Shipment= \$3000; Shipping Fee= \$1500; Duty Fee to Customs= \$1700; Additional DEA and FDA fees= \$500; Broker Fees= \$1500; [REDACTED] Fee Including Attorney's Fees = \$12,500 for a total of \$37,390. I understand that if this proposal is acceptable the CDCR is requesting an invoice only itemizing the cost of the drug and expressing the remaining costs as included in [REDACTED] fee. Allow me to reiterate these costs are estimates. Additional costs may be incurred such as a Homeland Security fee or storage fees if the shipment is held up by Customs for any reason. [REDACTED] would reserve the right to issue an additional invoice to CDCR for such additional costs and would refund CDCR in the event of an overpayment. We suggest that the CDCR pick up the shipment at the port of entry and that the CDCR write a letter to Customs or otherwise inform Customs of the need for these supplies. Please let me know your thoughts. [REDACTED]

--

[REDACTED]
[REDACTED]
[REDACTED]
Irvine, California [REDACTED]

Ph: 949-[REDACTED]

Fax: 949-[REDACTED]
[REDACTED]

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, is confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply to the sender that you have received the message in error, then delete it. Thank you.

----- End of Forwarded Message

From: [Duffy, Brian@CDCR](mailto:Duffy.Brian@CDCR)
To: [McAuliffe, John@CDCR](mailto:McAuliffe.John@CDCR)
Subject: FW:
Date: Wednesday, October 13, 2010 11:23:00 AM
Importance: High

John,

From Scott.

Brian

Brian Duffy
Special Assistant to the Undersecretary, Operations
California Department of Corrections and Rehabilitation
[REDACTED]

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 11:22 AM
To: Duffy, Brian@CDCR
Subject: Fw:
Importance: High

Please send this to john for me. Thx

From: Gilpin, Timothy@CDCR
To: Kernan, Scott@CDCR; Lewis, Dave (Budgets)@CDCR
Sent: Wed Oct 13 08:59:19 2010
Subject: RE:

I'll be downtown after lunch for the AR meeting, I can pick it up then. Make sure we have an order number, PO number and I will then have the staff write a check for payment.

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 8:46 AM
To: Gilpin, Timothy@CDCR; Lewis, Dave (Budgets)@CDCR
Subject:

Tim,

I am getting an invoice for the purchase. I will need to affect payment immediately. Its going to be around 40k. How do I make this happen quick.

Scott

From: Duffy_Brian@CDCR
To: Kernan_Scott@CDCR
Subject: Update
Date: Friday, November 19, 2010 10:18:00 AM

I just got an update on the shipping. Appears will be sent to customs on Monday. Everything is a go, unable to get an exact delivery date, but hopeful by December 1.

From: [Duffy, Brian@CDCR](mailto:Duffy.Brian@CDCR)
To: [Kernan, Scott@CDCR](mailto:Kernan.Scott@CDCR)
Subject: RE: Talked with Stephen on NCB
Date: Tuesday, November 02, 2010 5:32:00 PM

Talked to John. He will have done in morning and back to you.

Brian

-----Original Message-----

From: Kernan, Scott@CDCR
Sent: Tuesday, November 02, 2010 5:29 PM
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Talked with Stephen on NCB

From: Rice, Benjamin@CDCR
Sent: Tuesday, November 02, 2010 5:29:19 PM
To: Kernan, Scott@CDCR
Subject: Talked with Stephen on NCB
Auto forwarded by a Rule

He will help us out- walk it over - get it signed, etc.

From: [Duffy, Brian@CDCR](mailto:Duffy_Brian@CDCR)
To: [Kernan, Scott@CDCR](mailto:Kernan_Scott@CDCR)
Subject: RE:
Date: Wednesday, October 13, 2010 11:23:00 AM

done

Brian Duffy
Special Assistant to the Undersecretary, Operations
California Department of Corrections and Rehabilitation
[REDACTED]

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 11:22 AM
To: Duffy, Brian@CDCR
Subject: Fw:
Importance: High

Please send this to john for me. Thx

From: Gilpin, Timothy@CDCR
To: Kernan, Scott@CDCR; Lewis, Dave (Budgets)@CDCR
Sent: Wed Oct 13 08:59:19 2010
Subject: RE:

I'll be downtown after lunch for the AR meeting, I can pick it up then. Make sure we have an order number, PO number and I will then have the staff write a check for payment.

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 8:46 AM
To: Gilpin, Timothy@CDCR; Lewis, Dave (Budgets)@CDCR
Subject:

Tim,

I am getting an invoice for the purchase of drugs from England. I will need to affect payment immediately. Its going to be around 40k. How do I make this happen quick.

Scott

From: McAuliffe, John@CDCR
To: [REDACTED]
Cc: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR; Cullen, Vincent@CDCR; Rodriguez, William A.@CDCR; [REDACTED]
Subject: Re: attachments
Date: Friday, October 15, 2010 1:46:19 PM

[REDACTED]
Per our conversation this AM. I left a message with your receptionist concerning the dropping off of chemicals to be tested. [REDACTED] will drop off the chemical Tuesday, October 19th at your Whittier address. [REDACTED] will call your pharmacy when he is approximately one hour away to give you an arrival time. CDCR is asking you include the costs of the testing to the invoice for the order from [REDACTED] if possible. When testing is complete we would like the results emailed (PDF) to this email. Thank you in advance.
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 15 09:43:19 2010
Subject: attachments

Please see attachment

[REDACTED]
Whittier, CA
Phone (562) [REDACTED] Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)
Fax (562) [REDACTED]
[REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Cc: McCleave, Kelly@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR
Subject: Letter
Date: Friday, October 15, 2010 8:56:25 AM

Scott

[REDACTED] needs a letter from CDCR pharmacy (SQ if possible) simply stating that CDCR is requesting that [REDACTED] order 525 grams of Sodium Thiopental from [REDACTED]. Nothing else is needed just the request. As explained to me by [REDACTED] California Law will not allow a Doctor to order on one scrip such a large volume. Pharmacy to Pharmacy will allow [REDACTED] to meet our needs to complete the process.

John

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: FDA entry item # [REDACTED]
Date: Tuesday, November 30, 2010 5:55:53 PM

From: [REDACTED]@CDCR
Sent: Tuesday, November 30, 2010 5:55:50 PM
To: Kernan, Scott@CDCR
Cc: [REDACTED]@CDCR
Subject: Re: FDA entry item # [REDACTED]
Auto forwarded by a Rule

K
[REDACTED]

From: Kernan, Scott@CDCR
Sent: Tuesday, November 30, 2010 05:51 PM
To: [REDACTED]@CDCR
Subject: Fw: FDA entry item # [REDACTED]

Remind me to call FDA tomorrow. Thx

From: Cate, Matt@CDCR
Sent: Tuesday, November 30, 2010 03:24 PM
To: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: Re: FDA entry item # [REDACTED]

[REDACTED]

From: Kernan, Scott@CDCR
Sent: Tuesday, November 30, 2010 03:18 PM
To: Cate, Matt@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: FW: FDA entry item # [REDACTED]

[REDACTED]

From: McAuliffe, John@CDCR
Sent: Tuesday, November 30, 2010 2:06 PM
To: Kernan, Scott@CDCR
Subject: FW: FDA entry item # [REDACTED]

FYI

From: [REDACTED]@fda.hhs.gov]
Sent: Tuesday, November 30, 2010 2:00 PM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR; [REDACTED]
Subject: RE: FDA entry item # [REDACTED]

John,

This entry is currently under review by our DIOP branch. Due to the intended use they are developing a blanket policy for handling these type of shipments. If you need additional information you can call Supervisor [REDACTED] at 901-[REDACTED] or Supervisor [REDACTED] at 901-[REDACTED]. I am not authorized to make an admissibility decision on the entry.

Thank you,

[REDACTED]
[REDACTED]
US Food & Drug Administration

Phone: (901) [REDACTED]

Fax: (901) [REDACTED]

From: McAuliffe, John@CDCR [mailto:John.McAuliffe@cdcr.ca.gov]
Sent: Tuesday, November 30, 2010 3:37 PM
To: [REDACTED]
Cc: Kernan, Scott@CDCR
Subject: FDA entry item # [REDACTED]

[REDACTED]

I am inquiring into the shipment (# [REDACTED]) that is currently awaiting FDA approval. The shipment is to be sent to [REDACTED] Whittier, CA. [REDACTED] by FED-EX. ([REDACTED] is the FED-EX contact person) I also called your phone number 901-[REDACTED] and left a message. If you could please return my call I would like to know the timeline for release. Thank you in advance.

John McAuliffe
California Department of Corrections and Rehabilitation

From: [REDACTED]@CDCR
To: Kernan, Scott@CDCR
Cc: [REDACTED]@CDCR
Subject: Re: FDA entry item # [REDACTED]
Date: Tuesday, November 30, 2010 5:55:52 PM

K

From: Kernan, Scott@CDCR
Sent: Tuesday, November 30, 2010 05:51 PM
To: [REDACTED]@CDCR
Subject: Fw: FDA entry item # [REDACTED]

Remind me to call FDA tomorrow. Thx

From: Cate, Matt@CDCR
Sent: Tuesday, November 30, 2010 03:24 PM
To: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: Re: FDA entry item # [REDACTED]

From: Kernan, Scott@CDCR
Sent: Tuesday, November 30, 2010 03:18 PM
To: Cate, Matt@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: FW: FDA entry item # [REDACTED]

From: McAuliffe, John@CDCR
Sent: Tuesday, November 30, 2010 2:06 PM
To: Kernan, Scott@CDCR
Subject: FW: FDA entry item # [REDACTED]

FYI

From: [REDACTED]@fda.hhs.gov
Sent: Tuesday, November 30, 2010 2:00 PM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR; [REDACTED]
Subject: RE: FDA entry item # [REDACTED]

John,

This entry is currently under review by our DIOP branch. Due to the intended use they are developing

a blanket policy for handling these type of shipments. If you need additional information you can call Supervisor [REDACTED] at 901-[REDACTED] or Supervisor [REDACTED] at 901-[REDACTED]. I am not authorized to make an admissibility decision on the entry.

Thank you,

[REDACTED]
[REDACTED]
US Food & Drug Administration
[REDACTED]

Phone: (901) [REDACTED]

Fax: (901) [REDACTED]

From: McAuliffe, John@CDCR [mailto:John.McAuliffe@cdcr.ca.gov]

Sent: Tuesday, November 30, 2010 3:37 PM

To: [REDACTED]

Cc: Kernan, Scott@CDCR

Subject: FDA entry item # [REDACTED]

[REDACTED]

I am inquiring into the shipment (# [REDACTED]) that is currently awaiting FDA approval. The shipment is to be sent to [REDACTED] Whittier, CA. [REDACTED] by FED-EX. [REDACTED] is the FED-EX contact person) I also called your phone number 901-[REDACTED] and left a message. If you could please return my call I would like to know the timeline for release. Thank you in advance.

John McAuliffe
California Department of Corrections and Rehabilitation

From: [REDACTED]@CDCR
To: Kernan, Scott@CDCR
Cc: [REDACTED]@CDCR
Subject: Re: FDA entry item # [REDACTED]
Date: Tuesday, November 30, 2010 5:55:51 PM

K
[REDACTED]

From: Kernan, Scott@CDCR
Sent: Tuesday, November 30, 2010 05:51 PM
To: [REDACTED]@CDCR
Subject: Fw: FDA entry item # [REDACTED]

Remind me to call FDA tomorrow. Thx

From: Cate, Matt@CDCR
Sent: Tuesday, November 30, 2010 03:24 PM
To: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: Re: FDA entry item # [REDACTED]

[REDACTED]

From: Kernan, Scott@CDCR
Sent: Tuesday, November 30, 2010 03:18 PM
To: Cate, Matt@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: FW: FDA entry item # [REDACTED]

[REDACTED]

From: McAuliffe, John@CDCR
Sent: Tuesday, November 30, 2010 2:06 PM
To: Kernan, Scott@CDCR
Subject: FW: FDA entry item # [REDACTED]

FYI

From: [REDACTED]@fda.hhs.gov
Sent: Tuesday, November 30, 2010 2:00 PM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR; [REDACTED]
Subject: RE: FDA entry item # [REDACTED]

John,

This entry is currently under review by our DIOP branch. Due to the intended use they are developing

a blanket policy for handling these type of shipments. If you need additional information you can call Supervisor [REDACTED] at 901-[REDACTED] or Supervisor [REDACTED] at 901-[REDACTED]. I am not authorized to make an admissibility decision on the entry.

Thank you,

[REDACTED]
[REDACTED]
US Food & Drug Administration

Phone: (901) [REDACTED]

Fax: (901) [REDACTED]

From: McAuliffe, John@CDCR [mailto:John.McAuliffe@cdcr.ca.gov]

Sent: Tuesday, November 30, 2010 3:37 PM

To: [REDACTED]

Cc: Kernan, Scott@CDCR

Subject: FDA entry item # [REDACTED]

[REDACTED]

I am inquiring into the shipment (# [REDACTED]) that is currently awaiting FDA approval. The shipment is to be sent to [REDACTED] Whittier, CA. [REDACTED] by FED-EX. [REDACTED] is the FED-EX contact person) I also called your phone number 901-[REDACTED] and left a message. If you could please return my call I would like to know the timeline for release. Thank you in advance.

John McAuliffe
California Department of Corrections and Rehabilitation

From: Kernan, Scott@CDCR
To: [REDACTED]
Subject: Fw: FDA entry item # [REDACTED]
Date: Tuesday, November 30, 2010 5:51:16 PM

Remind me to call FDA tomorrow. Thx

From: Cate, Matt@CDCR
Sent: Tuesday, November 30, 2010 03:24 PM
To: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: Re: FDA entry item # [REDACTED]

[REDACTED]

From: Kernan, Scott@CDCR
Sent: Tuesday, November 30, 2010 03:18 PM
To: Cate, Matt@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: FW: FDA entry item # [REDACTED]

[REDACTED]

From: McAuliffe, John@CDCR
Sent: Tuesday, November 30, 2010 2:06 PM
To: Kernan, Scott@CDCR
Subject: FW: FDA entry item # [REDACTED]

FYI

From: [REDACTED]@fda.hhs.gov
Sent: Tuesday, November 30, 2010 2:00 PM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR; [REDACTED]
Subject: RE: FDA entry item # [REDACTED]

John,

This entry is currently under review by our DIOP branch. Due to the intended use they are developing a blanket policy for handling these type of shipments. If you need additional information you can call Supervisor [REDACTED] at 901-[REDACTED] or Supervisor [REDACTED] at 901-[REDACTED]. I am not authorized to make an admissibility decision on the entry.

Thank you,

[REDACTED]

[REDACTED]
US Food & Drug Administration

Phone: (901) [REDACTED]

Fax: (901) [REDACTED]

From: McAuliffe, John@CDCR [mailto:John.McAuliffe@cdcr.ca.gov]

Sent: Tuesday, November 30, 2010 3:37 PM

To: [REDACTED]

Cc: Kernan, Scott@CDCR

Subject: FDA entry item # [REDACTED]

[REDACTED]

I am inquiring into the shipment (# [REDACTED] that is currently awaiting FDA approval. The shipment is to be sent to [REDACTED] Whittier, CA. [REDACTED] by FED-EX. [REDACTED] is the FED-EX contact person) I also called your phone number 901-[REDACTED] and left a message. If you could please return my call I would like to know the timeline for release. Thank you in advance.

John McAuliffe
California Department of Corrections and Rehabilitation

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: FDA entry item # [REDACTED]
Date: Tuesday, November 30, 2010 3:24:14 PM

From: Cate, Matt@CDCR
Sent: Tuesday, November 30, 2010 3:24:10 PM
To: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: Re: FDA entry item # [REDACTED]
Auto forwarded by a Rule

[REDACTED]

From: Kernan, Scott@CDCR
Sent: Tuesday, November 30, 2010 03:18 PM
To: Cate, Matt@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: FW: FDA entry item # [REDACTED]

[REDACTED]

From: McAuliffe, John@CDCR
Sent: Tuesday, November 30, 2010 2:06 PM
To: Kernan, Scott@CDCR
Subject: FW: FDA entry item # [REDACTED]

FYI

From: [REDACTED]@fda.hhs.gov
Sent: Tuesday, November 30, 2010 2:00 PM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR; [REDACTED]
Subject: RE: FDA entry item # [REDACTED]

John,

This entry is currently under review by our DIOP branch. Due to the intended use they are developing a blanket policy for handling these type of shipments. If you need additional information you can call Supervisor [REDACTED] at 901-[REDACTED] or Supervisor [REDACTED] at 901-[REDACTED]. I am not authorized to make an admissibility decision on the entry.

Thank you,

[REDACTED]
US Food & Drug Administration

Phone: (901) [REDACTED]

Fax: (901) [REDACTED]

From: McAuliffe, John@CDCR [mailto:John.McAuliffe@cdcr.ca.gov]

Sent: Tuesday, November 30, 2010 3:37 PM

To: [REDACTED]

Cc: Kernan, Scott@CDCR

Subject: FDA entry item # [REDACTED]

[REDACTED]

I am inquiring into the shipment (# [REDACTED]) that is currently awaiting FDA approval. The shipment is to be sent to [REDACTED] Whittier, CA. [REDACTED] by FED-EX. [REDACTED] is the FED-EX contact person) I also called your phone number 901-[REDACTED] and left a message. If you could please return my call I would like to know the timeline for release. Thank you in advance.

John McAuliffe
California Department of Corrections and Rehabilitation

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Bloomberg news: U.K. to Control Export of Death-Penalty Anesthetic
Date: Tuesday, November 30, 2010 12:41:56 PM

From: McAuliffe, John@CDCR
Sent: Tuesday, November 30, 2010 12:41:54 PM
To: Kernan, Scott@CDCR
Subject: FW: Bloomberg news: U.K. to Control Export of Death-Penalty Anesthetic
Auto forwarded by a Rule

Scott here is the article
John

From: McAuliffe, John@CDCR
Sent: Tuesday, November 30, 2010 12:18 PM
To: Slavin, Bruce@CDCR
Subject: Bloomberg news: U.K. to Control Export of Death-Penalty Anesthetic

The U.K. government will require a license for the export of sodium thiopental, an anesthetic used on prisoners being executed in the U.S.

<http://www.bloomberg.com/news/2010-11-29/u-k-to-control-export-of-death-penalty-anesthetic-update2-.html>

FYI

John

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: talking points
Date: Tuesday, November 30, 2010 12:41:17 PM

From: McAuliffe, John@CDCR
Sent: Tuesday, November 30, 2010 12:41:14 PM
To: Kernan, Scott@CDCR
Subject: RE: talking points
Auto forwarded by a Rule

Scott
No word from FDA. [REDACTED]...Not sure if you heard but the United Kingdom's Business Secretary, Vince Cable, stated today, "I have taken the decision to control the export of sodium thiopental."
John


From: Kernan, Scott@CDCR
Sent: Tuesday, November 30, 2010 12:23 PM
To: McAuliffe, John@CDCR
Subject: FW: talking points

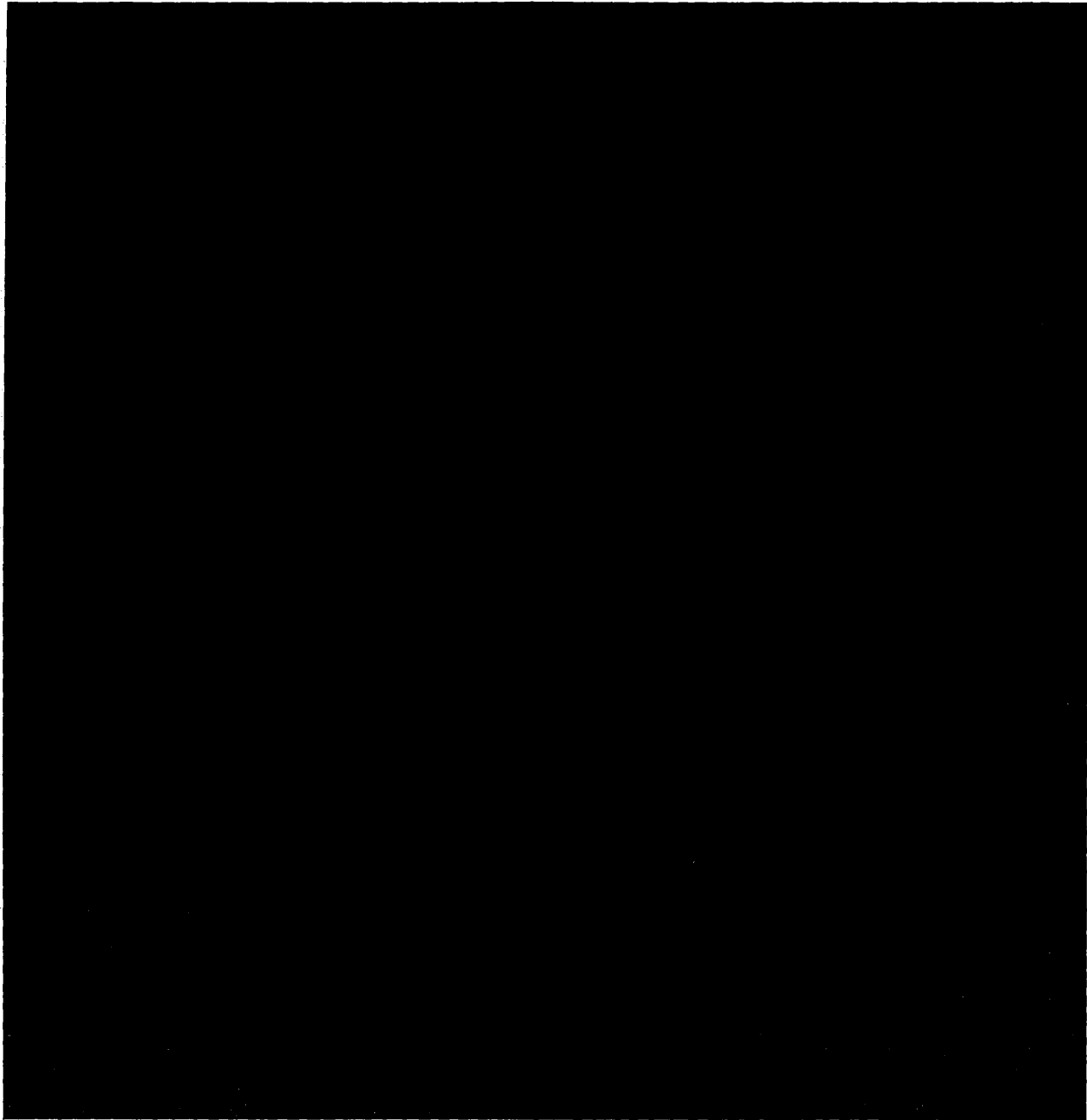
John,

[REDACTED] Any word?

Scott

From: Hidalgo, Oscar@CDCR
Sent: Tuesday, November 30, 2010 12:20 PM
To: Cate, Matt@CDCR; Kernan, Scott@CDCR; Rice, Benjamin@CDCR
Subject: talking points





Oscar Hidalgo
Assistant Secretary, Communications
California Department of Corrections and Rehabilitation
[Redacted] Cell



www.CDCR.ca.gov
click *inside* California corrections

From: [Gilpin, Timothy@CDCR](mailto:Gilpin_Timothy@CDCR)
To: [Kernan, Scott@CDCR](mailto:Kernan_Scott@CDCR); [Lewis, Dave \(Budgets\)@CDCR](mailto:Lewis_Dave_(Budgets)@CDCR)
Subject: RE:
Date: Wednesday, October 13, 2010 8:59:00 AM
Importance: High

I'll be downtown after lunch for the AR meeting, I can pick it up then. Make sure we have an order number, PO number and I will then have the staff write a check for payment.

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 8:46 AM
To: [Gilpin, Timothy@CDCR](mailto:Gilpin_Timothy@CDCR); [Lewis, Dave \(Budgets\)@CDCR](mailto:Lewis_Dave_(Budgets)@CDCR)
Subject:

Tim,

I am getting an invoice for the purchase of drugs from England. I will need to affect payment immediately. Its going to be around 40k. How do I make this happen quick.

Scott

From: Kernan_Scott@CDCR
To: Gilpin_Timothy@CDCR; [Lewis_Dave_\(Budgets\)@CDCR](mailto:Lewis_Dave_(Budgets)@CDCR)
Date: Wednesday, October 13, 2010 8:46:26 AM

Tim,

I am getting an invoice for the purchase of drugs from England. I will need to affect payment immediately. Its going to be around 40k. How do I make this happen quick.

Scott

From: [REDACTED]@CDCR
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR
Subject: RE: Secretary's Request for Payment
Date: Thursday, October 28, 2010 4:17:21 PM
Sensitivity: Confidential

Thank you. Steve is going to discuss the \$35,000 purchase with Brett tomorrow. I'll keep you posted. [REDACTED]

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 4:14 PM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR
Subject: RE: Secretary's Request for Payment
Sensitivity: Confidential

Since this is under \$5,000, we aren't breaking any procurement rules other than we don't have any documentation for fair and reasonable and we didn't have a payment vehicle prior to purchasing. I don't think it's a real concern. Log sheet and invoice will need to accompany the US Bank Statement. The \$35,00 will require quotes or an NCB.

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 3:09 PM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR
Subject: FW: Secretary's Request for Payment
Sensitivity: Confidential

[REDACTED] please treat as confidential. I have no idea how they purchased from this company. Can you do some research and make sure we're not breaking any procurement rules? Thanks.

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 2:04 PM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR; Alston, Steve M@CDCR
Subject: RE: Secretary's Request for Payment
Sensitivity: Confidential

Will do. Thanks.

[REDACTED]
Accounting Services
Department of Corrections and Rehabilitation
Tel: 916 [REDACTED]
Fax: 916 [REDACTED]
Cell: 916 [REDACTED]
[REDACTED]@cdcr.ca.gov

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 1:56 PM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR; Alston, Steve M@CDCR
Subject: RE: Secretary's Request for Payment
Importance: High
Sensitivity: Confidential

[REDACTED] let's pay using Cal-Card for the current purchase. As for the future purchase for \$35,000—I need to discuss with [REDACTED]. Thanks.

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 1:36 PM
To: [REDACTED]@CDCR
Subject: Secretary's Request for Payment
Sensitivity: Confidential

Hi [REDACTED],

Question re the attached invoice. It's for drugs related to lethal injections. Due to political sensitivity of this payment, the Secretary's office is paying the invoice as opposed to HC. However, there is no authority to pay, i.e., PO, S&E, etc. Can we do this via cal card when the cards are activated (Bank should receive \$\$today), or can we do an S&E after the fact (I know that's found upon). I just don't want to get the payment hung up at the SCO.

Also related to the lethal injection process, the Dept is buying more drugs from another company. That bill s/b over \$35K. I will advise that they need an authority to pay for that larger payment.

Let me know your thoughts on this. Thank you.

[REDACTED]
Accounting Services
Department of Corrections and Rehabilitation
Tel: 916 [REDACTED]
Fax: 916 [REDACTED]
Cell: 916 [REDACTED]
[REDACTED]@cdc.ca.gov

From: [REDACTED]@CDCR
To: Lindquist, Kristina@CDCR
Subject: FW: Secretary's Request for Payment
Date: Tuesday, November 23, 2010 3:27:36 PM
Sensitivity: Confidential

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 1:52 PM
To: Alston, Steve M@CDCR
Subject: RE: Secretary's Request for Payment
Sensitivity: Confidential

No—this is the first I've heard of this.

From: Alston, Steve M@CDCR
Sent: Thursday, October 28, 2010 1:52 PM
To: [REDACTED]@CDCR
Subject: RE: Secretary's Request for Payment
Sensitivity: Confidential

Cal-Card seems to be the best option for this purchase. Any clue on how they did this or, more importantly, the next one?

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 1:43 PM
To: Alston, Steve M@CDCR
Subject: FW: Secretary's Request for Payment
Sensitivity: Confidential

How do you want to handle this?

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 1:36 PM
To: [REDACTED]@CDCR
Subject: Secretary's Request for Payment
Sensitivity: Confidential

Hi [REDACTED],

Question re the attached invoice. It's for drugs related to lethal injections. Due to political sensitivity of this payment, the Secretary's office is paying the invoice as opposed to HC. However, there is no authority to pay, i.e., PO, S&E, etc. Can we do this via cal card when the cards are activated (Bank should receive \$\$today), or can we do an S&E after the fact (I know that's found upon). I just don't want to get the payment hung up at the SCO.

Also related to the lethal injection process, the Dept is buying more drugs from another company. That bill s/b over \$35K. I will advise that they need an authority to pay for that larger payment.

Let me know your thoughts on this. Thank you.



Accounting Services

Department of Corrections and Rehabilitation

Tel: 916 [redacted]

Fax: 916 [redacted]

Cell: 916 [redacted]

[redacted] cdcr.ca.gov

From: [REDACTED]@CDCR
To: Lindquist, Kristina@CDCR
Subject: FW: Secretary's Request for Payment
Date: Tuesday, November 23, 2010 2:07:20 PM
Attachments: [REDACTED].nvoice0001.pdf
Sensitivity: Confidential

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 4:18 PM
To: Alston, Steve M@CDCR
Subject: FW: Secretary's Request for Payment
Sensitivity: Confidential

FYI.

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 4:14 PM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR
Subject: RE: Secretary's Request for Payment
Sensitivity: Confidential

Since this is under \$5,000, we aren't breaking any procurement rules other than we don't have any documentation for fair and reasonable and we didn't have a payment vehicle prior to purchasing. I don't think it's a real concern. Log sheet and invoice will need to accompany the US Bank Statement. The \$35,00 will require quotes or an NCB.

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 3:09 PM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR
Subject: FW: Secretary's Request for Payment
Sensitivity: Confidential

[REDACTED] please treat as confidential. I have no idea how they purchased from this company. Can you do some research and make sure we're not breaking any procurement rules? Thanks.

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 2:04 PM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR; Alston, Steve M@CDCR
Subject: RE: Secretary's Request for Payment
Sensitivity: Confidential

Will do. Thanks.

[REDACTED]
Accounting Services

AMARILLO, TX

[Redacted]

Bill To:
CDCR-Scott Kernan
Undersecretary
1515 S Street, Suite 502S
Sacramento, CA 95811-7243

Ship To:
Neumiller Infirmary Pharmacy
California State Prison, San Quentin
San Quentin, CA 94964
Attn: Warden Vincent Cullen

Statement Balance as of 9/30/2010
CDCR

TOTAL DUE: \$1,121.60
AMOUNT OF PAYMENT:

CREDIT CARD # _____ EXPIRATION DATE ____ / ____
SIGNATURE _____

* Detach and send this portion with payment *

MassCP6

STATEMENT BALANCE AS OF 9/30/2010

CDCR-Scott Kernan
Undersecretary
1515 S Street, Suite 502S
Sacramento, CA 95811-7243

PREVIOUS BALANCE \$0.00
TOTAL CHARGES \$1,121.60
PAYMENTS RECEIVED (\$0.00)
TOTAL DUE \$1,121.60

1533973	PHARMACY SALES	09/01/2010	\$1,121.60
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Wire Instructions:

Bank Name: [Redacted]
Routing #: [Redacted]
Account #: [Redacted]
Account Name: [Redacted]

Thank you for your business!

10/7/2010 3:31:43 PM

From: [REDACTED]@CDCR
To: Lindquist, Kristina@CDCR
Subject: FW: Secretary's Request for Payment
Date: Tuesday, November 23, 2010 2:07:20 PM
Attachments: [REDACTED] Invoice0001.pdf
Sensitivity: Confidential

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 4:18 PM
To: Alston, Steve M@CDCR
Subject: FW: Secretary's Request for Payment
Sensitivity: Confidential

FYI.

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 4:14 PM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR
Subject: RE: Secretary's Request for Payment
Sensitivity: Confidential

Since this is under \$5,000, we aren't breaking any procurement rules other than we don't have any documentation for fair and reasonable and we didn't have a payment vehicle prior to purchasing. I don't think it's a real concern. Log sheet and invoice will need to accompany the US Bank Statement. The \$35,00 will require quotes or an NCB.

From: [REDACTED]@CDCR
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Cc: [REDACTED]@CDCR
Subject: FW: Secretary's Request for Payment
Sensitivity: Confidential

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From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 2:04 PM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR; Alston, Steve M@CDCR
Subject: RE: Secretary's Request for Payment
Sensitivity: Confidential

Will do. Thanks.

[REDACTED]
Accounting Services

Department of Corrections and Rehabilitation

Tel: 916 [REDACTED]

Fax: 916 [REDACTED]

Cell: 916 [REDACTED]

[REDACTED]@cdcr.ca.gov

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 1:56 PM
To: [REDACTED]@CDCR
Cc: [REDACTED]@CDCR; Alston, Steve M@CDCR
Subject: RE: Secretary's Request for Payment
Importance: High
Sensitivity: Confidential

[REDACTED] let's pay using Cal-Card for the current purchase. As for the future purchase for \$35,000—I need to discuss with [REDACTED]. Thanks.

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To: [REDACTED]@CDCR
Subject: Secretary's Request for Payment
Sensitivity: Confidential

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Also related to the lethal injection process, the Dept is buying more drugs from another company. That bill s/b over \$35K. I will advise that they need an authority to pay for that larger payment.

Let me know your thoughts on this. Thank you.

[REDACTED]
Accounting Services
Department of Corrections and Rehabilitation
Tel: 916 [REDACTED]
Fax: 916 [REDACTED]
Cell: 916 [REDACTED]
[REDACTED]@cdcr.ca.gov

AMARILLO, TX

[Redacted]

Bill To:
CDCR-Scott Kernan
Undersecretary
1515 S Street, Suite 502S
Sacramento, CA 95811-7243

Ship To:
Neumiller Infirmary Pharmacy
California State Prison, San Quentin
San Quentin, CA 94964
Attn: Warden Vincent Cullen

Statement Balance as of 9/30/2010

CDCR

TOTAL DUE: \$1,121.60

AMOUNT OF PAYMENT:

CREDIT CARD # _____ EXPIRATION DATE ____ / ____
SIGNATURE _____

* Detach and send this portion with payment *

MiscCPS

STATEMENT BALANCE AS OF 9/30/2010

CDCR-Scott Kernan
Undersecretary
1515 S Street, Suite 502S
Sacramento, CA 95811-7243

PREVIOUS BALANCE	\$0.00
TOTAL CHARGES	\$1,121.60
PAYMENTS RECEIVED	(\$0.00)
TOTAL DUE	\$1,121.60

1533973	PHARMACY SALES	09/01/2010	\$1,121.60
---------	----------------	------------	------------

Wire Instructions:

Bank Name:

Routing #:

Account #:

Account Name:

[Redacted]

Thank you for your business!

10/7/2010 3:31:43 PM



No Sodium THIO-PENTAL (NO idea of when supplies)
(will start making it)

pento barbital (barbiturate)

CA. protocol 3g / 2 trays

Backup 6g

training 9g

total 21g

per execution

The punishment of death shall be inflicted by the administration of a lethal gas or by an injection of a substance or substances in a lethal quantity sufficient to cause death by standards established under the direction of the Department of Corrections. [CA. Penal Code Sec: 3609 (a)]

DEA

SF UNIT

DEVIATION INVESTIGATOR

415-

Sodium THIOPENTAL

DEA # 2100

[REDACTED]

[REDACTED]

DC

OAKLAND

310

800

1-888-

#1

WASHINGTON D.C.

800-



(Help INFO Hot-line)

MONDAY



202-



SF -



415-

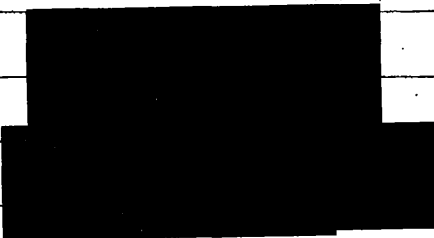


DAK -

510 -



SAC -

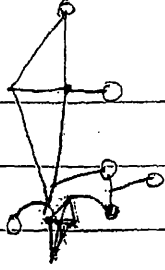
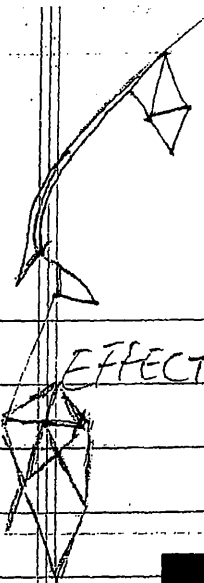


916 -



July

EFFECTIVE DATE



[REDACTED]

DEA

[REDACTED]

415-

email-

[REDACTED]

@USDOJ.G

[REDACTED]

@

IMP SC
EXP

3 DR. PLS
PROCUREMENT problems

[REDACTED]

DOA

DIV

DEA

zpp

ATTN:

[REDACTED]

Spring VA.

OFF DIV CON/CD

email

[REDACTED]

DEA

DIVERSION CONTROL Unit (D.C.)

(SF) 415- [REDACTED]

415- [REDACTED]

415- [REDACTED]

* (OAK) 510- [REDACTED]

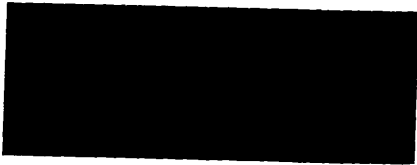
@ USDOJ.GOV

* (SAC) 916- [REDACTED]

(WASH D.C.) 800- [REDACTED]

(HELP INFO HOTLINE)

202- [REDACTED]



21 GRAMS Sodium THIOPTHAL

350 milligrams PANCURONIUM Bromide

1400 mL POTASSIUM Chloride

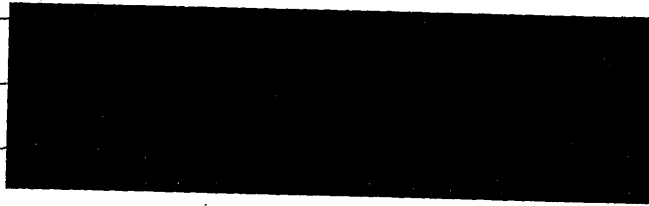
Ship to SQ



NAME PHAR:

ADDRESS:

DEA #



④ Customs Broker

④ Port of Unladen

④ Port of Entry

④ Customs

* Customs communicates w/ FDA

④ FDA

ASSISTANT PORT DIRECTOR OF CUSTOMS

LOCAL FDA OFFICIAL IN CHARGE

FEDEX

Drug Pickup

DR. - AW meet FDA OFFICIAL

[Redacted] CARSON

[Redacted]

9/30 Warden McWilliams AZ WALTON
520 [Redacted]
800

FAX-520 [Redacted]

Charles Flanagan

FAX-520-

~~2/11~~

01144-

9/30

[Redacted]

ARCA MEDIAS

01144

219 @ 50

10509

EXPIRATION DATE -

MAY 2014

500mg Kits @ 2.5%

Total

2100 Kits

AZ
TENN

25 106.75 @ 100

FDA
CUSTOMS
COMMITTEE

LOCAL

1 Oct

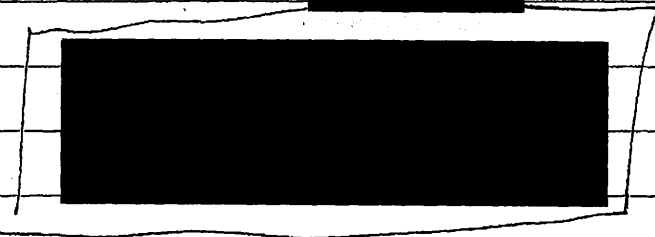
Oct:26

Dir to Dir to

ARK
DID

3 days

London



LOCAL
CUSTOMS
FED

AGENT

VIA Fed EX
LOW to

TECH

FDA holdup

FLY to Port Union

Broker Phoenix

FDA office / CUSTOMS

Part of Entry

DSA

FDA / CUSTOMS PROCESS

CUSTOMS Broker

(CUSTOMS ENTRY #)

CUSTOMS
FED

pictures

11/11/00

to

[REDACTED]

[REDACTED]

317-

[REDACTED]

IND

DETA

INVOICE

AZ DR. NAME

DOA #

DATE OF TRANSFER

CHAIN OF CUSTODY

DR. DOA #

DEA

OAKLAND

~~9/30~~

[REDACTED]

510-

[REDACTED]

~~9/30~~

[REDACTED]

~~9/30~~

[REDACTED]

202-

[REDACTED]

* INTERNATIONAL Drug Unit

[REDACTED]

10/1

INTERNATIONAL Drug Unit

202-

[REDACTED]

[REDACTED]

10/4

[REDACTED]

[REDACTED]

@usdoj.gov

202-

[REDACTED]

[REDACTED]

202-

[REDACTED]

10/4

[REDACTED]

615-

[REDACTED]

10/4

[REDACTED]

317-

[REDACTED]

10/5

DEA email

7 COMPANIES w/import DEA

10/5

[REDACTED]

562

1000 hrs

[REDACTED]

[REDACTED]

1050 grams 89 packs @ \$200.00 US

(+) DUTY

(+) BROKER

(+) Fees

10/6

[REDACTED]

[REDACTED]

011 44

FAX 44

[REDACTED]

10/11

[REDACTED]

(cell) 949-

[REDACTED]

(office) 949-

[REDACTED]

87 VIALS \$33,600.00

1050g

⊕ duty

⊕ broker 2-3%

⊕ fees 30% ± 3

43 VIALS

505g

10/12

[REDACTED]

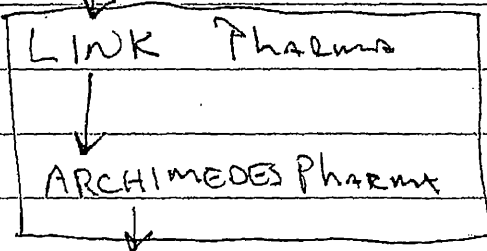
[REDACTED]

ARCHIMEDES Pharma

www.ARCHIMEDESpharma.com

www.hospira.co.uk

[REDACTED]



SAME COMPANY

HOSPIRA UK



[REDACTED]

10/13

[REDACTED]

INVOICE 525g
[REDACTED] FEES

emiled

10/13

meeting w/ SCOTT KEENAN

10/15

[REDACTED]

Tuesday Oct 19,

emil WALDON

[REDACTED]

@cdc.ccr.gov

\$ 2835.00

[REDACTED]

[REDACTED]

11/29/10 Customs Released

FEDX ENTRY #

← CONTACT: [REDACTED]

DEA CONTACT: [REDACTED]

[REDACTED]

901-

[REDACTED] @ FDA.HHS.90

FDA

[REDACTED]

901-

[REDACTED]

It won't be destroyed?

Department of Health and Human Services

[REDACTED] @ FDA.HHS.GOV

Office of Commissioner

FOR

DR. MARGARET HAMBURG

301- [REDACTED]

DIRECTOR

[REDACTED]

301- [REDACTED]

FED-EX

[REDACTED]

[REDACTED]

800 [REDACTED]

800 [REDACTED]

800 [REDACTED]

[REDACTED]

HHS, FDA
SUPERVISOR

[REDACTED]

PER YOUR CONVERSATION WITH JOHN McAULIFFE
I AM FORWARDING YOU THIS MEMO CONCERNING
THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND
REHABILITATION'S ~~DRUG ORDER~~ ~~AWAITING RELEASE~~
DRUG ORDER (# [REDACTED])

AWAITING RELEASE FROM YOUR AGENCY FOR
FED-EX SHIPMENT. ~~THE DRUGS ARE TO BE~~
~~USED TO CALIFORNIA'S PENAL CODE ?~~
THE DRUGS

From: Cate, Matt@CDCR
To: [REDACTED]@CDCR; [REDACTED]@CDCR
Subject: FW: Boomer Sooner
Date: Wednesday, October 27, 2010 10:31:21 AM

From: Kernan, Scott@CDCR
Sent: Wednesday, October 27, 2010 10:31:19 AM
To: Cate, Matt@CDCR; Rice, Benjamin@CDCR
Subject: Fw: Boomer Sooner
Auto forwarded by a Rule

[REDACTED]

From: [REDACTED]
To: Kernan, Scott@CDCR
Cc: [REDACTED]
Sent: Wed Oct 27 10:23:27 2010
Subject: Boomer Sooner

Hi Scott: I know you have already seen this but if not, wanted to share...very interesting.

Arizona's Jeffrey Landrigan executed despite concerns drugs not FDA-approved: Supreme Court gives OK

BY [Aliyah Shahid](#)
DAILY NEWS STAFF WRITER

Wednesday, October 27th 2010, 7:37 AM

The state of [Arizona](#) executed a convicted murderer on Tuesday night despite objections from attorneys that the state would use a non-approved drug from overseas for the lethal injection.

Just hours before [Jeffrey Landrigan's](#) death, the Supreme Court voted 5-4 to lift a stay issued by a federal judge to halt the execution.

"There is no evidence in the record to suggest that the drug obtained from a foreign source is unsafe," the Supreme Court said

Due to a U.S. shortage, the state turned to a non-FDA approved drug. It was later revealed that the source was the U.K., although the actual company that makes the drug is still unknown.

Experts argue the practice raises concerns about the effectiveness of the drug. It may also cause difficulties for executions in the 35 states that allow them, as those on death row challenge the use of drugs not approved by the feds.

"The impact could be huge," Deborah Denno, a law professor at Fordham University said.

Landrigan, 50, filed a lawsuit, arguing he could suffer great pain if the drug did not work. Shortage of the drug, anesthetic sodium thiopental, has forced many lethal injections to be delayed.

Landrigan was convicted of the grisly 1989 murder of Chester Dean Dyer, whom he strangled during an armed burglary after escaping from an Oklahoma jail where he had been serving another sentence for second-degree murder.

When asked for his last words, the inmate said, "Well I'd like to say thank you to my family for being here and all my friends," the Arizona Republic reported. He added "and Boomer Sooner," a cheer used by University of Oklahoma fans.

Read more: http://www.nydailynews.com/news/national/2010/10/27/2010-10-27_arizonas_jeffrey_landrigan_executed_despite_concerns_drugs_not_fdaapproved_supre.html#ixzz13a30jY9f

From: Cate, Matt@CDCR
To: [REDACTED]@CDCR; [REDACTED]@CDCR
Subject: FW: Letter
Date: Friday, October 15, 2010 10:15:30 AM

From: Rice, Benjamin@CDCR
Sent: Friday, October 15, 2010 10:15:21 AM
To: Kernan, Scott@CDCR; Cate, Matt@CDCR
Subject: RE: Letter
Auto forwarded by a Rule

[REDACTED]

-----Original Message-----
From: Kernan, Scott@CDCR
Sent: Friday, October 15, 2010 9:22 AM
To: Rice, Benjamin@CDCR; Cate, Matt@CDCR
Subject: Fw: Letter

[REDACTED]

----- Original Message -----
From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Cc: McCleave, Kelly@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR
Sent: Fri Oct 15 08:56:24 2010
Subject: Letter

Scott
[REDACTED] needs a letter from CDCR pharmacy (SQ if possible) simply stating that CDCR is requesting that [REDACTED] order 525 grams of Sodium Thiopental from [REDACTED]. Nothing else is needed just the request. As explained to me by [REDACTED] California Law will not allow a Doctor to order on one scrip such a large volume. Pharamacy to Pharamacy will allow [REDACTED] to meet our needs to complete the process.
John

From: Cate, Matt@CDCR
To: [REDACTED]@CDCR; [REDACTED]@CDCR
Subject: FW: Letter
Date: Friday, October 15, 2010 9:22:02 AM

From: Kernan, Scott@CDCR
Sent: Friday, October 15, 2010 9:21:58 AM
To: Rice, Benjamin@CDCR; Cate, Matt@CDCR
Subject: Fw: Letter
Auto forwarded by a Rule



----- Original Message -----
From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Cc: McCleave, Kelly@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR
Sent: Fri Oct 15 08:56:24 2010
Subject: Letter

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John

From: Cate, Matt@CDCR
To: [REDACTED]@CDCR; [REDACTED]@CDCR
Subject: FW: Boomer Sooner
Date: Wednesday, October 27, 2010 10:37:45 AM

From: Rice, Benjamin@CDCR
Sent: Wednesday, October 27, 2010 10:37:43 AM
To: Kernan, Scott@CDCR; Cate, Matt@CDCR
Subject: Re: Boomer Sooner
Auto forwarded by a Rule

[REDACTED]

From: Kernan, Scott@CDCR
To: Cate, Matt@CDCR; Rice, Benjamin@CDCR
Sent: Wed Oct 27 10:31:19 2010
Subject: Fw: Boomer Sooner

[REDACTED]

From: [REDACTED]
To: Kernan, Scott@CDCR
Cc: [REDACTED]
Sent: Wed Oct 27 10:23:27 2010
Subject: Boomer Sooner

Hi Scott: I know you have already seen this but if not, wanted to share...very interesting.

Arizona's Jeffrey Landrigan executed despite concerns drugs not FDA-approved: Supreme Court gives OK

BY [Aliyah Shahid](#)
DAILY NEWS STAFF WRITER

Wednesday, October 27th 2010, 7:37 AM

The state of [Arizona](#) executed a convicted murderer on Tuesday night despite objections from attorneys

that the state would use a non-approved drug from overseas for the lethal injection.

Just hours before Jeffrey Landrigan's death, the Supreme Court voted 5-4 to lift a stay issued by a federal judge to halt the execution.

"There is no evidence in the record to suggest that the drug obtained from a foreign source is unsafe," the Supreme Court said

Due to a U.S. shortage, the state turned to a non-FDA approved drug. It was later revealed that the source was the U.K., although the actual company that makes the drug is still unknown.

Experts argue the practice raises concerns about the effectiveness of the drug. It may also cause difficulties for executions in the 35 states that allow them, as those on death row challenge the use of drugs not approved by the feds.

"The impact could be huge," Deborah Denno, a law professor at Fordham University said.

Landrigan, 50, filed a lawsuit, arguing he could suffer great pain if the drug did not work. Shortage of the drug, anesthetic sodium thiopental, has forced many lethal injections to be delayed.

Landrigan was convicted of the grisly 1989 murder of Chester Dean Dyer, whom he strangled during an armed burglary after escaping from an Oklahoma jail where he had been serving another sentence for second-degree murder.

When asked for his last words, the inmate said, "Well I'd like to say thank you to my family for being here and all my friends," the Arizona Republic reported. He added "and Boomer Sooner," a cheer used by University of Oklahoma fans.

Read more: <http://www.nydailynews.com/news/national/2010/10/27/2010-10-27-arizonas-jeffrey-landrigan-executed-despite-concerns-drugs-not-fdaapproved-supre.html#ixzz13a30jY9f>

1 EDMUND G. BROWN JR.
Attorney General of California
2 THOMAS S. PATTERSON
Supervising Deputy Attorney General
3 MICHAEL J. QUINN
Deputy Attorney General
4 State Bar No. 209542
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-5726
6 Fax: (415) 703-5843
E-mail: Michael.Quinn@doj.ca.gov
7 *Attorneys for Defendants Schwarzenegger, Cate and
Cullen*

8
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION
12

13 **MICHAEL ANGELO MORALES,**
ALBERT G. BROWN,

14 Plaintiffs,

15 v.

16
17 **MATTHEW CATE, et al.,**

18 Defendants.
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C 06-0219 JF

**DEFENDANTS' NOTICE REGARDING
ACQUISITION OF SODIUM
THIOPENTAL**

1 In accordance with this Court's October 5, 2010 order, Defendants report that the California
2 Department of Corrections and Rehabilitation (CDCR) has ordered 521 grams of sodium
3 thiopental. Defendants have been informed that CDCR will likely receive the drug, which
4 expires in 2014, during the week of November 29, 2010.

5
6 Dated: November 22, 2010

Respectfully Submitted,

7 EDMUND G. BROWN JR.
Attorney General of California
8 THOMAS S. PATTERSON
Supervising Deputy Attorney General

9
10
11 /S/ MICHAEL J. QUINN

12 _____
MICHAEL J. QUINN
13 Deputy Attorney General
Attorneys for Defendants
Schwarzenegger, Cate, and Cullen

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E-Filed 10/5/2010

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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

Michael Angelo MORALES and Albert
Greenwood Brown,

Plaintiffs,

v.

Matthew CATE, Secretary of the California
Department of Corrections and Rehabilitation, et
al.,

Defendants.

Case Number 5-6-cv-219-JF-HRL
Case Number 5-6-cv-926-JF-HRL

DEATH-PENALTY CASE

SCHEDULING ORDER

Good cause appearing therefor, the Court enters the following scheduling order:


1. Plaintiffs shall file an amended complaint setting forth their claims with respect to California's new lethal-injection regulations on or before Friday, October 8, 2010;
2. Defendants shall respond to the amended complaint on or before Monday, October 25, 2010;
3. The parties shall complete discovery on or before Friday, December 3, 2010;
4. The parties shall submit simultaneous briefing on or before Monday, December 20, 2010, addressing the need for and timing of a further evidentiary hearing (including but not limited to proceedings to be held at San Quentin State Prison), the issues to be addressed at such a hearing, and the amount of court time required for such a hearing;

1 5. On an ongoing basis, Defendants shall keep the Court fully informed of the status of
2 any orders they have placed for sodium thiopental.

3 It is the Court's understanding that Defendants will not seek to obtain any execution dates
4 until at least thirty days after the conclusion of any further evidentiary hearing in the present
5 action. The Court intends to resolve this action as expeditiously as possible, and it expects that
6 this order will not have any actual effect upon the scheduling of future executions, as Defendants
7 have represented that they will be unable to carry out any executions until after they replenish
8 their supply of sodium thiopental once "additional supplies [become] available in the first quarter
9 of 2011." (Doc. No. 420 at 2.)

10 IT IS SO ORDERED.

11
12 DATED: October 5, 2010

13 
14 JEREM FOGEL
15 United States District Judge
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From: [REDACTED]
To: McAuliffe, John@CDCR
Subject: Re: ATTN: [REDACTED]
Date: Thursday, October 07, 2010 10:01:30 AM

Dear Mr. McAuliffe:

To clarify, I have agreed only to start the process of investigating how to import this medication for the CDCR.

The amount of time, cost, complexity, risk, and liability has yet to be determined.

I will be meeting with corporate council on October 10, 2010.

In the mean time please keep this matter private no public disclosure.

I went to my files yesterday to review our previous process of importation.

I will today or tomorrow time permitting contact the DEA contact you have provided me

I will keep you informed as I collect information, ask any further questions of you, and tender a final decision and cost by next week.

Thank you in advance for your consideration of my company.

[REDACTED]
Whittier, CA

(562) [REDACTED] Monday through Friday 7:30am to 4:30pm PST

Fax (562) [REDACTED]
[REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>

To: [REDACTED]

Cc: "Kernan, Scott@CDCR" <Scott.Kernan@cdcr.ca.gov>

Sent: Wed, October 6, 2010 10:38:53 AM

Subject: ATTN: [REDACTED]

Sir

I am forwarding this email to you for your record. CDCR would like to know if this process of obtaining the thiopental (Duty, Broker, any additional fees to include [REDACTED] fees) could be billed to CDCR as one invoice? Additionally, can you give a possible estimate as to how long this process will take before we receive the thiopental? Again, thank you for your assistance.

John McAuliffe

From: [REDACTED]@usdoj.gov
Sent: Wednesday, October 06, 2010 1:34 AM
To: McAuliffe, John@CDCR
Subject: Re: [REDACTED]

Thank you. I'll make DEA's import/export unit aware of this matter.

[REDACTED]
Office of Diversion Control

From: McAuliffe, John@CDCR <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Cc: Kernan, Scott@CDCR <Scott.Kernan@cdcr.ca.gov>
Sent: Tue Oct 05 14:08:55 2010
Subject: [REDACTED]

[REDACTED]
Thank you for the list of companies listed with the DEA to import Thiopental. We have contacted [REDACTED] who has initially agreed to procure the Thiopental from London . We gave [REDACTED] your email as a point of contact with DEA since you know exactly what we have been doing and to whom we have been in contact with in your Department. Again thank you for your help and assistance.
John McAuliffe

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Subject: Re: [REDACTED]
Date: Wednesday, October 06, 2010 9:29:29 AM

John
Any word on how long we can expect this to take?

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Wed Oct 06 08:50:07 2010
Subject: Fw: [REDACTED]

FYI

From: [REDACTED] usdoj.gov>
To: McAuliffe, John@CDCR
Sent: Wed Oct 06 01:34:07 2010
Subject: Re: [REDACTED]

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[REDACTED]
Office of Diversion Control

From: McAuliffe, John@CDCR <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
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Subject: [REDACTED]

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John McAuliffe

From: [REDACTED]
To: [McAuliffe, John@CDCR](mailto:McAuliffe_John@CDCR)
Subject: Re: [REDACTED]
Date: Wednesday, October 06, 2010 1:34:13 AM

Thank you. I'll make DEA's import/export unit aware of this matter.

[REDACTED]
Office of Diversion Control

From: McAuliffe, John@CDCR <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Cc: Kernan, Scott@CDCR <Scott.Kernan@cdcr.ca.gov>
Sent: Tue Oct 05 14:08:55 2010
Subject: [REDACTED]

[REDACTED]
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From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Subject: Fw: ATTN: [REDACTED]
Date: Thursday, October 07, 2010 10:08:37 AM

FYI
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Thu Oct 07 09:48:06 2010
Subject: [REDACTED]

Dear Mr. McAuliffe:

To clarify, I have agreed only to start the process of investigating how to import this medication for the CDCR.

The amount of time, cost, complexity, risk, and liability has yet to be determined.

I will be meeting with corporate council on October 10, 2010.

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I went to my files yesterday to review our previous process of importation.

I will today or tomorrow time permitting contact the DEA contact you have provided me

[REDACTED]
I will keep you informed as I collect information, ask any further questions of you, and tender a final decision and cost by next week.

Thank you in advance for your consideration of my company.

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Whittier, CA
(562) [REDACTED] Monday through Friday 7:30am to 4:30pm PST
Fax (562) [REDACTED]
[REDACTED]

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From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Cc: "Kernan, Scott@CDCR" <Scott.Kernan@cdcr.ca.gov>
Sent: Wed, October 6, 2010 10:38:53 AM

Subject: [REDACTED]

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Sent: Wednesday, October 06, 2010 1:34 AM
To: McAuliffe, John@CDCR
Subject: [REDACTED]

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[REDACTED]
[REDACTED]
Office of Diversion Control

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Sent: Tue Oct 05 14:08:55 2010
Subject: [REDACTED]

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From: [McAuliffe, John@CDCR](mailto:McAuliffe,John@CDCR)
To: [Kernan, Scott@CDCR](mailto:Kernan,Scott@CDCR)
Subject: Accepted: DEA

From: [McAuliffe, John@CDCR](mailto:McAuliffe_John@CDCR)
To: [Kernan, Scott@CDCR](mailto:Kernan_Scott@CDCR)
Subject: Accepted: DEA

From: McAuliffe, John@CDCR
To: [REDACTED]
Cc: Kernan, Scott@CDCR
Subject: [REDACTED]
Date: Wednesday, October 06, 2010 10:38:00 AM

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Sent: Wednesday, October 06, 2010 1:34 AM
To: McAuliffe, John@CDCR
Subject: [REDACTED]

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From: McAuliffe, John@CDCR <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Cc: Kernan, Scott@CDCR <Scott.Kernan@cdcr.ca.gov>
Sent: Tue Oct 05 14:08:55 2010
Subject: [REDACTED]

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Date: Wednesday, October 06, 2010 9:31:45 AM

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To: McAuliffe, John@CDCR
Sent: Wed Oct 06 09:29:29 2010
Subject: [REDACTED]

John
Any word on how long we can expect this to take?

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To: Kernan, Scott@CDCR
Sent: Wed Oct 06 08:50:07 2010
Subject: [REDACTED]

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From: [REDACTED]@usdoj.gov>
To: McAuliffe, John@CDCR
Sent: Wed Oct 06 01:34:07 2010
Subject: Re: [REDACTED]

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[REDACTED]
Office of Diversion Control

From: McAuliffe, John@CDCR <John.McAuliffe@cdcr.ca.gov>
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Cc: Kernan, Scott@CDCR <Scott.Kernan@cdcr.ca.gov>
Sent: Tue Oct 05 14:08:55 2010
Subject: [REDACTED]

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From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Subject: [REDACTED]
Date: Wednesday, October 06, 2010 8:50:07 AM

FYI

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To: McAuliffe, John@CDCR
Sent: Wed Oct 06 01:34:07 2010
Subject: Re: [REDACTED]

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[REDACTED]
Office of Diversion Control

From: McAuliffe, John@CDCR <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Cc: Kernan, Scott@CDCR <Scott.Kernan@cdcr.ca.gov>
Sent: Tue Oct 05 14:08:55 2010
Subject: [REDACTED]

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John McAuliffe

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Wednesday, October 06, 2010 8:50 AM
To: Kernan, Scott@CDCR
Subject: Fw: [REDACTED]

FYI

From: [REDACTED]@usdoj.gov
To: McAuliffe, John@CDCR
Sent: Wed Oct 06 01:34:07 2010
Subject: Re: [REDACTED]

Thank you. I'll make DEA's import/export unit aware of this matter.

[REDACTED]
Office of Diversion Control

From: McAuliffe, John@CDCR <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Cc: Kernan, Scott@CDCR <Scott.Kernan@cdcr.ca.gov>
Sent: Tue Oct 05 14:08:55 2010
Subject: [REDACTED]

[REDACTED]
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John McAuliffe

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Wednesday, October 06, 2010 9:32 AM
To: Kernan, Scott@CDCR
Subject: Re: [REDACTED]

I will call now and get a projection.

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Wed Oct 06 09:29:29 2010
Subject: Re: [REDACTED]

John
Any word on how long we can expect this to take?

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To: Kernan, Scott@CDCR
Sent: Wed Oct 06 08:50:07 2010
Subject: Fw: [REDACTED]

FYI

From: [REDACTED]<[REDACTED]@usdoj.gov>
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[REDACTED]
Office of Diversion Control

From: McAuliffe, John@CDCR <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Cc: Kernan, Scott@CDCR <Scott.Kernan@cdcr.ca.gov>
Sent: Tue Oct 05 14:08:55 2010
Subject: [REDACTED]

[REDACTED]
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John McAuliffe

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Wednesday, October 06, 2010 10:39 AM
To: [REDACTED]
Cc: Kernan, Scott@CDCR
Subject: ATTN: [REDACTED]

Sir

I am forwarding this email to you for your record. CDCR would like to know if this process of obtaining the thiopental (Duty, Broker, any additional fees to include [REDACTED] fees) could be billed to CDCR as one invoice? Additionally, can you give a possible estimate as to how long this process will take before we receive the thiopental? Again, thank you for your assistance.
John McAuliffe

From: [REDACTED]@usdoj.gov]
Sent: Wednesday, October 06, 2010 1:34 AM
To: McAuliffe, John@CDCR
Subject: Re: [REDACTED]

Thank you. I'll make DEA's import/export unit aware of this matter.

[REDACTED]
Office of Diversion Control

From: McAuliffe, John@CDCR <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Cc: Kernan, Scott@CDCR <Scott.Kernan@cdcr.ca.gov>
Sent: Tue Oct 05 14:08:55 2010
Subject: [REDACTED]

[REDACTED]
Thank you for the list of companies listed with the DEA to import Thiopental. We have contacted [REDACTED] [REDACTED] who has initially agreed to procure the Thiopental from London. We gave [REDACTED] your email as a point of contact with DEA since you know exactly what we have been doing and to whom we have been in contact with in your Department. Again thank you for your help and assistance.
John McAuliffe

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Thursday, October 07, 2010 10:09 AM
To: Kernan, Scott@CDCR
Subject: Fw: ATTN: [REDACTED]

FYI
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Thu Oct 07 09:48:06 2010
Subject: Re: ATTN: [REDACTED]

Dear Mr. McAuliffe:

To clarify, I have agreed only to start the process of investigating how to import this medication for the CDCR.

The amount of time, cost, complexity, risk, and liability has yet to be determined.

I will be meeting with corporate council on October 10, 2010.

In the mean time please keep this matter private no public disclosure.

I went to my files yesterday to review our previous process of importation.

I will today or tomorrow time permitting contact the DEA contact you have provided me [REDACTED]

I will keep you informed as I collect information, ask any further questions of you, and tender a final decision and cost by next week.

Thank you in advance for your consideration of my company.

[REDACTED]
[REDACTED]
(562) [REDACTED] Monday through Friday 7:30am to 4:30pm PST
Fax (562) [REDACTED]
[REDACTED]

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From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Cc: "Kernan, Scott@CDCR" <Scott.Kernan@cdcr.ca.gov>

Sent: Wed, October 6, 2010 10:38:53 AM

Subject: ATTN: [REDACTED]

Sir

I am forwarding this email to you for your record. CDCR would like to know if this process of obtaining the thiopental (Duty, Broker, any additional fees to include [REDACTED]'s fees) could be billed to CDCR as one invoice?

Additionally, can you give a possible estimate as to how long this process will take before we receive the thiopental? Again, thank you for your assistance.

John McAuliffe

From: [REDACTED]@usdoj.gov]

Sent: Wednesday, October 06, 2010 1:34 AM

To: McAuliffe, John@CDCR

Subject: Re: [REDACTED]

Thank you. I'll make DEA's import/export unit aware of this matter.

[REDACTED]
Office of Diversion Control

From: McAuliffe, John@CDCR <John.McAuliffe@cdcr.ca.gov>

To: [REDACTED]

Cc: Kernan, Scott@CDCR <Scott.Kernan@cdcr.ca.gov>

Sent: Tue Oct 05 14:08:55 2010

Subject: [REDACTED]

[REDACTED]
Thank you for the list of companies listed with the DEA to import Thiopental. We have contacted [REDACTED] [REDACTED] who has initially agreed to procure the Thiopental from London. We gave [REDACTED] your email as a point of contact with DEA since you know exactly what we have been doing and to whom we have been in contact with in your Department. Again thank you for your help and assistance.

John McAuliffe

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Friday, October 08, 2010 8:05 AM
To: McAuliffe, John@CDCR
Subject: Progress 1

Dear John McAuliffe

I have called and sent an e-mail to [REDACTED] to provide me with the steps and correct forms to request an importation quota for Sodium Thiopental

Will keep you informed of my progress.

Thank you again for the opportunity.

[REDACTED]
[REDACTED]
[REDACTED]
(562) [REDACTED] Monday through Friday 7:30am to 4:30pm PST
Fax (562) [REDACTED]
[REDACTED]

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McAuliffe, John@CDCR

From: Kernan, Scott@CDCR
Sent: Friday, October 08, 2010 1:42 PM
To: McAuliffe, John@CDCR
Subject: Re: Progress 1

John
What is the name of the manufacturer on the drugs we got from az.

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 08:48:44 2010
Subject: Fw: Progress 1

Fyl
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 08:04:41 2010
Subject: Progress 1

Dear John McAuliffee

I have called and sent an e-mail to [REDACTED] to provide me with the steps and correct forms to request an importation quota for Sodium Thiopental

Will keep you informed of my progress.

Thank you again for the opportunity.

[REDACTED]

(562) [REDACTED] Monday through Friday 7:30am to 4:30pm PST
Fax (562) [REDACTED]

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McAuliffe, John@CDCR

From: Kernan, Scott@CDCR
Sent: Friday, October 08, 2010 4:30 PM
To: McAuliffe, John@CDCR
Subject: Re: Progress 1

Getting question if hospria is on label?
Scott

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 16:05:57 2010
Subject: Re: Progress 1

Scott
I did not ask but I believe it is a subsidiary of [REDACTED]. They have international locations such as the one in Pakistan. SQ could open safe and the outside of package would ID if an [REDACTED] product but most likely not the exact subsidiary. John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 13:42:29 2010
Subject: Re: Progress 1

John
What is the name of the manufacturer on the drugs we got from az.

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 08:48:44 2010
Subject: Fw: Progress 1

Fyl
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 08:04:41 2010
Subject: Progress 1

Dear John McAuliffee

I have called and sent an e-mail to [REDACTED] to provide me with the steps and correct forms to request an importation quota for Sodium Thiopental

Will keep you informed of my progress.

Thank you again for the opportunity.

[REDACTED]

(562) [REDACTED] Monday through Friday 7:30am to 4:30pm PST

Fax (562) [REDACTED]

[REDACTED]

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McAuliffe, John@CDCR

From: Kernan, Scott@CDCR
Sent: Friday, October 08, 2010 4:38 PM
To: McAuliffe, John@CDCR
Subject: Re: Progress 1

Have someone check monday? Thx

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 16:33:30 2010
Subject: Re: Progress 1

Scott
Only way would be to open safe and look.
John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 16:30:07 2010
Subject: Re: Progress 1

Getting question if hospria is on label?
Scott

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 16:05:57 2010
Subject: Re: Progress 1

Scott
I did not ask but I believe it is a subsidiary of [REDACTED]. They have international locations such as the one in Pakistan. SQ could open safe and the outside of package would ID if an [REDACTED] product but most likely not the exact subsidiary. John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 13:42:29 2010
Subject: Re: Progress 1

John
What is the name of the manufacturer on the drugs we got from az.

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 08:48:44 2010
Subject: Fw: Progress 1

Fyl
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 08:04:41 2010
Subject: Progress 1

Dear John McAuliffe

I have called and sent an e-mail to [REDACTED] to provide me with the steps and correct forms to request an importation quota for Sodium Thiopental

Will keep you informed of my progress.

Thank you again for the opportunity.

[REDACTED]
[REDACTED]
(562) [REDACTED] Monday through Friday 7:30am to 4:30pm PST
Fax (562) [REDACTED]
[REDACTED]

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McAuliffe, John@CDCR

From: [REDACTED]@CDCR

Sent: Monday, October 11, 2010 12:23 PM

To: McAuliffe, John@CDCR

Hi, were you able to check on that (re Friday's email) for Scott?

Thanks,

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
(916) [REDACTED]

McAuliffe, John@CDCR

From: [REDACTED]@CDCR
Sent: Monday, October 11, 2010 12:29 PM
To: McAuliffe, John@CDCR
Subject: RE:

Thanks. Will wait to hear then.

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
(916) [REDACTED]

From: McAuliffe, John@CDCR
Sent: Monday, October 11, 2010 12:26 PM
To: [REDACTED]@CDCR
Subject: Re:

Yes waiting for SQ to call me back. I asked that they check this AM.
John

From: [REDACTED]@CDCR
To: McAuliffe, John@CDCR
Sent: Mon Oct 11 12:23:28 2010
Subject:

Hi, were you able to check on that (re Friday's email) for Scott?

Thanks,

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
(916) [REDACTED]

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Monday, October 11, 2010 1:58 PM
To: McAuliffe, John@CDCR

We got more drug?
Sent via BlackBerry from T-Mobile

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Tuesday, October 12, 2010 1:39 PM
To: McAuliffe, John@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

John- see my email below. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]
[REDACTED]

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----- Forwarded Message

From: [REDACTED]
Date: Tue, 12 Oct 2010 13:35:32 -0700
To: <John.McAuliffe@cdcr.ca.com>
Cc: [REDACTED]
Conversation: Importation of Thiopental by [REDACTED]
Subject: Importation of Thiopental by [REDACTED]

Hi John- as we discussed yesterday, I am the lawyer that represents [REDACTED] and its owner [REDACTED]. I acknowledge CDCR's request that [REDACTED] act as importer of a quantity of Thiopental. And, also as we discussed yesterday, please be advised that [REDACTED] is very interested in assisting the CDCR in this regard subject to [REDACTED] and CDCR agreeing on the terms for importation. At best I can only estimate the costs involved as follows: Cost of 525 grams of drug= \$16,590; Fee For Importation Request to DEA= \$100; Insurance on Shipment= \$3000; Shipping Fee= \$1500; Duty Fee to Customs= \$1700; Additional DEA and FDA fees= \$500; Broker Fees= \$1500; [REDACTED] Fee Including Attorney's Fees = \$12,500 for a total of \$37,390. I understand that if this proposal is acceptable the CDCR is requesting an invoice only itemizing the cost of the drug and expressing the remaining costs as included in [REDACTED] fee. Allow me to reiterate these costs are estimates. Additional costs may be incurred such as a Homeland Security fee or storage fees if the shipment is held up by Customs for any reason. [REDACTED] would reserve the right to issue an additional invoice to CDCR for such additional costs and would refund CDCR in the event of an overpayment. We suggest that the CDCR pick up the shipment at the port of entry and that the CDCR write a letter to Customs or otherwise inform Customs of the need for these supplies. Please let me know your thoughts. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

Ph: 949 [REDACTED]
Fax: 949 [REDACTED]
[REDACTED]

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----- End of Forwarded Message

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Wednesday, October 13, 2010 10:20 AM
To: McAuliffe, John@CDCR
Cc: [REDACTED]
Subject: Re: Importation of Thiopental by [REDACTED]

Sure John- I just spoke to [REDACTED] there will be a delay of a few days because the shipment needs to be approved by Homeland Security. This has nothing to do with his Import license but is simply a post 911 security measure. According to [REDACTED] this will only take a few days so I am hopeful I can get you an invoice by Monday of next week- no later than Wednesday. [REDACTED] also is concerned about publicity; is it acceptable for you to make the check payable to my attorney trust account and I'll cut the checks to all the appropriate entities. We working on it. [REDACTED]

From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>
Date: Wed, 13 Oct 2010 10:06:07 -0700
To: [REDACTED]
Subject: RE: Importation of Thiopental by [REDACTED]

Per our conversation....Please email (PDF) an invoice for services requested from [REDACTED]. Specifically, the invoice should reflect:
Costs of 525 grams of Sodium Thiopental
Importation request to DEA
Insurance on shipment
Duty fees to Customs
Additional DEA and FDA Insurance on shipment
[REDACTED] fees ([REDACTED] fees should account for all additional costs to include shipping, attorney fees, etc...without listing them as separate)

We are also asking for the Thiopental to be shipped directly to [REDACTED] for CDCR to pick up upon arrival. [REDACTED] ([REDACTED] .011 [REDACTED] ; email [REDACTED]) has told us that the Thiopental that is being ordered will have an expiration date of May 2014. It is important that all 525 grams have that expiration date of May 2014. Thank you for your assistance in this matter.
John McAuliffe

From: [REDACTED]
Sent: Tuesday, October 12, 2010 1:39 PM
To: McAuliffe, John@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

John- see my email below. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Ph: 949 [REDACTED]
Fax: 949 [REDACTED]
[REDACTED]

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----- Forwarded Message

From [REDACTED]
Date: Tue, 12 Oct 2010 13:35:32 -0700
To: <John.McAuliffe@cdcr.ca.com>
Cc: [REDACTED]
Conversation: Importation of Thiopental by [REDACTED]
Subject: Importation of Thiopental by [REDACTED]

Hi John- as we discussed yesterday, I am the lawyer that represents [REDACTED] and its owner [REDACTED]. I acknowledge CDCR's request that [REDACTED] act as importer of a quantity of Thiopental. And, also as we discussed yesterday, please be advised that [REDACTED] is very interested in assisting the CDCR in this regard subject to [REDACTED] and CDCR agreeing on the terms for importation. At best I can only estimate the costs involved as follows: Cost of 525 grams of drug= \$16,590; Fee For Importation Request to DEA= \$100; Insurance on Shipment= \$3000; Shipping Fee= \$1500; Duty Fee to Customs= \$1700; Additional DEA and FDA fees= \$500; Broker Fees= \$1500; [REDACTED] Fee Including Attorney's Fees = \$12,500 for a total of \$37,390. I understand that if this proposal is acceptable the CDCR is requesting an invoice only itemizing the cost of the drug and expressing the remaining costs as included in [REDACTED] fee. Allow me to reiterate these costs are estimates. Additional costs may be incurred such as a Homeland Security fee or storage fees if the shipment is held up by Customs for any reason. [REDACTED] would reserve the right to issue an additional invoice to CDCR for such additional costs and would refund CDCR in the event of an overpayment. We suggest that the CDCR pick up the shipment at the port of entry and that the CDCR write a letter to Customs or otherwise inform Customs of the need for these supplies. Please let me know your thoughts. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Ph: 949 [REDACTED]
Fax: 949 [REDACTED]
[REDACTED]

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----- End of Forwarded Message

McAuliffe, John@CDCR

From: Duffy, Brian@CDCR
Sent: Wednesday, October 13, 2010 11:24 AM
To: McAuliffe, John@CDCR
Subject: FW:
Importance: High

John,

From Scott.

Brian

Brian Duffy
Special Assistant to the Undersecretary, Operations
California Department of Corrections and Rehabilitation
(916) [REDACTED]

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 11:22 AM
To: Duffy, Brian@CDCR
Subject: Fw:
Importance: High

Please send this to john for me. Thx

From: Gilpin, Timothy@CDCR
To: Kernan, Scott@CDCR; Lewis, Dave (Budgets)@CDCR
Sent: Wed Oct 13 08:59:19 2010
Subject: RE:

I'll be downtown after lunch for the AR meeting, I can pick it up then. Make sure we have an order number, PO number and I will then have the staff write a check for payment.

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 8:46 AM
To: Gilpin, Timothy@CDCR; Lewis, Dave (Budgets)@CDCR
Subject:

Tim,

I am getting an invoice for the purchase. I will need to affect payment immediately. Its going to be around 40k. How do I make this happen quick.

Scott

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Wednesday, October 13, 2010 2:32 PM
To: McAuliffe, John@CDCR; [REDACTED]
Subject: Status of order update

Dear John

Working with Fedex now to become a known shipper with the TSA.
Will be sending quota off to DEA tomorrow.
This process the DEA tells me will take 12-15 days.
In the mean time will be setting up the shipment with [REDACTED], and arranging insurance.

Thank you again for your understanding and cooperation.

[REDACTED]

[REDACTED]

Phone (562) [REDACTED] Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)
Fax (562) [REDACTED]

[REDACTED]

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McAuliffe, John@CDCR

From: Duffy, Brian@CDCR
Sent: Wednesday, October 13, 2010 4:05 PM
To: McAuliffe, John@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

Hi John,

Just in case Scott didn't send to you.

Brian

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 3:59 PM
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

From: Gilpin, Timothy@CDCR
Sent: Wednesday, October 13, 2010 3:58:34 PM
To: Kernan, Scott@CDCR
Subject: RE: Importation of Thiopental by [REDACTED]
Auto forwarded by a Rule

Then I need a vendor data record for the attorney and an invoice from him to pay along with a purchase document. Hope that is available.

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 3:03 PM
To: Gilpin, Timothy@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

So it does not look like I'll get invoice until Monday. Get it to you as soon as I get it. See note below, they want check payable to attorney to avoid publicity. Is that possible?

Scott

From: McAuliffe, John@CDCR
Sent: Wednesday, October 13, 2010 11:32 AM
To: Kernan, Scott@CDCR
Subject: Fw: Importation of Thiopental by [REDACTED]

Scott
See email concerning invoice.
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Cc: [REDACTED]
Sent: Wed Oct 13 10:19:44 2010
Subject: Re: Importation of Thiopental by [REDACTED]

Sure John. I just spoke to [REDACTED] and there will be a delay of a few days because the shipment needs to be approved by Homeland Security. This has nothing to do with his import license but is simply a post 911 security measure. According to [REDACTED] this will only take a few days so I am hopeful I can get you an invoice by Monday of next week no later than Wednesday. [REDACTED] also is concerned about publicity; is it acceptable for you to make the check payable to my attorney trust account and I'll cut the checks to all the appropriate entities. We working on it. [REDACTED]

From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>
Date: Wed, 13 Oct 2010 10:06:07 -0700
To: [REDACTED]
Subject: RE: Importation of Thiopental by [REDACTED]

Per our conversation.....Please email (PDF) an invoice for services requested from [REDACTED]. Specifically, the invoice should reflect:
Costs of 525 grams of Sodium Thiopental
Importation request to DEA
Insurance on shipment
Duty fees to Customs
Additional DEA and FDA Insurance on shipment
[REDACTED] fees ([REDACTED] fees should account for all additional costs to include shipping, attorney fees, etc...without listing them as separate)
We are also asking for the Thiopental to be shipped directly to [REDACTED] for CDCR to pick up upon arrival. [REDACTED] ([REDACTED] 011-[REDACTED]; email [REDACTED]) has told us that the Thiopental that is being ordered will have an expiration date of May 2014. It is important that all 525 grams have that expiration date of May 2014. Thank you for your assistance in this matter.
John McAuliffe

From: [REDACTED]
Sent: Tuesday, October 12, 2010 1:39 PM
To: McAuliffe, John@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

John- see my email below [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]
[REDACTED]

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McAuliffe, John@CDCR

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 4:10 PM
To: McAuliffe, John@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

Don't know if this just complicates things. Sounds like we will need this if we want to write check to lawyer instead of company.

Scott

From: Gilpin, Timothy@CDCR
Sent: Wednesday, October 13, 2010 3:59 PM
To: Kernan, Scott@CDCR
Subject: RE: Importation of Thiopental by [REDACTED]

Then I need a vendor data record for the attorney and an invoice from him to pay along with a purchase document. Hope that is available.

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 3:03 PM
To: Gilpin, Timothy@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

So it does not look like I'll get invoice until Monday. Get it to you as soon as I get it. See note below, they want check payable to attorney to avoid publicity. Is that possible?

Scott

From: McAuliffe, John@CDCR
Sent: Wednesday, October 13, 2010 11:32 AM
To: Kernan, Scott@CDCR
Subject: Fw: Importation of Thiopental by [REDACTED]

Scott
See email concerning invoice.
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Cc: [REDACTED]
Sent: Wed Oct 13 10:19:44 2010
Subject: Re: Importation of Thiopental by [REDACTED]

Sure John. I just spoke to [REDACTED] and there will be a delay of a few days because the shipment needs to be approved by Homeland Security. This has nothing to do with his import license but is simply a post 911 security measure. According to [REDACTED] this will only take a few days so I am hopeful I can get you an invoice by Monday of next week- no later than Wednesday. [REDACTED] also is concerned about publicity; is it acceptable for you to make the check payable to my attorney trust account and I'll cut the checks to all the appropriate entities. We working on it. [REDACTED]

From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>

Date: Wed, 13 Oct 2010 10:06:07 -0700

To: [REDACTED]

Subject: RE: Importation of Thiopental by [REDACTED]

Per our conversation.....Please email (PDF) an invoice for services requested from [REDACTED]
Specifically, the invoice should reflect:

- Costs of 525 grams of Sodium Thiopental
- Importation request to DEA
- insurance on shipment
- Duty fees to Customs
- Additional DEA and FDA Insurance on shipment

[REDACTED] fees ([REDACTED] *fees should account for all additional costs to include shipping, attorney fees, etc...without listing them as separate*)

We are also asking for the Thiopental to be shipped directly to [REDACTED] for CDCR to pick up upon arrival. [REDACTED] ([REDACTED]; 011-[REDACTED]; email; [REDACTED]) has told us that the Thiopental that is being ordered will have an expiration date of May 2014. It is important that all 525 grams have that expiration date of May 2014. Thank you for your assistance in this matter.
John McAuliffe

From: [REDACTED]

Sent: Tuesday, October 12, 2010 1:39 PM

To: McAuliffe, John@CDCR

Subject: FW: Importation of Thiopental by [REDACTED]

John- see my email below. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Ph: 949-[REDACTED]

Fax: 949-[REDACTED]

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, is confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply to the sender that you have received the message in error, then delete it. Thank you.

----- Forwarded Message

From: [REDACTED]

Date: Tue, 12 Oct 2010 13:35:32 -0700

To: <John.McAuliffe@cdcr.ca.com>

Cc: [REDACTED]

Conversation: Importation of Thiopental by [REDACTED]

Subject: Importation of Thiopental by [REDACTED]

Hi John- as we discussed yesterday, I am the lawyer that represents [REDACTED] and its owner [REDACTED]. I acknowledge CDCR's request that [REDACTED] act as importer of a quantity of Thiopental. And, also as we discussed yesterday, please be advised that [REDACTED] is very interested in assisting the CDCR in this regard subject to [REDACTED] and CDCR agreeing on the terms for importation. At best I can only estimate the costs involved as follows: Cost of 525 grams of drug= \$16,590; Fee For Importation Request to DEA= \$100; Insurance on Shipment= \$3000; Shipping Fee= \$1500; Duty Fee to Customs= \$1700; Additional DEA and FDA fees= \$500; Broker Fees= \$1500; [REDACTED] Fee Including Attorney's Fees = \$12,500 for a total of \$37,390. I understand that if this proposal is acceptable the CDCR is requesting an invoice only itemizing the cost of the drug and expressing the remaining costs as included in [REDACTED] fee. Allow me to reiterate these costs are estimates. Additional costs may be incurred such as a Homeland Security fee or storage fees if the shipment is held up by Customs for any reason. [REDACTED] would reserve the right to issue an additional invoice to CDCR for such additional costs and would refund CDCR in the event of an overpayment. We suggest that the CDCR pick up the shipment at the port of entry and that the CDCR write a letter to Customs or otherwise inform Customs of the need for these supplies. Please let me know your thoughts. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]
[REDACTED]

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, is confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply to the sender that you have received the message in error, then delete it. Thank you.

----- End of Forwarded Message

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Thursday, October 14, 2010 9:41 AM
To: McAuliffe, John@CDCR
Subject: Re: Thiopental Injection

Hi John,
~~Enclosed please find product summery characteristics for Thiopental.~~
This product is:

----- Original Message -----
From: McAuliffe, John@CDCR
To: [REDACTED]
Sent: 14 October, 2010 3:31 PM
Subject: Re: Thiopental Injection

[REDACTED]
Question? Does each individual Thiopental vial come with it's own pre measured diluent? Specifically, for every 500 mg vial a 20 mL liquid vial is coupled for exact mixing for 500 mg.
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 01 06:11:56 2010
Subject: Re: Thiopental Injection

Hi John,
Since there is an 8 hours difference in time, if you need to get in touch with me by phone, the following is my mobile number:
I am available from 6:00Am until 8:00PM just about all the time.
My office number: 011-[REDACTED]
My mobile: 011-[REDACTED]

Regards,
[REDACTED]

----- Original Message -----
From: McAuliffe, John@CDCR
To: [REDACTED]
Sent: 01 October, 2010 1:01 AM
Subject: Re: Thiopental Injection

[REDACTED]
We are trying to work with DEA and/or an import pharmacy company to deal with the DEA/FDA/Customs. Any suggestions or advise to make this happen sooner than later would be greatly appreciated.
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Thu Sep 30 05:27:27 2010
Subject: Thiopental Injection

30-09-10

Dear Mr. McAuliffe,

Thank you for your call and thank you for your interest in [REDACTED]
I would be happy to supply you:

Thiopental Injection , powder for reconstitution, thiopental sodium, 500-mg vial
packs of 25's £196.75 (pounds sterling)
The current expiry date is February 2014.

POTASSIUM CHLORIDE 1.5GM 10ML INJ. PACKS OF 10 £15.55
Expiry date: 01/13

Pancuronium Injection, pancuronium bromide 2 mg/mL, 2-mL amp packs of
10's £58.73
Expiry date: 11/11

If you could supply me with the following information, I can produce a proforma
invoice:

Invoice address

Delivery address, including contact person and contact person phone number

I will dispatch the goods to you by FedEx,
FedEx delivery charges is separate item.

In order to get the product easier through US customs, I think it would be a
goods idea for you to write a letter in the department letterhead, attention of
US custom and let them know why you need this product. I would include this
letter in your shipment.

Please also email or fax me a copy of your DEA license, to include it in your
shipment.


Please let me know if you need further information.

Many thanks,
Kind regards

[REDACTED]

Tel: 44(0) [REDACTED]

Fax: 44(0)

A large black rectangular redaction box covers the majority of the page's content, starting below the fax number and extending across the width of the page.

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Thursday, October 14, 2010 9:45 AM
To: McAuliffe, John@CDCR
Subject: Re: Thiopental Injection

Hi John,
Enclosed please find product summery characteristics for Thiopental.
This product is: Freeze-dried powder for solution for injection in a vial.
This product dose not come with a diluents.

Regards,
[REDACTED]

Archimedes Pharma UK Ltd

250 South Oak Way, Green Park, Reading, RG2
6UG, UK

Telephone: +44 (0)118 931 5050

Fax: +44 (0)118 931 5056

WWW: <http://www.archimedespharma.com>

Before you contact this company: often several companies will market medicines with the same active ingredient. Please check that this is the correct company before contacting them. **Why?**



Summary of Product Characteristics last updated on the eMC: 05/05/2004

Thiopental injection

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 - 4.3 Contraindications
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- 9. DATE OF FIRST AUTHORISATION/RENEWAL OF THE AUTHORISATION
- 10. DATE OF REVISION OF THE TEXT
- 11. Legal Category

1. NAME OF THE MEDICINAL PRODUCT

Thiopental Injection BP

2. QUALITATIVE AND QUANTITATIVE COMPOSITION

Thiopental Sodium BP 500mg

3. PHARMACEUTICAL FORM

Freeze-dried powder for solution for injection in a vial.

4. CLINICAL PARTICULARS

4.1 Therapeutic indications

1. Thiopental is used for the induction of general anaesthesia and is also used as an adjunct to provide hypnosis during balanced anaesthesia with other anaesthetic agents, including analgesics and muscle relaxants.

2. Thiopental is also used as an adjunct for control of convulsive disorders of various aetiology, including those caused by local anaesthetics.

3. Thiopental has now been used to reduce the intracranial pressure in patients with increased intracranial pressure, if controlled ventilation is provided.

4.2 Posology and method of administration

Intravenous injection.

Thiopental Injection BP is administered intravenously normally as a 2.5% w/v (500mg in 20ml) solution. On occasions it may be administered as a 5% w/v solution (500mg in 10ml).

The intravenous injection preparation should be used after reconstitution of the sterile powder with Water for Injections, usually to produce a 2.5% w/v solution and this should be discarded after seven hours.

Use in anaesthesia

Normal dosage for the induction of anaesthesia is 100mg to 150mg injected over 10 to 15 seconds. If necessary a repeat dose of 100mg to 150mg may be given after one minute. No fixed dosage recommendations for the intravenous injection can be given, since the dosage will need to be carefully adjusted according to the patient's response. Factors such as age, sex, and weight of the patient should be taken into consideration. Thiopental sodium reaches effective concentrations in the brain within 30 seconds and anaesthesia is normally produced within one minute of an intravenous dose.

Adult

100mg to 150mg intravenously over 10 to 15 seconds, normally as a 2.5% w/v solution.

A repeat dose of 100mg to 150mg may be given after one minute.

The intravenous injection should be given slowly and the amounts given titrated against the patient's response to minimise the risk of respiratory depression or the possibility of overdosage. The average dose for an adult of 70kg is roughly 200mg to 300mg (8mls to 12mls of a 2.5% w/v solution) with a maximum of 500mg.

Children

2 to 7mg/kg bodyweight, intravenously over 10 to 15 seconds, normally as a 2.5% w/v solution. A repeat dose of 2 to 7mg/kg may be given after one minute. The dose is 2 to 7mg/kg based on the patient's response. The dose for children should not exceed 7mg/kg.

Elderly

Smaller adult doses are advisable.

Use in convulsive states

75mg to 125mg (3mls to 5mls of a 2.5% w/v solution) should be given as soon as possible after the convulsion begins. Further doses may be required to control convulsions following the use of a local anaesthetic. Other regimens, such as the use of intravenous or rectal diazepam, may be used to control convulsive states.

Use in neurological patients with raised intracranial pressure

Intermittent bolus injections of 1.5 to 3mg/kg of bodyweight may be given to reduce elevations of intracranial pressure if controlled ventilation is provided.

4.3 Contraindications

Thiopental is contraindicated in respiratory obstruction, acute asthma, severe shock and dystrophia myotonica. Administration of any barbiturate is contraindicated in porphyria.

Care should also be exercised with severe cardiovascular diseases, severe respiratory diseases and hypertension of various aetiology.

Patients with hypersensitivity reactions to barbiturates.

4.4 Special warnings and precautions for use

Special care is needed in administering thiopental to patients with the following conditions:- hypovolaemia, severe haemorrhage, burns, dehydration, severe anaemia, cardiovascular disease, status asthmaticus, severe liver disease, myasthenia gravis and muscular dystrophies, adrenocortical insufficiency (even when controlled by cortisone), cachexia and severe toxemia, raised intracranial pressure, raised blood urea, raised plasma potassium, metabolic disorders e.g. thyrotoxicosis, myxoedema, diabetes.

Thiopental may precipitate acute circulatory failure in patients with cardiovascular disease, particularly constrictive pericarditis.

Thiopental can cause respiratory depression and a reduction in cardiac output.

Headache is also reported with the use of barbiturate anaesthetics.

Reduced doses are recommended in shock, dehydration, severe anaemia, hyperkalaemia, toxemia, myxoedema or other metabolic disorders. Thiopental sodium is metabolised primarily by the liver so doses should be reduced in patients with hepatic impairment. Reduced doses are also indicated in the elderly and in patients who have been premedicated with narcotic analgesics.

Thiopental has been shown to interact with sulphafurazole. Reduced initial doses may be required to achieve adequate anaesthesia, but repeat doses may also be necessary to maintain anaesthesia.

Increased doses may be necessary in patients who have either an habituation or addiction to alcohol or drugs of abuse. Under these circumstances it is recommended that supplementary analgesic agents are used.

Accidental intra-arterial injection of thiopental causes severe arterial spasm and an intense burning pain around the injection site. In the case of accidental intra-arterial injection of thiopental the needle should be left in-situ so that an injection of an antispasmodic, such as papaverine or prilocaine hydrochloride may be given. Anticoagulant therapy may also be started to reduce the risk of thrombosis.

Thiopental injection should be used with caution in patients with adrenocortical insufficiency or with raised intracranial pressure.

4.5 Interaction with other medicinal products and other forms of interaction

Thiopental has been shown to interact with sulphafurazole.

It should be noted that thiopental will interact with beta-blockers and calcium antagonists causing a fall in blood pressure.

The sedative properties of antipsychotics and anxiolytics may be potentiated by thiopental.

4.6 Pregnancy and lactation

Thiopental readily crosses the placental barrier and also appears in breast milk. Therefore, breast-feeding should be temporarily suspended or breast milk expressed before the induction of anaesthesia. It has been shown that thiopental can be used without adverse effects during pregnancy although the total dose should not exceed 250mg. However, when considering use of thiopental the clinician should only use the drug when the expected benefits outweigh any potential risks.

4.7 Effects on ability to drive and use machines

Post-operative vertigo, disorientation and sedation may be prolonged and out-patients given thiopental should therefore be advised not to drive or use machinery, especially within the first 24 to 36 hours.

4.8 Undesirable effects

Laryngeal spasm may occur, together with coughing or sneezing, during the induction procedure. For this reason it is not advised to use thiopental alone for peroral endoscopy.

Extravasation causes local tissue necrosis and severe pain. This can be relieved by application of an ice pack and local injection of hydrocortisone. The 5% w/v

solution is hypertonic and may cause pain on injection and thrombophlebitis.

Allergic reactions, skin reactions and hypersensitivity have been rarely reported.

Bronchospasm, respiratory depression and myocardial depression or cardiac arrhythmias may occur.

4.9 Overdose

Overdosage produces acute respiratory depression, hypotension, circulatory failure and apnoea. Treatment must be artificial ventilation, lowering of the patient's head and infusion of plasma volume expanders.

5. PHARMACOLOGICAL PROPERTIES

5.1 Pharmacodynamic properties

Thiopental is a short-acting substituted barbiturate that is more lipid soluble than other groups of barbiturates. The drug reversibly depresses the activity of all excitable tissues. The CNS is particularly sensitive and normally a general anaesthesia can be achieved with thiopental without significant effects on peripheral tissues.

Thiopental acts through the CNS with particular activity in the mesencephalic reticular activating system. The barbiturates exert different effects on synaptic transmission, mostly those dependent on GABA. Autonomic ganglia of the peripheral nervous system are also depressed.

5.2 Pharmacokinetic properties

Following intravenous administration, unconsciousness occurs within 30 seconds and will be continued for 20 to 30 minutes after a single dose. Rapid uptake occurs to most vascular areas of the brain followed by redistribution into other tissues.

Thiopental is strongly bound to plasma protein, which impairs excretion through the kidney. The metabolites are usually inactive and are then excreted. Thiopental, therefore, whilst having a short duration of action, may have a long elimination phase.

5.3 Preclinical safety data

There are no pre-clinical data of relevance to the prescriber which are additional to that already included in other sections of the Summary of Product Characteristics.

6. PHARMACEUTICAL PARTICULARS

6.1 List of excipients

None

6.2 Incompatibilities

Solutions of thiopental injection have a pH of 10 to 11 and are strongly alkaline in order to maintain stability. Solutions are incompatible with acid, acidic salts and solutions such as pethidine, morphine and promethazine.

6.3 Shelf life

48 months.

6.4 Special precautions for storage

Do not store above 25°C. Store reconstituted solution between 2°C to 8°C in an upright position and use within 7 hours. Use once following reconstitution and discard any residue.

6.5 Nature and contents of container

20ml Type III clear glass vials with 20mm bromylbutyl caoutchouc siliconised rubber closures.

Pack size: 25 vials per pack.

6.6 Special precautions for disposal and other handling

Not applicable.

7. MARKETING AUTHORISATION HOLDER

Link Pharmaceuticals Limited, Bishops Weald House, Albion Way, Horsham, West Sussex RH12 1AH, UK

8. MARKETING AUTHORISATION NUMBER(S)

PL 12406/0014

9. DATE OF FIRST AUTHORISATION/RENEWAL OF THE AUTHORISATION

5 April 1999

10. DATE OF REVISION OF THE TEXT

January 2003

11. Legal Category

POM

----- Original Message -----
From: McAuliffe, John@CDCR
To: [REDACTED]

Sent: 14 October, 2010 3:31 PM
Subject: Re: Thiopental Injection

Question? Does each individual Thiopental vial come with it's own pre measured diluent? Specifically, for every 500 mg vial a 20 mL liquid vial is coupled for exact mixing for 500 mg.
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 01 06:11:56 2010
Subject: Re: Thiopental Injection

Hi John,
Since there is an 8 hours difference in time, if you need to get in touch with me by phone, the following is my mobile number:
I am available from 6:00Am until 8:00PM just about all the time.
My office number: 011-44-[REDACTED]
My mobile: 011-44-[REDACTED]

Regards,
[REDACTED]

----- Original Message -----
From: McAuliffe, John@CDCR
To: [REDACTED]
Sent: 01 October, 2010 1:01 AM
Subject: Re: Thiopental Injection

[REDACTED]
We are trying to work with DEA and/or an import pharmacy company to deal with the DEA/FDA/Customs. Any suggestions or advise to make this happen sooner than later would be greatly appreciated.
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Thu Sep 30 05:27:27 2010
Subject: Thiopental Injection

30-09-10

Dear Mr. McAuliffe,
Thank you for your call and thank you for your interest in [REDACTED]
I would be happy to supply you:

Thiopental Injection , powder for reconstitution, thiopental sodium, 500-mg vial packs of 25's £196.75 (pounds sterling)
The current expiry date is February 2014.

POTASSIUM CHLORIDE 1.5GM 10ML INJ. PACKS OF 10 £15.55
Expiry date: 01/13

Pancuronium Injection, pancuronium bromide 2 mg/mL, 2-mL amp packs of
10's £58.73
Expiry date: 11/11

If you could supply me with the following information, I can produce a proforma invoice:

Invoice address

Delivery address, including contact person and contact person phone number

I will dispatch the goods to you by FedEx,
FedEx delivery charges is separate item.

In order to get the product easier through US customs, I think it would be a goods idea for you to write a letter in the department letterhead, attention of US custom and let them know why you need this product. I would include this letter in your shipment.

Please also email or fax me a copy of your DEA license, to include it in your shipment.

Please let me know if you need further information.

Many thanks,
Kind regards

[REDACTED]
Tel: 44(0)

Fax: 44(0)
[REDACTED]

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Friday, October 15, 2010 9:43 AM
To: McAuliffe, John@CDCR
Subject: attachments
Attachments: Thiopental Sodium.PDF

Please see attachment

[REDACTED]
[REDACTED]
Phone (562) [REDACTED] **Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)**
Fax (562) [REDACTED]
[REDACTED]
e-mail [REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

McAuliffe, John@CDCR

From: Kernan, Scott@CDCR
Sent: Friday, October 15, 2010 11:26 AM
To: McAuliffe, John@CDCR
Subject: Re: Letter

John,

[REDACTED] Still working on letter from pharmacy. When will we get invoice?
Scott

----- Original Message -----

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Cc: McCleave, Kelly@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR
Sent: Fri Oct 15 08:56:24 2010
Subject: Letter

Scott

[REDACTED] needs a letter from CDCR pharmacy (SQ if possible) simply stating that CDCR is requesting that [REDACTED] order 525 grams of Sodium Thiopental from [REDACTED]. Nothing else is needed just the request. As explained to me by [REDACTED] California Law will not allow a Doctor to order on one scrip such a large volume. Pharmacy to Pharmacy will allow [REDACTED] to meet our needs to complete the process.
John

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Monday, October 18, 2010 9:03 AM
To: [REDACTED] McAuliffe, John@CDCR
Subject: Attachments of quotes
Attachments: [REDACTED] - Thiopental Sodium Summary of Charges.PDF; Brokers Quote.PDF

Please see attachments

[REDACTED]
[REDACTED]
Phone (562) [REDACTED] **Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)**
Fax (562) [REDACTED]
[REDACTED]
e-mail [REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

Thiopental Sodium, USP

TERMS AND CONDITIONS

Turnaround time: Standard 10 Business Days from receipt of samples (full compendial testing).

Pricing: is Valid for 1 Year from date of quotation and subject to change at any time.
(revisions due to USP monograph test changes or to advise of any standards, reagents, or other special supplies, that may be required to perform the tests requested.)

Rushes: Prices quoted above are also subject to change if a Rush** delivery is requested:

(Rush deliveries dependent on: availability of supplies required, outsourced tests, and lab availability.)

** +200% upcharge applied to quoted Test Prices for Rush: (1) to (4) Business Days from receipt of sample.

** +100% upcharge applied to quoted Test Prices for Rush: (5) to (7) Business Days from receipt of sample.

Miscellaneous Charges that may apply:

OOS (Out of Specification) Investigations (per client request):	\$ 100
OOS Test Re-runs:	Per test price quoted.

Terms: Pre-Payment is required for customers whose credit has not been established with [REDACTED]. Payment terms for clients with approved credit are fifteen days from date of invoice unless otherwise stated on the quote. Purchase orders or valid credit card information are required. Client agrees to pay all costs, including, but not limited to attorney and accounting fees and other expenses of collection resulting from any default by client in any terms of this contract. For third party billing a signed purchase order must be received from the party being billed for the service. Additional charges may be assessed (i.e. Hazardous samples) with client approval. Liability of [REDACTED] is limited to an amount no greater than the amount invoiced. This document supersedes any arrangements with regards to financial liability.

Sample Submission and Shipping:

1. Please send your sample to us "overnight" via traceable means, such as FedEx, UPS or DHL.
2. If potency and microbiological testing are requested, include two separate samples with the minimum sample requirements as specified in the quote.
3. Please log on to [REDACTED] for online sample submission. Include the online submission confirmation form and a signed copy of this quote with your sample.
4. Send the sample and any starting materials specified in the quote to the attention of the Sample Administration Department. Samples will be received at [REDACTED] from Monday through Friday (excluding holidays).
5. If potential degradation due to heat during shipping is possible, we ask that you please "pack" cold. Please note that ice packs will collect moisture on the surface due to condensation. This moisture can cause problems with packaging, requisitions forms and sample labels. It is recommended that the ice pack(s) be placed inside a bag that is sealable such as a zip lock bag. Please pack samples appropriately to prevent breakage.

Confidentiality: [REDACTED] maintains strict confidentiality with its customers. Formal confidentiality agreements may be initiated by the customer or by [REDACTED].

Retention and Disposal: Samples are retained for 45 days after analysis. Prior arrangements must be made to retain samples under other conditions or to return samples. Unless alternate arrangements have been made, raw data will be retained for 5 years plus the current year after report date.

Forensic or Litigation: For samples submitted of a suspect or forensic nature or for purposes of litigation, we request that you please contact [REDACTED] for a quote.



Thiopental Sodium, USP

Summary of Charges *

Tests required	Method	Sample Quantity required (mg)	Price	Comments
Identification A (IR)	NA	1000	\$100	Requires Standard & Loss on drying
Identification B (Sodium)	<191>	1000	\$100	
Identification C (Color)	NA	500	\$100	
Loss on drying	<731>	1500	\$100	
Heavy metals (Method II)	<231>	1200	\$250	
Ordinary impurities (TLC)	<466>	100	\$350	Requires Standard
Assay (Titration)	NA	200	\$350	Requires Loss on drying
Residual Solvents (GC)	<467>	800	\$700	Price is \$700 per test required Procedure A: If solvents are unknown Procedure B: Required if procedure A fails Procedure C: Required if procedure B fails or if solvents are known
USP Thiopental RS	Standard	NA	\$335	
Total		6300	\$2385	Includes one residual solvents test

*This quotation is subject to the attached terms and conditions.



[REDACTED]

Date: 10/15/10

Attention: [REDACTED]

Applicant: [REDACTED]

Thank you for the opportunity to quote the above account. We are able to offer the following terms which are valid for 30 days

Company [REDACTED]

Coverage Marine Cargo - All Risk per company form OM-CCP/SS

Valuation: Cost + Insurance+ Freight + 10%

Limits: \$17,000 in respect of Shipment by any one Aircraft and Connecting Conveyances

Deductible \$500 Per Claim

Premium \$750.00

Broker Fee \$175.00

Terms & Conditions

1. Short Term policy coverage one air shipment only. 100% Minimum Earned Premium/100% Fully Earned Fees – No Flat Cancellation Allowed. Payment is due at time of binding
2. Goods Insured: Pharmaceuticals packed to withstand the rigors of international transit.
3. Geographical Limits London England to Whittier, Ca
4. [REDACTED] is charging you a Broker fee for providing the basic services set forth herein. The amount of mutually agreed fee is indicated above. The general brokerage services we perform include, but are not limited to, searching our relevant market(s) for appropriate combination(s) of price, coverage, and security for a particular risk. [REDACTED] may also be entitled to receive

compensation, directly or indirectly, from the insurer that accepted and bound out business, even when you have charged a brokerage fee.

- 5. Company policy if bound, will not violate and United States economic or trade sanctions administered by the United States Treasury Department Office of Foreign Asset Control.

Exclusion/Endorsements – Per company forms

Mandatory Form Needed to Bind:

- 1. Transportation Application signed by the insured.
- 2. Copy of agency trust account check for 100% of premium plus fees.
- 3. Advise dates of shipment.

This quotation may or may not include all terms and conditions requested on your application. Please review carefully

Best Regards, [Redacted]

BIND REQUEST

To request binding please check the appropriate line below, sign where noted and return to our office. I further acknowledge that I have not received a quotation from any admitted carrier for this risk.

_____ Please bind effective _____ Insured is not premium financing.

X _____
Signature of Producer & Date

All checks are to be made payable to [Redacted]
And Mailed to our Pleasanton Office: [Redacted]

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Monday, October 18, 2010 9:55 AM
To: McAuliffe, John@CDCR
Subject: RE: attachments

Nothing was attached



Leadership does not always wear the harness of compromise.
Woodrow Wilson

From: McAuliffe, John@CDCR
Sent: Friday, October 15, 2010 2:02 PM
To: [REDACTED]
Subject: Fw: attachments

Had [REDACTED] not [REDACTED]

From: McAuliffe, John@CDCR
To: [REDACTED]
Cc: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR; Cullen, Vincent@CDCR; Rodriguez, William A.@CDCR; [REDACTED]
Sent: Fri Oct 15 13:46:17 2010
Subject: Re: attachments

[REDACTED]
Per our conversation this AM. I left a message with your receptionist concerning the dropping off of chemicals to be tested. [REDACTED] will drop off the chemical Tuesday, October 19th at your Whitter address. The [REDACTED] will call your pharmacy when he is approximately one hour away to give you an arrival time. CDCR is asking you include the costs of the testing to the invoice for the order from [REDACTED] if possible. When testing is complete we would like the results emailed (PDF) to this email. Thank you in advance.
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 15 09:43:19 2010

Subject: attachments

Please see attachment

[REDACTED]

Phone (562)

Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)

Fax (562)

e-mail

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

McAuliffe, John@CDCR

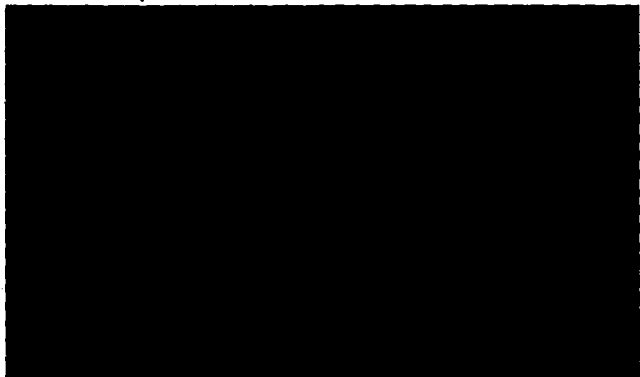
From: [REDACTED]
Sent: Monday, October 18, 2010 10:45 AM
To: [REDACTED]
Cc: McAuliffe, John@CDCR
Subject: RE: attachments

I did not receive them.

From: [REDACTED]
Sent: Monday, October 18, 2010 10:19 AM
To: [REDACTED] Cullen, Vincent@CDCR; [REDACTED].@CDCR
Subject: FW: attachments

I did not get the attachments, did any of you receive them? I emailed John but got no response, can someone please forward the attachments to me.

Thank you



Leadership does not always wear the harness of compromise.
Woodrow Wilson

From: McAuliffe, John@CDCR
Sent: Friday, October 15, 2010 2:02 PM
To: [REDACTED]
Subject: Fw: attachments

Had [REDACTED] not [REDACTED]

From: McAuliffe, John@CDCR
To: [REDACTED]
Cc: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR; Cullen, Vincent@CDCR; Rodriguez, William A.@CDCR; [REDACTED]
Sent: Fri Oct 15 13:46:17 2010
Subject: Re: attachments

[REDACTED]
Per our conversation this AM. I left a message with your receptionist concerning the dropping off of chemicals to be tested. [REDACTED] will drop off the chemical Tuesday, October 19th at your Whitter address. The [REDACTED] will call your pharmacy when he is approximately one hour away to give you an arrival time. CDCR is asking you include the costs of the testing to the invoice for the order from [REDACTED] if possible. When testing is complete we would like the results emailed (PDF) to this email. Thank you in advance.
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 15 09:43:19 2010
Subject: attachments

Please see attachment

[REDACTED]
Phone (562) [REDACTED] **Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)**
Fax (562) [REDACTED]
e-mail [REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Monday, October 18, 2010 12:06 PM
To: [REDACTED]
Cc: McAuliffe, John@CDCR
Subject: FW: attachments

FYI:

From: McAuliffe, John@CDCR
Sent: Monday, October 18, 2010 12:05 PM
To: [REDACTED]
Subject: Fw: attachments

[REDACTED]
The attachment was a spec for Thiopental. I sent the below email so [REDACTED] would have the address and phone number to Pharmacy. If he did not get email could you please forward to him. Thanks
John

From: McAuliffe, John@CDCR
To: [REDACTED]
Cc: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR; Cullen, Vincent@CDCR; [REDACTED]@CDCR; [REDACTED]
Sent: Fri Oct 15 13:46:17 2010
Subject: Re: attachments

[REDACTED]
Per our conversation this AM. I left a message with your receptionist concerning the dropping off of chemicals to be tested. [REDACTED] will drop off the chemical Tuesday, October 19th at your Whitter address. The [REDACTED] will call your pharmacy when he is approximately one hour away to give you an arrival time. CDCR is asking you include the costs of the testing to the invoice for the order from [REDACTED] if possible. When testing is complete we would like the results emailed (PDF) to this email. Thank you in advance.
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 15 09:43:19 2010
Subject: attachments

Please see attachment

[REDACTED]
[REDACTED]
Phone (562) [REDACTED] Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)
Fax (562) [REDACTED]
e-mail [REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Monday, October 18, 2010 2:04 PM
To: [REDACTED] McAuliffe, John@CDCR; [REDACTED]
Subject: Cof A Request
Attachments: USP Thiopental Sodium 2006.PDF

Dear [REDACTED]

Is the manufacturer of the Sodium Thiopental a manufacturer that has had its manufacturing facility inspected by the US FDA.

Second does this product meet or exceed the USP pharmacopoeia specifications for this product. Please find pdf of USP specifications.

Can the manufacturer of your product provide a copy of the British pharmacopoeia specifications for this product.

Can you or the manufacturer of the material we will be importing provide a Certificate of analysis for this specific lot number.

If not by US FDA standards, at least by British pharmacopoeia standards. If so could you provide a copy of those standards, and Cof A.

Thank you in advance
[REDACTED]

[REDACTED]
[REDACTED]
Phone (562) [REDACTED] Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)
Fax (562) [REDACTED]
e-mail [REDACTED]

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Monday, October 18, 2010 11:01 PM
To: [REDACTED] McAuliffe, John@CDCR; [REDACTED]
Subject: Re: Cof A Request

Dear [REDACTED]

- 1) In UK pharmaceuticals manufacturers do not need FDA inspection, only MHRA inspection, which is similar body as to FDA. Therefore, it is not inspected by FDA.
- 2) USP standard only refers to products that are manufactured in USA, not everywhere else in the world. In UK we have BP (British Pharmacopoeia), again similar to USP. As before, any products that are manufactured in UK, has to meet BP standards.
- 3) This Manufacturer will only release a copy of CoA (Certificate of analysis) upon confirmed order.
- 4) Copy of BP of Thiopental injection is not available to wholesalers. I am sure it would be available in any medical school library.

Regards,
[REDACTED]

----- Original Message -----

From: [REDACTED]
To: [REDACTED] John@CDCR McAuliffe ; [REDACTED]
Sent: 18 October, 2010 10:03 PM
Subject: Cof A Request

Dear [REDACTED]

Is the manufacturer of the Sodium Thiopental a manufacturer that has had its manufacturing facility inspected by the US FDA.

Second does this product meet or exceed the USP pharmacopoeia specifications for this product. Please find pdf of USP specifications.

Can the manufacturer of your product provide a copy of the British pharmacopoeia specifications for this product.

Can you or the manufacturer of the material we will be importing provide a Certificate of analysis for this specific lot number.

If not by US FDA standards, at least by British pharmacopoeia standards. If so could you provide a copy of those standards, and Cof A.

Thank you in advance
[REDACTED]

[Redacted]

Phone (562) [Redacted] Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)

Fax (562) [Redacted]

e-mail [Redacted]

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Tuesday, October 19, 2010 8:36 AM
To: McAuliffe, John@CDCR
Subject: Response to the Cof A Request

Dear John,

I would recommend acquiring a copy of the British Pharmacopoeia to compare the British Pharmacopoeia specifications for sodium Thiopental injection to that of the United States Pharmacopoeia specifications. I will need your authorization to do so as well as I will give you a cost to procure the British Pharmacopoeia for this purpose.

[REDACTED]
[REDACTED]
Phone (562) [REDACTED] **Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)**
Fax (562) [REDACTED]
e-mail [REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

----- Forwarded Message -----

From: [REDACTED]
To: [REDACTED] "John@CDCR McAuliffe" <John.McAuliffe@cdcr.ca.gov>;
Sent: Mon, October 18, 2010 11:00:49 PM
Subject: Re: Cof A Request

Dear [REDACTED]

- 1) In UK pharmaceuticals manufacturers do not need FDA inspection, only MHRA inspection, which is similar body as to FDA. Therefore, it is not inspected by FDA.
- 2) USP standard only refers to products that are manufactured in USA, not everywhere else in the world. In UK we have BP (British Pharmacopoeia), again similar to USP. As before, any products that are manufactured in UK, has to meet BP standards.
- 3) This Manufacturer will only release a copy of CoA (Certificate of analysis) upon confirmed order.
- 4) Copy of BP of Thiopental injection is not available to wholesalers. I am sure it would be available in any medical school library.

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Tuesday, October 19, 2010 8:51 AM
To: McAuliffe, John@CDCR
Subject: cost of the British Pharmacopoeia

Dear John,

The cost of the British Pharmacopoeia (2010 eBook) is approximately \$800.00. You can go and review the British Pharmacopoeia website at

<http://www.pharmacopoeia.co.uk/>

If you wish us to proceed send us a Purchase Order (PO) instructing [REDACTED] to move forward with acquiring a copy of the British Pharmacopoeia.

[REDACTED]
[REDACTED]
Phone (562) [REDACTED] Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)
Fax (562) [REDACTED]
e-mail [REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Tuesday, October 19, 2010 9:00 AM
To: McAuliffe, John@CDCR
Subject: Cost of Analysis

Dear John,
Please send [REDACTED] a Purchase Order(PO) authorizing [REDACTED] to box and ship next day air the Thiopental Sodium Samples to [REDACTED] for analysis. Summary of charges are \$2,385.00 Analysis fee for [REDACTED]. [REDACTED] charges are \$350.00 shipping to \$50.00. Sample pickup is an additional \$50.00 Total Cost \$2,835.00
Results will be available in 10 business days.

[REDACTED]
Phone (562) [REDACTED] Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)
Fax (562) [REDACTED]
e-mail [REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Sent: Mon, October 18, 2010 3:55:04 PM
Subject: Re: Cof A Request

[REDACTED]
I am still waiting to hear from Legal. Since it is getting toward the end of the day SQ will reschedule the drop off of the thiopental for testing on Thursday. I will keep you informed.
John McAuliffe

From: [REDACTED]
To: [REDACTED]; McAuliffe, John@CDCR; [REDACTED]
Sent: Mon Oct 18 14:03:57 2010
Subject: Cof A Request

Dear [REDACTED]

McAuliffe, John@CDCR

From: Duffy, Brian@CDCR
Sent: Monday, October 25, 2010 8:36 AM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Subject: Fw: Use of Drug Challenged in Death Penalty Case

Good Morning John,

Please see below.

Brian

From: Kernan, Scott@CDCR
To: Duffy, Brian@CDCR
Sent: Mon Oct 25 08:26:30 2010
Subject: Fw: Use of Drug Challenged in Death Penalty Case

Brian
Please send this to john fyi. Ask him to shoot me note on testing of our drugs. Specifically, how long did they say it would take to actually test the drug? Thx
Scott

From: Kernan, Darby@CDCR
To: Kernan, Scott@CDCR; Hidalgo, Oscar@CDCR; Rice, Benjamin@CDCR; Cate, Matt@CDCR
Sent: Mon Oct 25 08:23:05 2010
Subject: Use of Drug Challenged in Death Penalty Case

The New York Times

October 22, 2010

Use of Drug Challenged in Death Penalty Case
By JOHN SCHWARTZ

Arizona plans to execute Jeffrey Landrigan next week, but his lawyers are arguing that one of the drugs that the state intends to use to end his life may not be good enough.

The planned execution of Mr. Landrigan, convicted of murder in 1990, coincides with a shortage of the anesthetic used in the state's execution protocol, sodium thiopental. The thiopental shortage has already caused delays in executions around the country.

Arizona officials have the drug, but defense lawyers for Mr. Landrigan are asking to stay the execution until the state reveals where it got its supply.

If Arizona obtained the drug from an overseas supplier, they argue, it may be substandard and violate Food and Drug Administration rules for importation.

Kent Scheidegger, legal director for the Criminal Justice Legal Foundation, a group that supports the death penalty, said that arguing over the safety of a drug for executions is "absurd."

"As long as it's a real drug manufacturer and not mixed up in somebody's garage, it doesn't matter where it came from," Mr. Scheidegger said. While the Food and Drug Administration is supposed to determine whether drugs are safe and effective, he said, "in this case, safe and effective are opposites."

Shelly Burgess, a spokeswoman for the F.D.A., said that imported drugs must go through an approval process before being used in the United States, but added that executions are "clearly not under our purview or authority."

Megan McCracken, an adviser on lethal injection issues to the death penalty clinic at the University of California, Berkeley School of Law, argued that the origin of the drug used was nonetheless important under the law.

She cited the Eighth Amendment prohibition against cruel and unusual punishment, and a 2008 decision by the Supreme Court. In that case, Baze v. Rees, the court left room for challenges to execution methods that involve a demonstrated risk of severe pain compared with available alternatives.

To Ms. McCracken, the lack of information about the drug opens Arizona to a challenge under the Baze decision. "Its provenance matters," she said.

"I don't think you can say that thiopental is thiopental is thiopental."

Judge Roslyn O. Silver of United States District Court on Thursday asked the state to voluntarily reveal where the drug had come from. She set the matter for oral argument on Monday.

The state, in a brief filed Friday, declined to identify the source of the drug, citing state confidentiality laws intended to shield those involved in executions from harassment by death penalty opponents. It denied that the drug to be used was substandard, and suggested that the criticism of the drug was an "improper delay tactic."

The state, the brief said, "takes its responsibility to carry out an execution seriously and has attempted to construct a protocol to carry out executions as humanely as possible."

Kent E. Cattani, an Arizona assistant attorney general, said that the supply of the drug obtained by the state was effective, and noted that the protocol in place involved several methods for determining that the inmate was unconscious before administering the final drug. While an important concern with the administration of powerful anesthetics is that the patient might receive too much, Mr. Cattani explained, "it's obviously not a consideration here."

In fact, the amount that is given to inmates is more than 10 times the recommended dose for surgical procedures. "There's little or no chance that he would regain consciousness," he said.

If the judge insists on knowing the origins of the drug, he said, "we would ask that it be disclosed under seal."

To Ms. McCracken, the state's response was inadequate, akin to saying, "Just trust us," she said.

McAuliffe, John@CDCR

From: Kernan, Scott@CDCR
Sent: Monday, October 25, 2010 10:08 AM
To: McAuliffe, John@CDCR
Subject: Re: Use of Drug Challenged in Death Penalty Case

Thx. Not quick enough for AZ. You sure called it. Get word to you on when we can test. Did you hear from [REDACTED] on note from pharmacy?

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Mon Oct 25 10:04:27 2010
Subject: Fw: Use of Drug Challenged in Death Penalty Case

Scott
From drugs leaving SQ to LA lab to shipping for testing approximately 10 days.
John

From: Duffy, Brian@CDCR
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Sent: Mon Oct 25 08:36:23 2010
Subject: Fw: Use of Drug Challenged in Death Penalty Case

Good Morning John,

Please see below.

Brian

From: Kernan, Scott@CDCR
To: Duffy, Brian@CDCR
Sent: Mon Oct 25 08:26:30 2010
Subject: Fw: Use of Drug Challenged in Death Penalty Case

Brian
Please send this to john fyi. Ask him to shoot me note on testing of our drugs. Specifically, how long did they say it would take to actually test the drug? Thx
Scott

From: Kernan, Darby@CDCR
To: Kernan, Scott@CDCR; Hidalgo, Oscar@CDCR; Rice, Benjamin@CDCR; Cate, Matt@CDCR
Sent: Mon Oct 25 08:23:05 2010
Subject: Use of Drug Challenged in Death Penalty Case

 The New York Times

October 22, 2010

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By JOHN SCHWARTZ

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"As long as it's a real drug manufacturer and not mixed up in somebody's garage, it doesn't matter where it came from," Mr. Scheidegger said. While the Food and Drug Administration is supposed to determine whether drugs are safe and effective, he said, "in this case, safe and effective are opposites."

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If the judge insists on knowing the origins of the drug, he said, "we would ask that it be disclosed under seal."

To Ms. McCracken, the state's response was inadequate, akin to saying, "Just trust us," she said.

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Tuesday, November 02, 2010 4:05 PM
To: McAuliffe, John@CDCR
Subject: Address

Hello John,

Can you please email me your address. I need to put it on the invoice.

Thank you

[REDACTED]

[REDACTED]

Phone (562) [REDACTED] Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)
Fax (562) [REDACTED]

[REDACTED]

McAuliffe, John@CDCR

From: Duffy, Brian@CDCR
Sent: Tuesday, November 02, 2010 4:59 PM
To: McAuliffe, John@CDCR
Subject: FW: NCB
Attachments: NCBJustification.doc

John,

Did you receive this? We need to fill this out and submit as soon as possible to make the purchase. I thought I sent this to you last week, but maybe not.

If you have questions, please call me.

Brian

Brian Duffy
Special Assistant to the Undersecretary, Operations
California Department of Corrections and Rehabilitation
(916) [REDACTED]
Cell (916) [REDACTED]

From: Kernan, Scott@CDCR
Sent: Friday, October 29, 2010 12:50 PM
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: NCB

From: Alston, Steve M@CDCR
Sent: Friday, October 29, 2010 12:50:13 PM
To: Kernan, Scott@CDCR
Cc: Morgan, Brett@CDCR
Subject: NCB
Auto forwarded by a Rule

Scott,

Per our conversation, please find attached the NCB template to be used for the goods discussed. We will be happy to work with you and your team to process this request.

Steve

For PD Use only NCB #: _____

NON-COMPETITIVELY BID (NCB) CONTRACT JUSTIFICATION

For use on all information technology (IT) and non-IT goods and services acquisitions.
Attach to Std. 65, Std. 66 or Std. 821, as applicable.

This justification document consists of two (2) pages. All information must be provided and all questions must be answered. The "Required Approvals" section must include a date for each signature, as appropriate for the transaction.

Requesting Department Information			
Agency: California Department of Corrections and Rehabilitation		Department: Division Adult Institutions <small>(*Includes Boards, Commissions, and Associations)</small>	
Institution (if applicable): San Quentin State Prison			
Department Contact Information			
Contact Name: Scott Kernan Undersecretary, Operations		Street Address: 1515 S Street Room 502 South Sacramento, CA. 95811	
Telephone: (916) [REDACTED]		Mailing Address: same as above	
FAX: () [REDACTED]			
E-Mail: Scott.Kernan@cdcr.ca.gov			
Required Contract Information			
Contractor Name: [REDACTED]			
Contractor Address: [REDACTED] Whittier, CA.			
Original Contract Amount: \$ <small>(*Includes original contract and previously approved amendments)</small>	Amendment Amount: * (if applicable) \$ <small>(*Current amendment only)</small>	New Contract Amount: * \$ <small>(*Includes original contract and all amendments, including current amendment)</small>	Has work commenced? <input type="checkbox"/> Yes <input type="checkbox"/> No Have goods been acquired? <input type="checkbox"/> Yes <input type="checkbox"/> No <small>Attach explanations for any "Yes" answers.</small>
Provide a brief description of the acquisition, including all goods and/or services the contractor will provide:			
<p>CDCR is requesting that [REDACTED] purchase 525 grams of Thiopental Sodium (Pentothal). A total of 1050 individual 500 milligram bottles of Thiopental Sodium will be ordered. [REDACTED] will work as CDCR's agent in ordering, shipping, and processing all State and Federal requirements for the importation of the drug. [REDACTED] has a Controlled Substance Import License registered with the United States Department of Justice specifically for the importation of Thiopental Sodium. [REDACTED] will make all contacts necessary with the United States Customs, Food and Drug Administration, and Drug Enforcement Agency for the importation of the Thiopental Sodium.</p> <p>This contract is not subject to public disclosure and is protected by law including, but not limited to: Executive Order S-08-09: Government Code, 6254, subdivisions (c), (f), (k), (l), and (aa); Government Code, 6254.5; Government Code 6255; Evidence Code, 1040; and Procnier v. Superior Court of Monterey County (1973) 35 Cal. App.3d 211.</p>			
Contract Type and Term			
Contract Type: Select One: <input type="checkbox"/> Non-IT Goods <input type="checkbox"/> Non-IT Service <input type="checkbox"/> IT Goods <input type="checkbox"/> IT Service <input type="checkbox"/> IT Goods & Services	Contract Term: Begin: _____ End: _____ Explain late contract submittal (services only): _____	Type of Award: CMAS: _____ Master: _____ Competitive: _____ Form 42: _____	Will this transaction be financed? No _____ Yes _____ If yes, attach the Statement of Compliance to the State Financial Marketplace to this form
Required Approvals			

Department of General Services
Procurement Division

<p>Department <input type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <hr/> <p>Signature of Director or Designee/Date</p> <hr/> <p>Type Name of Director or see Instructions</p>	<p>Agency <input type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <hr/> <p>Signature of Agency Secretary or Designee/Date</p> <p><u>Scott Kernan, Undersecretary,</u> <u>Operations</u></p> <p>Type Name of Agency Secretary</p>	<p>Dept. of General Services <input type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <hr/> <p>Signature of Director or Designee/Date</p> <hr/> <p>Type Name of Director or Designee</p>
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Remit completed form to:

Procurement Division
One-Time Acquisitions
707 Third Street, 2nd Floor, MS: 201
West-Sacramento, GA-95605

Signature Instructions for Agencies with an Agency Secretary

This form requires approval by Agency Secretary or Agency Undersecretary or Designee and the Director or Chief Deputy. The typed name and signature must match. The Agency Secretary may designate one person, in addition to Agency Undersecretary, to sign on his/her behalf, of cabinet officer level (e.g., Assistant Undersecretary, Deputy Secretary, etc., the actual title is dependent upon the Agency's organizational structure).

Signature Instructions for Agencies that do not have an Agency Secretary

This form requires approval by the highest ranking executive officer or designee. The typed name and signature must match. The highest ranking officer may designate one person to sign on his/her behalf subject to DGS approval.

Complete responses must be provided for all of the following items.

A. THE GOOD/SERVICE REQUESTED IS RESTRICTED TO ONE SUPPLIER FOR THE REASONS STATED BELOW:

1. Why is the acquisition restricted to this good/service/supplier?

(Explain why the acquisition cannot be competitively bid. Explain if this is an emergency purchase or how the supplier is the only source for the acquisition and reference the PCC that applies, i.e., 12102, 10301/10302, or 10340.)

Hospira, the Chicago based pharmaceutical firm that is the sole FDA approved United States manufacturer of Thiopental Sodium announced that it would not be able to resume production of the drug until early 2011. Thiopental Sodium is a Schedule III controlled substance. Federal law requires that any and all transfers of a controlled substance take place between DEA registrants of record. The Department of Justice supplied CDCR with a list of [REDACTED] importers with registrant import license numbers. The following is a list of pharmaceuticals with import licenses that was provide to CDCR by the Department of Justice.



[REDACTED] was the sole source. This request is an emergency purchase that applies to PCC 10340.

This contract is not subject to public disclosure and is protected by law including, but not limited to: Executive Order S-08-09: Government Code, 6254, subdivisions (c), (f), (k), (l), and (aa); Government Code 6254.5; Government Code 6255; Evidence Code, 1040; and Procunier v. Superior Court of Monterey County (1973) 35 Cal. App. 3d 211.

2. Provide the background of events leading to this acquisition.

The United States Pharmaceutical supplier of Thiopental Sodium notified CDCR of the national shortage of Thiopental Sodium and that they could only supply CDCR with eight grams with an expiration date of October 1, 2010. CDCR contacted the United States Department of Justice, Office of Diversion Control, to assist in the importation of Thiopental Sodium. The Justice Department supplied a list of importers who are authorized to import Sodium Thiopental into the United States. [REDACTED] was the only importer that agreed to act as CDCR's agent in procuring the Sodium Thiopental. (See list of importers above A. 1)

3. Describe the uniqueness of the acquisition (why was the good/service/supplier chosen?)

[REDACTED] is one of [REDACTED] authorized pharmaceutical importers that the Department of Justice supplied to CDCR. [REDACTED] was the sole source willing to assist CDCR in the acquisition of Thiopental Sodium.

4. What are the consequences of not purchasing the good/service or contracting with the proposed supplier?

Thiopental Sodium is one of three drugs that is used by the State of California in its lethal injection protocol. CDCR's protocol does not allow any substitution. It is the first drug injected that renders the inmate unconscious. This allows the two other drugs, pancuronium bromide, a paralytic, and potassium chloride, which stops the heart, to be injected into the inmate without violating the inmate's constitutional right to an execution method that does not expose the inmate to a "demonstrated risk of severe pain." (Baze v. Rees; 533: U.S. at 61 (plurality op.)) Without the Thiopental Sodium California cannot carry out executions by lethal injection.

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5. What market research was conducted to substantiate no competition, including evaluation of other items considered?

(Provide a narrative of your efforts to identify other similar or appropriate goods/services, including a summary of how the department concluded that such alternatives are either inappropriate or unavailable. The names and addresses of suppliers contacted and the reasons for not considering them must be included OR an explanation of why the survey or effort to identify other goods/services was not performed.)

California's Lethal Injection Policy specifically calls for the use of Thiopental Sodium. No alternative drugs or substitutes are authorized. The sole United States manufacturer, Hospira Inc. has stated that new batches of Thiopental Sodium will not be available until January 2011 at the earliest. [REDACTED] is a licensed importer registered with the United States Department of Justice that has located the drug and has been approved by the Department of Justice to import the 525 grams for California Department of Corrections and Rehabilitation.

The Department of Justice supplied CDCR with a list of [REDACTED] importers with registrant import license numbers. The following is a list of pharmaceuticals with import licenses that was provide to CDCR by the Department of Justice. [REDACTED] was the only source to agree in helping CDCR procure Thiopental Sodium.



[REDACTED] was the sole source. This request is an emergency purchase that applies to PCC 10340.

B. PRICE ANALYSIS

1. How was the price offered determined to be fair and reasonable?
(Explain what the basis was for comparison and include cost analyses as applicable.)

Price and cost analyses was based on the actual billing of another state for the same purchase.

2. Describe any cost savings realized or costs avoided by acquiring the goods/services from this supplier

The United States Department of Justice supplied CDCR with a list of only [REDACTED] importers. [REDACTED] was the only importer from California on the list. This alone was a cost savings realized and costs avoidance due to [REDACTED] being a California company.

Non-Competitively Bid (NCB) Contract Justification Corrective Action Plan

This section must be completed for any NCB that could have been competitively bid but was not due to insufficient time to complete the competitive acquisition process. This does not apply to emergency procurements in accordance with PCC Sections 10302, 10340(b) (1) and 12102(a) (2).

Complete responses must be provided for all of the following questions:

1. Why is the submission of a NCB necessary and what are the determining factors that caused the problem?

2. What are the consequences of not having this NCB approved?
Describe in detail the impact to the department and to the program(s) if the NCB is not approved.

3. How will your department ensure adequate planning to prevent submittal of NCB's for goods or services that should have been competitively bid?
Provide a detailed plan of your department's efforts to improve your acquisition planning to maximize the use of competition to meet your needs. This plan must include how the department will provide for a tracking system to ensure timely review of upcoming requirements. Departments acknowledge that submission of a corrective action plan is the basis for how the department will provide for sufficient time to use competition in the acquisition process. Failure to follow the Corrective Action Plan may result in the loss of your department's delegated procurement authority. This plan must be kept on file for future auditing purposes.

McAuliffe, John@CDCR

From: [REDACTED]@CDCR
Sent: Thursday, November 04, 2010 1:57 PM
To: McAuliffe, John@CDCR
Cc: Rodriguez, William A.@CDCR
Subject: AR-M450_20101104_141005;

Attachments: AR-M450_20101104_141005.pdf



AR-M450_20101104_141005.pdf (2...

Sent to you at the request of CDW W.A. Rodriguez

WARDEN
California State Prison, San Quentin
San Quentin, CA 94964



November 4, 2010

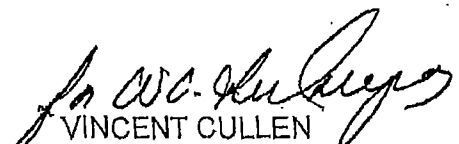
[REDACTED]
Whittier, CA [REDACTED]
[REDACTED]

Dear [REDACTED]:

This letter serves as written acknowledgement that the Pharmacy at San Quentin State Prison will receive shipment of the Thiopental Sodium (Pentothal) ordered from [REDACTED]
[REDACTED]

[REDACTED]
California State Prison, San Quentin
San Quentin, California 94964

Sincerely,


VINCENT CULLEN
Warden (A), San Quentin State Prison

cc: Scott Kernan, Undersecretary, Operations

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Thursday, November 04, 2010 3:27 PM
To: McAuliffe, John@CDCR
Subject: Invoice
Attachments: Invoice.PDF

Hello John,

Please see attach Invoice.
If you have any questions please feel free to call me.

Thank you

[REDACTED]
[REDACTED]
[REDACTED]
Phone (562) [REDACTED] **Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)**
Fax (562) [REDACTED]
[REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Sent: Thu, November 4, 2010 12:18:25 PM
Subject: RE: Address

[REDACTED]

Here is the name and address of the [REDACTED] at San Quentin....I am waiting on the Warden signature for the memo you requested.....thought I should send you the name and address sooner than later....once I get your invoice CDCR can get the check.

[REDACTED]
Neumiller Infirmary Pharmacy
California State Prison, San Quentin
San Quentin, California 94964
ATTN: Warden (A) Vincent Cullen

John McAuliffe

For PD Use only NCB #:

NON-COMPETITIVELY BID (NCB) CONTRACT JUSTIFICATION

For use on all information technology (IT) and non-IT goods and services acquisitions.
Attach to Std. 65, Std. 66 or Std. 821, as applicable.

This justification document consists of two (2) pages. All information must be provided and all questions must be answered. The "Required Approvals" section must include a date for each signature, as appropriate for the transaction.

Requesting Department Information			
Agency: California Department of Corrections and Rehabilitation		Department: Division Adult Institutions <small>(*Includes Boards, Commissions, and Associations)</small>	
Institution (if applicable): San Quentin State Prison			
Department Contact Information			
Contact Name: Scott Kernan Undersecretary, Operations		Street Address: 1515 S Street	
Telephone: (916) [REDACTED]		Room 502 South Sacramento, CA. 95811	
FAX: ()		Mailing Address: same as above	
E-Mail: Scott.Kernan@cdcr.ca.gov			
Required Contract Information			
Contractor Name: [REDACTED]			
Contractor Address: [REDACTED] Whittier, CA.			
Original Contract Amount: \$ <small>(*Includes original contract and previously approved amendments)</small>	Amendment Amount: * (if applicable) \$ <small>(*Current amendment only)</small>	New Contract Amount: * \$ <small>(*Includes original contract and all amendments, including current amendment)</small>	Has work commenced? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Have goods been acquired? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <small>Attach explanations for any "Yes" answers.</small>
Provide a brief description of the acquisition, including all goods and/or services the contractor will provide:			
<p>This contract is not subject to public disclosure and is protected by law including, but not limited to: Executive Order S-08-09: Government Code, 6254, subdivisions (c), (f), (k), (l), and (aa); Government Code 6254.5; Government Code 6255: Evidence Code, 1040; and Procunier v. Superior Court of Monterey County (1973) 35 Cal. App. 3d 211.</p> <p>CDCR is requesting that [REDACTED] purchase 525 grams of Thiopental Sodium (Pentothal). A total of 1050 individual 500 milligram bottles of Thiopental Sodium will be ordered. [REDACTED] will work as CDCR's agent in ordering, shipping, and processing all State and Federal requirements for the importation of the drug. [REDACTED] has a Controlled Substance Import License registered with the United States Department of Justice specifically for the importation of Thiopental Sodium. [REDACTED] will make all contacts necessary with the United States Customs, Food and Drug Administration, and Drug Enforcement Agency for the importation of the Thiopental Sodium.</p>			
Contract Type and Term			
Contract Type: Select One: <input type="checkbox"/> Non-IT Goods <input type="checkbox"/> Non-IT Service <input type="checkbox"/> IT Goods <input type="checkbox"/> IT Service <input type="checkbox"/> IT Goods & Services	Contract Term: Begin: _____ End: _____ Explain late contract submittal (services only):	Type of Award: CMAS: _____ Master: _____ Competitive: _____ Form 42: _____	Will this transaction be financed? No <input checked="" type="checkbox"/> Yes _____ If yes, attach the Statement of Compliance to the State Financial Marketplace to this form
Required Approvals			

Department <input type="checkbox"/> Approved <input type="checkbox"/> Denied _____ Signature of Director or Designee/Date _____ Type Name of Director or see Instructions	Agency <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied _____ Signature of Agency Secretary or Designee/Date <u>Scott Kernan, Undersecretary</u> <u>Operations</u> Type Name of Agency Secretary	Dept. of General Services <input type="checkbox"/> Approved <input type="checkbox"/> Denied _____ Signature of Director or Designee/Date _____ Type Name of Director or Designee
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Remit completed form to:

Procurement Division
One-Time Acquisitions
707 Third Street, 2nd Floor, MS: 201
West Sacramento, CA 95605

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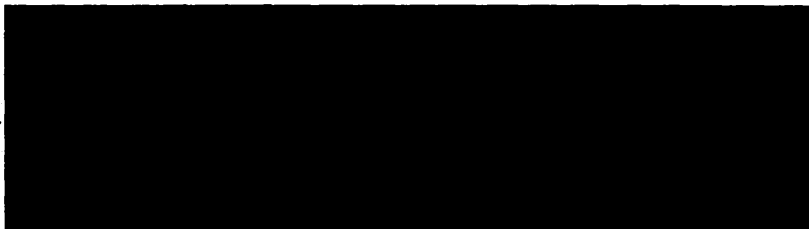
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3. Describe the uniqueness of the acquisition (why was the good/service/supplier chosen?)

[REDACTED] is one of [REDACTED] authorized pharmaceutical importers that the Department of Justice supplied to CDCR. [REDACTED] was the sole source willing to assist CDCR in the acquisition of Thiopental Sodium.

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Price and cost analyses was based on the actual billing of another state for the purchase of Thiopental Sodium.

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The United States Department of Justice supplied CDCR with a list of only six importers. [REDACTED] was the only importer from California on the list. This alone was a cost savings realized and costs avoidance due to [REDACTED] being a California company.

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NON APPLICABLE

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NON APPLICABLE

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NON APPLICABLE

McAuliffe, John@CDCR

From: [REDACTED]
Sent: Friday, November 05, 2010 10:22 AM
To: McAuliffe, John@CDCR
Subject: Check

Hello John,

As per [REDACTED] he will like to know when will you be sending the check?
Once he receives the check he will deposit to his bank account and will wait till it has cleared.
After everything has cleared, he will then ship the product.
Any questions feel free to give us a call at the number below.

Thank you

[REDACTED]
[REDACTED]
Phone (562) [REDACTED] Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)
Fax (562) [REDACTED]
e-mail [REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

McAuliffe, John@CDCR

From: Duffy, Brian@CDCR
Sent: Monday, November 08, 2010 10:18 AM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Subject: FW: Emailing: STD204%20Payee%20Data%20Record

John,

FYI. To enter the company into the system, apparently accounting needed a form filled out. The link she provided me below doesn't work, but [REDACTED] says she made contact with [REDACTED]. Not sure if you want to follow-up and help get completed?

Brian

-----Original Message-----

From: [REDACTED]@CDCR
Sent: Monday, November 08, 2010 9:28 AM
To: Duffy, Brian@CDCR
Subject: RE: Emailing: STD204%20Payee%20Data%20Record

I contacted [REDACTED] and fax the form to him. They will complete and return today. Should have a check out today or tomorrow to them..

[REDACTED]
Accounting Services
Regional Accounting
(916) [REDACTED]

-----Original Message-----

From: Duffy, Brian@CDCR
Sent: Monday, November 08, 2010 9:21 AM
To: [REDACTED]@CDCR
Subject: RE: Emailing: STD204%20Payee%20Data%20Record

[REDACTED],
I cannot open that website. Is it possible to get a copy of the form on PDF to send?

Thanks,

Brian

Brian Duffy
Special Assistant to the Undersecretary, Operations California Department of Corrections
and Rehabilitation
(916) [REDACTED]

-----Original Message-----

From: [REDACTED]@CDCR
Sent: Monday, November 08, 2010 8:59 AM
To: Duffy, Brian@CDCR
Subject: Emailing: STD204%20Payee%20Data%20Record

Brian,

This form must be completed by [REDACTED] I'll contact the vendor too.

[REDACTED]

[REDACTED]
Accounting Services
Regional Accounting
(916) [REDACTED]

The message is ready to be sent with the following file or link attachments:

Shortcut to:
<http://bisportal.cdcr.ca.gov/irj/go/km/docs/documents/CDCR/HomeLinks/Forms/STD204%20Payee%20Data%20Record.pdf>

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

McAuliffe, John@CDCR

From: Duffy, Brian@CDCR
Sent: Monday, November 08, 2010 10:18 AM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Subject: FW: Emailing: STD204%20Payee%20Data%20Record

John,

FYI. To enter the company into the system, apparently accounting needed a form filled out. The link she provided me below doesn't work, but [REDACTED] says she made contact with [REDACTED] Not sure if you want to follow-up and help get completed?

Brian

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Regional Accounting
(916) [REDACTED]

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Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

McAuliffe, John@CDCR

From: Duffy, Brian@CDCR
Sent: Monday, November 08, 2010 11:33 AM
To: Kernan, Scott@CDCR; McAuliffe, John@CDCR
Subject: FW: Emailing: STD204%20Payee%20Data%20Record

FYI.

-----Original Message-----

From: [REDACTED]@CDCR
Sent: Monday, November 08, 2010 11:21 AM
To: Duffy, Brian@CDCR
Cc: Gilpin, Timothy@CDCR
Subject: FW: Emailing: STD204%20Payee%20Data%20Record

FYI, received STD 204 from the vendor, will establish in SAP and pay invoice by ORF today. Let me know if you have any questions.

[REDACTED]
Accounting Services
Regional Accounting
(916) [REDACTED]

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Thanks,

Brian

Brian Duffy
Special Assistant to the Undersecretary, Operations California Department of Corrections
and Rehabilitation
(916) [REDACTED]

-----Original Message-----

From: [REDACTED]@CDCR

Sent: Monday, November 08, 2010 8:59 AM
To: Duffy, Brian@CDCR
Subject: Emailing: STD204%20Payee%20Data%20Record

Brian,

This form must be completed by [REDACTED] I'll contact the vendor too.

[REDACTED]
Accounting Services
Regional Accounting
(916) [REDACTED]

The message is ready to be sent with the following file or link attachments:

Shortcut to:
<http://bisportal.cdcr.ca.gov/irj/go/km/docs/documents/CDCR/HomeLinks/Forms/STD204%20Payee%20Data%20Record.pdf>

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

McAuliffe, John@CDCR

From: Duffy, Brian@CDCR
Sent: Tuesday, November 09, 2010 2:25 PM
To: Kernan, Scott@CDCR; McAuliffe, John@CDCR
Subject: FW: Drugs

Scott and John,

The invoice was paid today.

Brian

-----Original Message-----

From: Lewis, Dave (Budgets)@CDCR
Sent: Tuesday, November 09, 2010 2:22 PM
To: Duffy, Brian@CDCR
Subject: FW: Drugs

-----Original Message-----

From: Gilpin, Timothy@CDCR
Sent: Tuesday, November 09, 2010 2:17 PM
To: Lewis, Dave (Budgets)@CDCR
Subject: Drugs

Check today for \$36,415

McAuliffe, John@CDCR

From: Duffy, Brian@CDCR
Sent: Wednesday, November 10, 2010 3:35 PM
To: McAuliffe, John@CDCR
Subject: Any Word?

Hi John,

Have you heard anything about when the order may be filled?

Thanks,

Brian

McAuliffe, John@CDCR

From: Duffy, Brian@CDCR
Sent: Wednesday, November 10, 2010 5:21 PM
To: McAuliffe, John@CDCR
Subject: Fw: Any Word?

Thanks John

From: Kernan, Scott@CDCR
Sent: Wednesday, November 10, 2010 05:16 PM
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Any Word?

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 5:16:57 PM
To: Kernan, Scott@CDCR
Subject: Fw: Any Word?
Auto forwarded by a Rule

FYI

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 05:16 PM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

Brian

Not yet but since Thursday is a holiday I am hoping Friday. I will call [REDACTED] Friday morning. He has told me everything is set and in motion with our order to include Customs, FDA, and DEA.

John

From: Duffy, Brian@CDCR
Sent: Wednesday, November 10, 2010 03:34 PM
To: McAuliffe, John@CDCR
Subject: Any Word?

Hi John,

Have you heard anything about when the order may be filled?

Thanks,

Brian

McAuliffe, John@CDCR

From: Kernan, Scott@CDCR
Sent: Wednesday, November 10, 2010 5:30 PM
To: McAuliffe, John@CDCR
Subject: Re: Any Word?

Thanks. Getting close

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 05:16 PM
To: Kernan, Scott@CDCR
Subject: Fw: Any Word?

FYI

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 05:16 PM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

Brian

Not yet but since Thursday is a holiday I am hoping Friday. I will call [REDACTED] Friday morning. He has told me everything is set and in motion with our order to include Customs, FDA, and DEA.

John

From: Duffy, Brian@CDCR
Sent: Wednesday, November 10, 2010 03:34 PM
To: McAuliffe, John@CDCR
Subject: Any Word?

Hi John,

Have you heard anything about when the order may be filled?

Thanks,

Brian

McAuliffe, John@CDCR

From: Duffy, Brian@CDCR
Sent: Friday, November 12, 2010 9:40 AM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Subject: RE: Any Word?

Hi John,

Sorry to push, but when you hear something, please let me know. Scott is on vacation, but I'm keeping him updated.

Thanks,

Brian

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 5:16 PM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

Brian

Not yet but since Thursday is a holiday I am hoping Friday. I will call [REDACTED] Friday morning. He has told me everything is set and in motion with our order to include Customs, FDA, and DEA.

John

From: Duffy, Brian@CDCR
Sent: Wednesday, November 10, 2010 03:34 PM
To: McAuliffe, John@CDCR
Subject: Any Word?

Hi John,

Have you heard anything about when the order may be filled?

Thanks,

Brian

McAuliffe, John@CDCR

From: Duffy, Brian@CDCR
Sent: Tuesday, November 16, 2010 9:04 AM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Subject: RE: Any Word?

Morning John,

Just checking in to see if you have heard anything.

Thanks,

Brian

Brian Duffy
Special Assistant to the Undersecretary, Operations
California Department of Corrections and Rehabilitation
(916) [REDACTED]

From: McAuliffe, John@CDCR
Sent: Friday, November 12, 2010 9:44 AM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

No problem
John

From: Duffy, Brian@CDCR
Sent: Friday, November 12, 2010 09:40 AM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Subject: RE: Any Word?

Hi John,

Sorry to push, but when you hear something, please let me know. Scott is on vacation, but I'm keeping him updated.

Thanks,

Brian

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 5:16 PM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

Brian

Not yet but since Thursday is a holiday I am hoping Friday. I will call [REDACTED] Friday morning. He has told me everything is set and in motion with our order to include Customs, FDA, and DEA.

John

From: Duffy, Brian@CDCR

Sent: Wednesday, November 10, 2010 03:34 PM

To: McAuliffe, John@CDCR

Subject: Any Word?

Hi John,

Have you heard anything about when the order may be filled?

Thanks,

Brian

McAuliffe, John@CDCR

From: Duffy, Brian@CDCR
Sent: Wednesday, November 17, 2010 8:33 AM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Subject: Contract

Hi John,

Doing my daily check for Scott to see the status of the purchase. Any word?

Thanks,

Brian

Brian Duffy
Special Assistant to the Undersecretary, Operations
California Department of Corrections and Rehabilitation
(916) [REDACTED]

McAuliffe, John@CDCR

From: [REDACTED]@fda.hhs.gov]
Sent: Tuesday, November 30, 2010 2:00 PM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR; [REDACTED]
Subject: RE: FDA entry item # [REDACTED]

John,

This entry is currently under review by our DIOP branch. Due to the intended use they are developing a blanket policy for handling these type of shipments. If you need additional information you can call Supervisor [REDACTED] at 901-[REDACTED] or Supervisor [REDACTED] at 901-[REDACTED]. I am not authorized to make an admissibility decision on the entry.

Thank you,

[REDACTED]
US Food & Drug Administration
NOL-DO: Memphis R.P.
Phone: (901) [REDACTED]
Fax: (901) [REDACTED]

From: McAuliffe, John@CDCR [mailto:John.McAuliffe@cdcr.ca.gov]
Sent: Tuesday, November 30, 2010 3:37 PM
To: [REDACTED]
Cc: Kernan, Scott@CDCR
Subject: FDA entry item # [REDACTED]

[REDACTED]

I am inquiring into the shipment (# [REDACTED]) that is currently awaiting FDA approval. The shipment is to be sent to [REDACTED] Whittier, CA. [REDACTED] by FED-EX. ([REDACTED] is the FED-EX contact person) I also called your phone number 901-[REDACTED] and left a message. If you could please return my call I would like to know the timeline for release. Thank you in advance.

John McAuliffe
California Department of Corrections and Rehabilitation

McAuliffe, John@CDCR

From: Kernan, Scott@CDCR
Sent: Tuesday, November 30, 2010 3:18 PM
To: Cate, Matt@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: FW: FDA entry item # [REDACTED]

[REDACTED]

From: McAuliffe, John@CDCR
Sent: Tuesday, November 30, 2010 2:06 PM
To: Kernan, Scott@CDCR
Subject: FW: FDA entry item # [REDACTED]

FYI

From: [REDACTED]@fda.hhs.gov]
Sent: Tuesday, November 30, 2010 2:00 PM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR; [REDACTED]
Subject: RE: FDA entry item # [REDACTED]

John,

This entry is currently under review by our DIOP branch. Due to the intended use they are developing a blanket policy for handling these type of shipments. If you need additional information you can call Supervisor [REDACTED] at 901-[REDACTED] or Supervisor [REDACTED] at 901-[REDACTED]. I am not authorized to make an admissibility decision on the entry.

Thank you,

[REDACTED]

US Food & Drug Administration
NOL-DO: Memphis R.P.
Phone: (901) [REDACTED]
Fax: (901) [REDACTED]

From: McAuliffe, John@CDCR [mailto:John.McAuliffe@cdc.ca.gov]
Sent: Tuesday, November 30, 2010 3:37 PM
To: [REDACTED]

Cc: Kernan, Scott@CDCR

Subject: FDA entry Item # [REDACTED]

[REDACTED]

I am inquiring into the shipment (# [REDACTED]) that is currently awaiting FDA approval. The shipment is to be sent to [REDACTED], Whittier, CA. [REDACTED] by FED-EX. ([REDACTED] is the FED-EX contact person) I also called your phone number 901-[REDACTED] and left a message. If you could please return my call I would like to know the timeline for release. Thank you in advance.

John McAuliffe
California Department of Corrections and Rehabilitation

McAuliffe, John@CDCR

From: Cate, Matt@CDCR
Sent: Tuesday, November 30, 2010 3:24 PM
To: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: Re: FDA entry item # [REDACTED]

[REDACTED]

From: Kernan, Scott@CDCR
Sent: Tuesday, November 30, 2010 03:18 PM
To: Cate, Matt@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: FW: FDA entry item # [REDACTED]

[REDACTED]

From: McAuliffe, John@CDCR
Sent: Tuesday, November 30, 2010 2:06 PM
To: Kernan, Scott@CDCR
Subject: FW: FDA entry item # [REDACTED]

FYI

From: [REDACTED]@fda.hhs.gov]
Sent: Tuesday, November 30, 2010 2:00 PM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR; [REDACTED]
Subject: RE: FDA entry item # [REDACTED]

John,

This entry is currently under review by our DIOP branch. Due to the intended use they are developing a blanket policy for handling these type of shipments. If you need additional information you can call Supervisor [REDACTED] at 901-[REDACTED] or Supervisor [REDACTED] at 901-[REDACTED]. I am not authorized to make an admissibility decision on the entry.

Thank you,

[REDACTED]

US Food & Drug Administration
NOL-DO: Memphis R.P.

Phone: (901) [REDACTED]
Fax: (901) [REDACTED]

From: McAuliffe, John@CDCR [mailto:John.McAuliffe@cdcr.ca.gov]
Sent: Tuesday, November 30, 2010 3:37 PM
To: [REDACTED]
Cc: Kernan, Scott@CDCR
Subject: FDA-entry item # [REDACTED]

[REDACTED]

I am inquiring into the shipment (# [REDACTED]) that is currently awaiting FDA approval. The shipment is to be sent to [REDACTED] Ward, Whittier, CA. [REDACTED] by FED-EX. ([REDACTED] is the FED-EX contact person) I also called your phone number 901 [REDACTED] and left a message. If you could please return my call I would like to know the timeline for release. Thank you in advance.

John McAuliffe
California Department of Corrections and Rehabilitation

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Wednesday, December 01, 2010 10:58 AM
To: McCleave, Kelly@CDCR
Subject: FW: FDA entry item # [REDACTED]

FYI
John

From: Cate, Matt@CDCR
Sent: Tuesday, November 30, 2010 3:24 PM
To: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: Re: FDA entry item # [REDACTED]

[REDACTED]

From: Kernan, Scott@CDCR
Sent: Tuesday, November 30, 2010 03:18 PM
To: Cate, Matt@CDCR; Rice, Benjamin@CDCR; Hidalgo, Oscar@CDCR
Cc: McAuliffe, John@CDCR
Subject: FW: FDA entry item # [REDACTED]

[REDACTED]

From: McAuliffe, John@CDCR
Sent: Tuesday, November 30, 2010 2:06 PM
To: Kernan, Scott@CDCR
Subject: FW: FDA entry item # [REDACTED]

FYI

From: [REDACTED]@fda.hhs.gov]
Sent: Tuesday, November 30, 2010 2:00 PM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR; [REDACTED]
Subject: RE: FDA entry item # [REDACTED]

John,

This entry is currently under review by our DIOP branch. Due to the intended use they are developing a blanket policy for handling these type of shipments. If you need additional information you can call Supervisor [REDACTED] at 901-[REDACTED] or Supervisor [REDACTED] at 901-[REDACTED]. I am not authorized to make an admissibility decision on the entry.

Thank you,

[REDACTED]

[REDACTED]

US Food & Drug Administration

NOL-DO: Memphis R.P.

Phone: (901) [REDACTED]

Fax: (901) [REDACTED]

From: McAuliffe, John@CDCR [mailto:John.McAuliffe@cdcr.ca.gov]

Sent: Tuesday, November 30, 2010 3:37 PM

To: [REDACTED]

Cc: Kernan, Scott@CDCR

Subject: FDA entry item # [REDACTED]

[REDACTED]

I am inquiring into the shipment (# [REDACTED]) that is currently awaiting FDA approval. The shipment is to be sent to [REDACTED], Whittier, CA, [REDACTED] by FED-EX. [REDACTED] is the FED-EX contact person) I also called your phone number 901 [REDACTED] and left a message. If you could please return my call I would like to know the timeline for release. Thank you in advance.

John McAuliffe
California Department of Corrections and Rehabilitation

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Tuesday, November 30, 2010 2:06 PM
To: Kernan, Scott@CDCR
Subject: FW: FDA entry item # [REDACTED]

FYI

From: [REDACTED]@fda.hhs.gov]
Sent: Tuesday, November 30, 2010 2:00 PM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR; [REDACTED]
Subject: RE: FDA entry item # [REDACTED]

John,

This entry is currently under review by our DIOP branch. Due to the intended use they are developing a blanket policy for handling these type of shipments. If you need additional information you can call Supervisor [REDACTED] at 901-[REDACTED] or Supervisor [REDACTED]. I am not authorized to make an admissibility decision on the entry.

Thank you,

[REDACTED]
[REDACTED]
US Food & Drug Administration
NOL-DO: Memphis R.P.
Phone: (901) [REDACTED]
Fax: (901) [REDACTED]

From: McAuliffe, John@CDCR [mailto:John.McAuliffe@cdcr.ca.gov]
Sent: Tuesday, November 30, 2010 3:37 PM
To: [REDACTED]
Cc: Kernan, Scott@CDCR
Subject: FDA entry item # [REDACTED]

[REDACTED]

I am inquiring into the shipment (# [REDACTED]) that is currently awaiting FDA approval. The shipment is to be sent to [REDACTED] by FED-EX. ([REDACTED] is the FED-EX contact person) I also called your phone number 901-[REDACTED] and left a message. If you could please return my call I would like to know the timeline for release. Thank you in advance.

John McAuliffe
California Department of Corrections and Rehabilitation

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Tuesday, November 30, 2010 1:37 PM
To: [REDACTED]@FDA.HHS.gov
Cc: Kernan, Scott@CDCR
Subject: FDA entry item # [REDACTED]

[REDACTED]

I am inquiring into the shipment (# [REDACTED]) that is currently awaiting FDA approval. The shipment is to be sent to [REDACTED] Whittier, CA. [REDACTED] by FED-EX. ([REDACTED] is the FED-EX contact person) I also called your phone number 901-[REDACTED] and left a message. If you could please return my call I would like to know the timeline for release. Thank you in advance.

John McAuliffe
California Department of Corrections and Rehabilitation

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Tuesday, November 30, 2010 12:41 PM
To: Kernan, Scott@CDCR
Subject: RE: talking points

Scott

No word from FDA. [REDACTED] ... Not sure if you heard but the United Kingdom's Business Secretary, Vince Cable, stated today, "I have taken the decision to control the export of sodium thiopental."
John

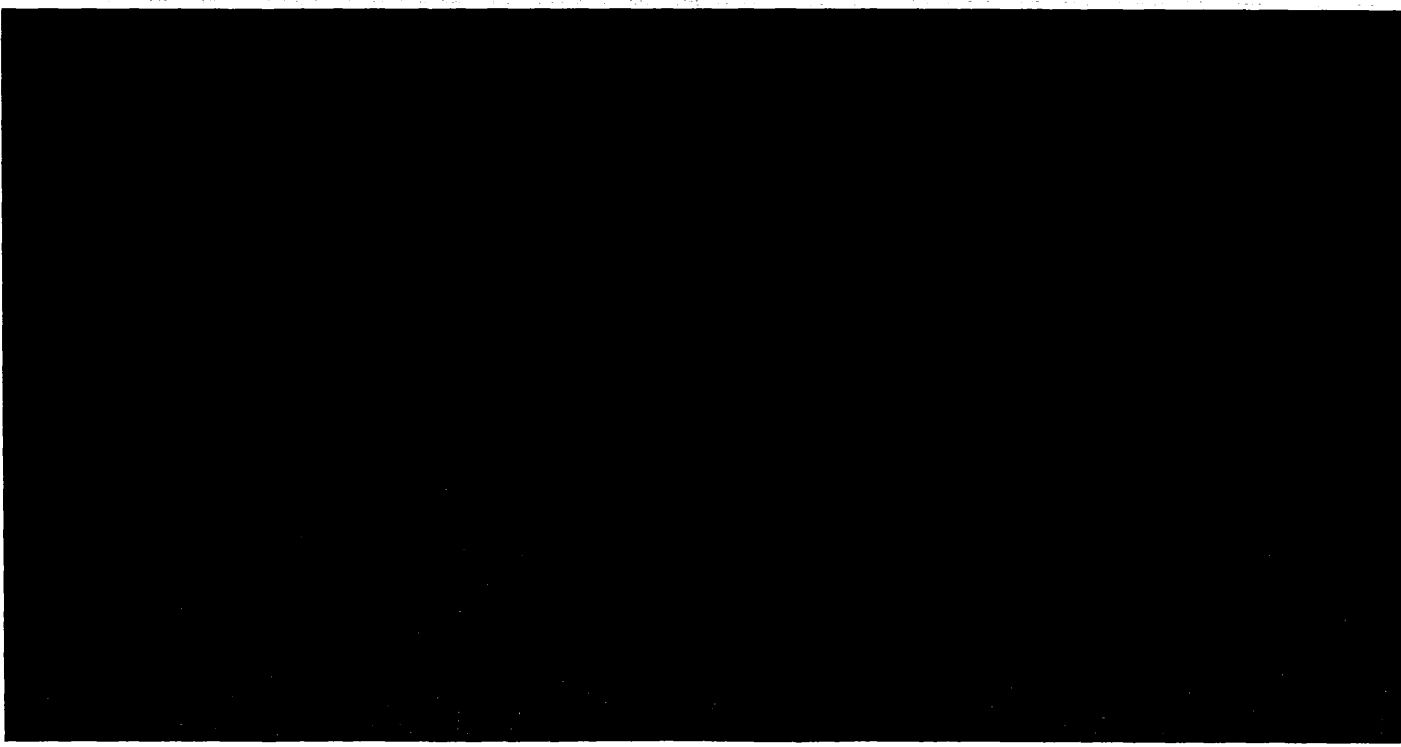
From: Kernan, Scott@CDCR
Sent: Tuesday, November 30, 2010 12:23 PM
To: McAuliffe, John@CDCR
Subject: FW: talking points

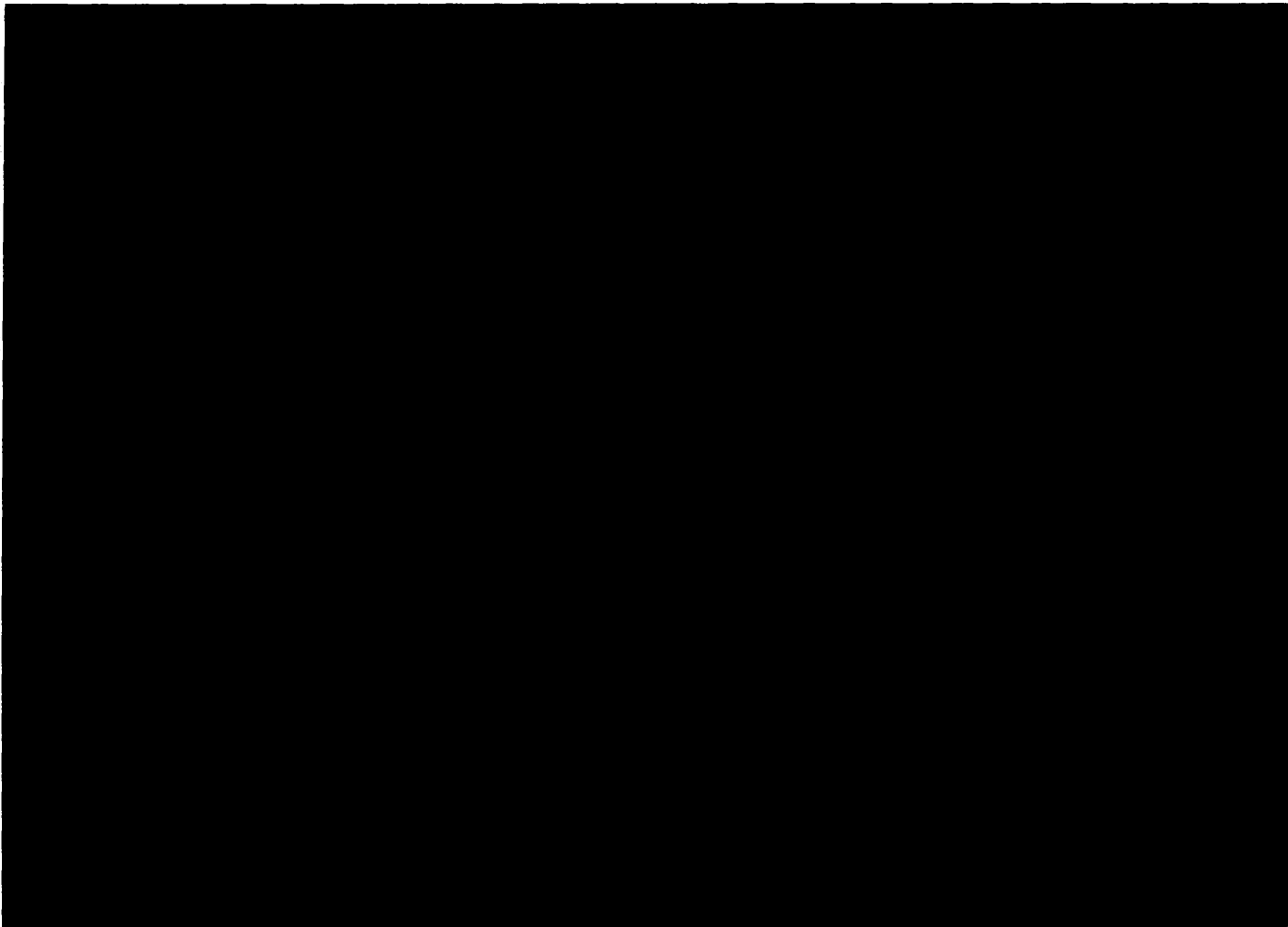
John,

[REDACTED] Any word?

Scott

From: Hidalgo, Oscar@CDCR
Sent: Tuesday, November 30, 2010 12:20 PM
To: Cate, Matt@CDCR; Kernan, Scott@CDCR; Rice, Benjamin@CDCR
Subject: talking points





Oscar Hidalgo
Assistant Secretary, Communications
California Department of Corrections and Rehabilitation
(916) [REDACTED] Cell

<http://www.cdcr.ca.gov/images/special/>

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Friday, November 12, 2010 9:44 AM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

No problem
John

From: Duffy, Brian@CDCR
Sent: Friday, November 12, 2010 09:40 AM
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Subject: RE: Any Word?

Hi John,

Sorry to push, but when you hear something, please let me know. Scott is on vacation, but I'm keeping him updated.

Thanks,

Brian

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 5:16 PM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

Brian

Not yet but since Thursday is a holiday I am hoping Friday. I will call [REDACTED] Friday morning. He has told me everything is set and in motion with our order to include Customs, FDA, and DEA.

John

From: Duffy, Brian@CDCR
Sent: Wednesday, November 10, 2010 03:34 PM
To: McAuliffe, John@CDCR
Subject: Any Word?

Hi John,

Have you heard anything about when the order may be filled?

Thanks,

Brian

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 5:17 PM
To: Kernan, Scott@CDCR
Subject: Fw: Any Word?

FYI

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 05:16 PM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

Brian

Not yet but since Thursday is a holiday I am hoping Friday. I will call [REDACTED] Friday morning. He has told me everything is set and in motion with our order to include Customs, FDA, and DEA.

John

From: Duffy, Brian@CDCR
Sent: Wednesday, November 10, 2010 03:34 PM
To: McAuliffe, John@CDCR
Subject: Any Word?

Hi John,

Have you heard anything about when the order may be filled?

Thanks,

Brian

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Wednesday, November 10, 2010 5:16 PM
To: Duffy, Brian@CDCR
Subject: Re: Any Word?

Brian

Not yet but since Thursday is a holiday I am hoping Friday. I will call [REDACTED] Friday morning. He has told me everything is set and in motion with our order to include Customs, FDA, and DEA.

John

From: Duffy, Brian@CDCR
Sent: Wednesday, November 10, 2010 03:34 PM
To: McAuliffe, John@CDCR
Subject: Any Word?

Hi John,

Have you heard anything about when the order may be filled?

Thanks,

Brian

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Thursday, November 04, 2010 3:31 PM
To: Kernan, Scott@CDCR
Subject: FW: Invoice
Attachments: Invoice.PDF; NCBJustification (2).doc

Scott
Here it is with NCB.
John

From: [REDACTED]
Sent: Thursday, November 04, 2010 3:27 PM
To: McAuliffe, John@CDCR
Subject: Invoice

Hello John,

Please see attach Invoice.
If you have any questions please feel free to call me.

Thank you

[REDACTED]
[REDACTED]
Phone (562) [REDACTED] **Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)**
Fax (562) [REDACTED]
e-mail [REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>
To: [REDACTED]
Sent: Thu, November 4, 2010 12:18:25 PM
Subject: RE: Address

[REDACTED]

Here is the name and address of the [REDACTED] at San Quentin....I am waiting on the Warden signature for the memo you requested.....thought I should send you the name and address sooner than later....once I get your invoice CDCR can get the check.

[REDACTED]
Neumiller Infirmary Pharmacy
California State Prison, San Quentin
San Quentin , California 94964
ATTN: Warden (A) Vincent Cullen

John McAuliffe

From: [REDACTED]
Sent: Tuesday, November 02, 2010 4:05 PM
To: McAuliffe, John@CDCR
Subject: Address

Hello John,

Can you please email me your address. I need to put it on the invoice.

Thank you

[REDACTED]
[REDACTED]
Phone (562) [REDACTED] Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)

Fax (562) [REDACTED]

e-mail [REDACTED]

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Thursday, November 04, 2010 2:03 PM
To: [REDACTED]
Subject: FW: AR-M450_20101104_141005;

Attachments: AR-M450_20101104_141005.pdf



AR-M450_20101104_141005.pdf (2...)

Here is the letter you requested from SQ. When do you think you will be able to forward the invoice to me for payment?
John McAuliffe

-----Original Message-----

From: [REDACTED]@CDCR
Sent: Thursday, November 04, 2010 1:57 PM
To: McAuliffe, John@CDCR
Cc: Rodriguez, William A.@CDCR
Subject: AR-M450_20101104_141005;

Sent to you at the request of CDW W.A. Rodriguez

WARDEN
California State Prison, San Quentin
San Quentin, CA 94964



November 4, 2010

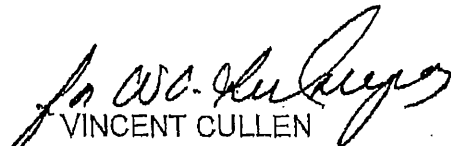
[REDACTED]
Whittier, CA
E-mail: [REDACTED]

Dear [REDACTED]:

This letter serves as written acknowledgement that the Pharmacy at San Quentin State Prison will receive shipment of the Thiopental Sodium (Pentothal) ordered from [REDACTED]
[REDACTED]

[REDACTED]
California State Prison, San Quentin
San Quentin, California 94964

Sincerely,


VINCENT CULLEN
Warden (A), San Quentin State Prison

cc: Scott Kernan, Undersecretary, Operations

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Thursday, November 04, 2010 12:42 PM
To: Rodriguez, William A.@CDCR
Subject: Letter
Attachments: SQ Warden Letter.doc

Bill
Thanks
John

WARDEN
California State Prison, San Quentin
San Quentin, CA 94964



November 4, 2010

[REDACTED]
Whittier, CA
e-mail: [REDACTED]

Dear [REDACTED]:

This letter serves as written acknowledgement that Neumiller Infirmary Pharmacy at San Quentin State Prison will receive shipment of the Thiopental Sodium (Pentothal) ordered from [REDACTED]

[REDACTED]
Neumiller Infirmary Pharmacy
California State Prison, San Quentin
San Quentin, California 94964

Sincerely,

VINCENT CULLEN
Warden (A), San Quentin State Prison

cc: Scott Kernan, Undersecretary, Operations

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Thursday, November 04, 2010 12:18 PM
To: [REDACTED]
Subject: RE: Address

[REDACTED]

Here is the name and address of the [REDACTED] at San Quentin....I am waiting on the Warden signature for the memo you requested.....thought I should send you the name and address sooner than later....once I get your invoice CDCR can get the check.

[REDACTED]
Neumiller Infirmary Pharmacy
California State Prison, San Quentin
San Quentin, California 94964
ATTN: Warden (A) Vincent Cullen

John McAuliffe

From: [REDACTED]
Sent: Tuesday, November 02, 2010 4:05 PM
To: McAuliffe, John@CDCR
Subject: Address

Hello John,

Can you please email me your address. I need to put it on the invoice.

Thank you

[REDACTED]

[REDACTED]

[REDACTED]

Phone (562) [REDACTED] Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)
Fax (562) [REDACTED]
e-mail [REDACTED]

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Wednesday, November 03, 2010 11:54 AM
To: [REDACTED]
Subject: RE: Address

[REDACTED]
Address for invoice; Scott Kernan, Undersecretary, Operations
1515 S Street
Room 502 South
Sacramento, CA. 95811

When you get a chance could you call me at [REDACTED] (cell)
John McAuliffe

From: [REDACTED]
Sent: Tuesday, November 02, 2010 4:05 PM
To: McAuliffe, John@CDCR
Subject: Address

Hello John,

Can you please email me your address. I need to put it on the invoice.

Thank you
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
Phone (562) [REDACTED] **Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)**
Fax (562) [REDACTED]
[REDACTED]
e-mail [REDACTED]

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Thursday, October 28, 2010 9:56 AM
To: [REDACTED]
Subject: ATTN: [REDACTED]

Attachments: Internet Page 2.pdf; Internet Page 1.pdf



Internet Page 2.pdf (425 KB) Internet Page 1.pdf (795 KB)

Attached is the information concerning [REDACTED] and the Thiopental.
John McAuliffe

-----Original Message-----

From: [REDACTED]@CDCR
Sent: Thursday, October 28, 2010 9:52 AM
To: McAuliffe, John@CDCR
Subject: Emailing: Internet Page 2.pdf, Internet Page 1.pdf

As requested.

Please let me know if you need anything else.

[REDACTED]
[REDACTED]
Division of Planning, Acquisition and Design Facility Planning, Construction and
Management California Department of Corrections and Rehabilitation
(916) [REDACTED]



PENTOTHAL SODIUM INJECTIONS 500MG

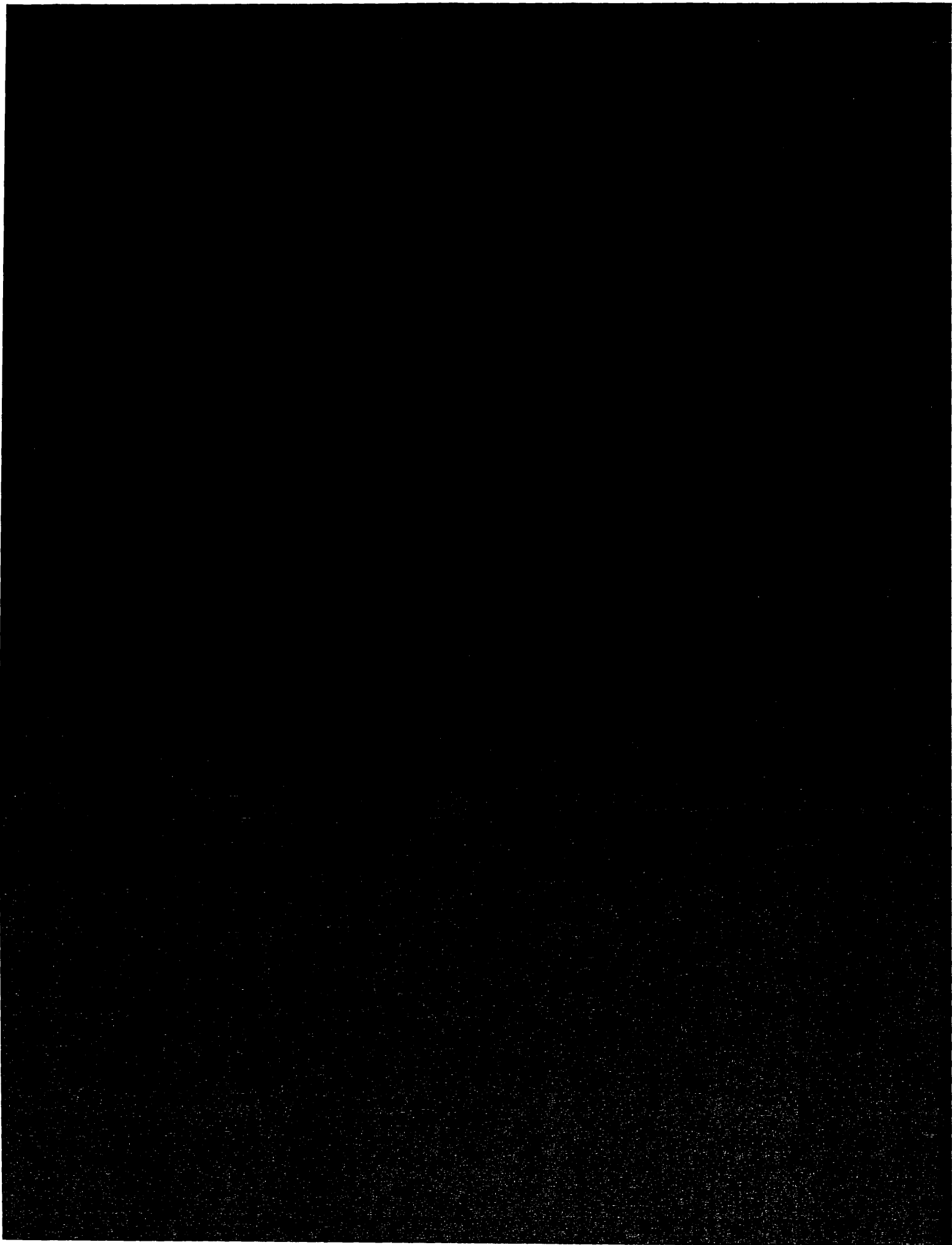
Ingredient(s): Each amp. Contains:
500mg-Sodium-thiopental-(in-powder-form)

Indications: Induction of general anesthesia, Anesthesia of short duration and also used as anti-convulsant.

- As the sole anesthetic agent for brief (15 minutes) procedure
- For induction of anesthesia prior to administration of other inhalation anesthetic agents
- To supplement regional anesthesia
- To provide hypnosis during balanced anesthesia without agents for analgesia or muscle relaxation
- For the control of convulsive states during or following inhalation anesthesia, local anesthesia, or other causes
- In neuro surgical patients with increased intracranial pressure, if adequate ventilation is provided
- For narco-analysis and narco-synthesis in psychiatric patients.

Pack Size: 25 ampoules in carton

[Top of Page](#)



McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Monday, October 25, 2010 10:18 AM
To: Kernan, Scott@CDCR
Subject: Re: Use of Drug Challenged in Death Penalty Case

Still waiting to hear from [REDACTED] Trying one last time with SQ also will let you know.

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Mon Oct 25 10:08:22 2010
Subject: Re: Use of Drug Challenged in Death Penalty Case

Thx. Not quick enough for AZ. You sure called it. Get word to you on when we can test. Did you hear from [REDACTED] on note from pharmacy?

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Mon Oct 25 10:04:27 2010
Subject: Fw: Use of Drug Challenged in Death Penalty Case

Scott
From drugs leaving SQ to LA lab to shipping for testing approximately 10 days.
John

From: Duffy, Brian@CDCR
To: McAuliffe, John@CDCR
Cc: Kernan, Scott@CDCR
Sent: Mon Oct 25 08:36:23 2010
Subject: Fw: Use of Drug Challenged in Death Penalty Case

Good Morning John,

Please see below.

Brian

From: Kernan, Scott@CDCR
To: Duffy, Brian@CDCR
Sent: Mon Oct 25 08:26:30 2010
Subject: Fw: Use of Drug Challenged in Death Penalty Case

Brian
Please send this to john fyi. Ask him to shoot me note on testing of our drugs. Specifically, how long did they say it would take to actually test the drug? Thx
Scott

From: Kernan, Darby@CDCR

To: Kernan, Scott@CDCR; Hidalgo, Oscar@CDCR; Rice, Benjamin@CDCR; Cate, Matt@CDCR
Sent: Mon Oct 25 08:23:05 2010
Subject: Use of Drug Challenged in Death Penalty Case

 The New York Times

October 22, 2010

Use of Drug Challenged in Death Penalty Case
By JOHN SCHWARTZ

Arizona plans to execute Jeffrey Landrigan next week, but his lawyers are arguing that one of the drugs that the state intends to use to end his life may not be good enough.

The planned execution of Mr. Landrigan, convicted of murder in 1990, coincides with a shortage of the anesthetic used in the state's execution protocol, sodium thiopental. The thiopental shortage has already caused delays in executions around the country.

Arizona officials have the drug, but defense lawyers for Mr. Landrigan are asking to stay the execution until the state reveals where it got its supply.

If Arizona obtained the drug from an overseas supplier, they argue, it may be substandard and violate Food and Drug Administration rules for importation.

Kent Scheidegger, legal director for the Criminal Justice Legal Foundation, a group that supports the death penalty, said that arguing over the safety of a drug for executions is "absurd."

"As long as it's a real drug manufacturer and not mixed up in somebody's garage, it doesn't matter where it came from," Mr. Scheidegger said. While the Food and Drug Administration is supposed to determine whether drugs are safe and effective, he said, "in this case, safe and effective are opposites."

Shelly Burgess, a spokeswoman for the F.D.A., said that imported drugs must go through an approval process before being used in the United States, but added that executions are "clearly not under our purview or authority."

Megan McCracken, an adviser on lethal injection issues to the death penalty clinic at the University of California, Berkeley School of Law, argued that the origin of the drug used was nonetheless important under the law.

She cited the Eighth Amendment prohibition against cruel and unusual punishment, and a 2008 decision by the Supreme Court. In that case, Baze v. Rees, the court left room for challenges to execution methods that involve a demonstrated risk of severe pain compared with available alternatives.

To Ms. McCracken, the lack of information about the drug opens Arizona to a challenge under the Baze decision. "Its provenance matters," she said.

"I don't think you can say that thiopental is thiopental is thiopental."

Judge Roslyn O. Silver of United States District Court on Thursday asked the state to voluntarily reveal where the drug had come from. She set the matter for oral argument on Monday.

The state, in a brief filed Friday, declined to identify the source of the drug, citing state confidentiality

laws intended to shield those involved in executions from harassment by death penalty opponents. It denied that the drug to be used was substandard, and suggested that the criticism of the drug was an "improper delay tactic."

The state, the brief said, "takes its responsibility to carry out an execution seriously and has attempted to construct a protocol to carry out executions as humanely as possible."

Kent E. Cattani, an Arizona assistant attorney general, said that the supply of the drug obtained by the state was effective, and noted that the protocol in place involved several methods for determining that the inmate was unconscious before administering the final drug. While an important concern with the administration of powerful anesthetics is that the patient might receive too much, Mr. Cattani explained, "it's obviously not a consideration here."

In fact, the amount that is given to inmates is more than 10 times the recommended dose for surgical procedures. "There's little or no chance that he would regain consciousness," he said.

If the judge insists on knowing the origins of the drug, he said, "we would ask that it be disclosed under seal."

To Ms. McCracken, the state's response was inadequate, akin to saying, "Just trust us," she said.

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McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Monday, October 18, 2010 3:55 PM
To: [REDACTED]
Subject: Re: Cof A Request

[REDACTED]
I am still waiting to hear from Legal. Since it is getting toward the end of the day SQ will reschedule the drop off of the thiopental for testing on Thursday. I will keep you informed.
John McAuliffe

From: [REDACTED]
To: [REDACTED] McAuliffe, John@CDCR; [REDACTED]
Sent: Mon Oct 18 14:03:57 2010
Subject: Cof A Request

Dear [REDACTED]

Is the manufacturer of the Sodium Thiopental a manufacturer that has had its manufacturing facility inspected by the US FDA.

Second does this product meet or exceed the USP pharmacopoeia specifications for this product. Please find pdf of USP specifications.

Can the manufacturer of your product provide a copy of the British pharmacopoeia specifications for this product.

Can you or the manufacturer of the material we will be importing provide a Certificate of analysis for this specific lot number.

If not by US FDA standards, at least by British pharmacopoeia standards. If so could you provide a copy of those standards, and Cof A.

Thank you in advance
[REDACTED]

[REDACTED]
[REDACTED]
Phone (562) [REDACTED] Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)
Fax (562) [REDACTED]
e-mail [REDACTED]

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Monday, October 18, 2010 3:48 PM
To: [REDACTED]
Subject: Re: Any word?

Good call. I will call Pharmacy.
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Mon Oct 18 15:46:16 2010
Subject: RE: Any word?

Can we reschedule for Thursday, that will give the Governor and the Lawyers time to talk. I talked to the Warden and he is ok with that..

Let me know right away I getting ready to leave for the day.

thanks



Leadership does not always wear the harness of compromise.
Woodrow Wilson

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Monday, October 18, 2010 3:18 PM
To: [REDACTED]
Subject: Re: Any word?

Still waiting.

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Mon Oct 18 15:15:46 2010
Subject: Any word?

Any word from the Governor's Office or Headquarters?



Leadership does not always wear the harness of compromise.
Woodrow Wilson

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Monday, October 18, 2010 12:05 PM
To: [REDACTED]
Subject: Fw: attachments

John
The attachment was a spec for Thiopental. I sent the below email so [REDACTED] would have the address and phone number to Pharmacy. If he did not get email could you please forward to him. Thanks
John

From: McAuliffe, John@CDCR
To: [REDACTED]
Cc: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR; Cullen, Vincent@CDCR; Rodriguez, William A.@CDCR; [REDACTED]
Sent: Fri Oct 15 13:46:17 2010
Subject: Re: attachments

[REDACTED]
Per our conversation this AM. I left a message with your receptionist concerning the dropping off of chemicals to be tested. [REDACTED] will drop off the chemical Tuesday, October 19th at your Whitter address. The [REDACTED] will call your pharmacy when he is approximately one hour away to give you an arrival time. CDCR is asking you include the costs of the testing to the invoice for the order from [REDACTED] if possible. When testing is complete we would like the results emailed (PDF) to this email. Thank you in advance.
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 15 09:43:19 2010
Subject: attachments

Please see attachment.

[REDACTED]
[REDACTED]
[REDACTED]
Phone (562) [REDACTED] **Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)**
Fax (562) [REDACTED]
[REDACTED]
e-mai [REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Monday, October 18, 2010 12:00 PM
To: [REDACTED]
Subject: Fw: Attachments of quotes
Attachments: [REDACTED]- Thiopental Sodium Summary of Charges.PDF; Brokers Quote.PDF

Fyi

From: [REDACTED]
To: [REDACTED]; McAuliffe, John@CDCR
Sent: Mon Oct 18 09:02:50 2010
Subject: Attachments of quotes

Please see attachments

[REDACTED]
[REDACTED]
Phone (562) [REDACTED] **Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)**
Fax (562) [REDACTED]
e-mai [REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

Thiopental Sodium, USP

TERMS AND CONDITIONS

Turnaround time: Standard 10 Business Days from receipt of samples (full compendial testing).

Pricing: is Valid for 1 Year from date of quotation and subject to change at any time.
(revisions due to USP monograph test changes or to advise of any standards, reagents, or other special supplies, that may be required to perform the tests requested.)

Rushes: Prices quoted above are also subject to change if a Rush** delivery is requested:
(Rush deliveries dependent on: availability of supplies required, outsourced tests, and lab availability.)

** +200% upcharge applied to quoted Test Prices for Rush: (1) to (4) Business Days from receipt of sample.

** +100% upcharge applied to quoted Test Prices for Rush: (5) to (7) Business Days from receipt of sample.

Miscellaneous Charges that may apply:

OOS (Out of Specification) Investigations (per client request):	\$ 100
OOS Test Re-runs:	Per test price quoted.

Terms: Pre-Payment is required for customers whose credit has not been established with [REDACTED]. Payment terms for clients with approved credit are fifteen days from date of invoice unless otherwise stated on the quote. Purchase orders or valid credit card information are required. Client agrees to pay all costs, including, but not limited to attorney and accounting fees and other expenses of collection resulting from any default by client in any terms of this contract. For third party billing a signed purchase order must be received from the party being billed for the service. Additional charges may be assessed (i.e. Hazardous samples) with client approval. Liability of [REDACTED] is limited to an amount no greater than the amount invoiced. This document supersedes any arrangements with regards to financial liability.

Sample Submission and Shipping:

1. Please send your sample to us "overnight" via traceable means, such as FedEx, UPS or DHL.
2. If potency and microbiological testing are requested, include two separate samples with the minimum sample requirements as specified in the quote.
3. Please log on to [REDACTED] for online sample submission. Include the online submission confirmation form and a signed copy of this quote with your sample.
4. Send the sample and any starting materials specified in the quote to the attention of the Sample Administration Department. Samples will be received at [REDACTED] from Monday through Friday (excluding holidays).
5. If potential degradation due to heat during shipping is possible, we ask that you please "pack" cold. Please note that ice packs will collect moisture on the surface due to condensation. This moisture can cause problems with packaging, requisitions forms and sample labels. It is recommended that the ice pack(s) be placed inside a bag that is sealable such as a zip lock bag. Please pack samples appropriately to prevent breakage.

Confidentiality: [REDACTED] maintains strict confidentiality with its customers. Formal confidentiality agreements may be initiated by the customer or by [REDACTED].

Retention and Disposal: Samples are retained for 45 days after analysis. Prior arrangements must be made to retain samples under other conditions or to return samples. Unless alternate arrangements have been made, raw data will be retained for 5 years plus the current year after report date.

Forensic or Litigation: For samples submitted of a suspect or forensic nature or for purposes of litigation, we request that you please contact [REDACTED] for a quote.

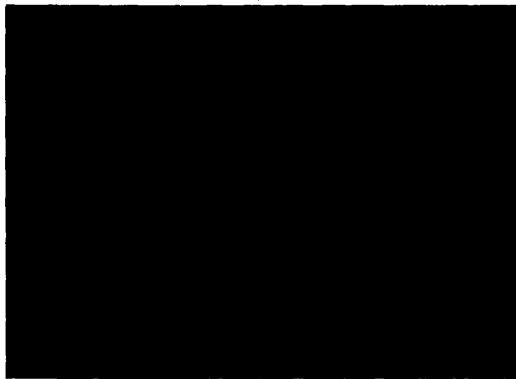


Thiopental Sodium, USP

Summary of Charges*

Tests required	Method	Sample Quantity required (mg)	Price	Comments
Identification A (IR)	NA	1000	\$100	Requires Standard & Loss on drying
Identification B (Sodium)	<191>	1000	\$100	
Identification C (Color)	NA	500	\$100	
Loss on drying	<731>	1500	\$100	
Heavy metals (Method II)	<231>	1200	\$250	
Ordinary impurities (TLC)	<466>	100	\$350	Requires Standard
Assay (Titration)	NA	200	\$350	Requires Loss on drying
Residual Solvents (GC)	<467>	800	\$700	Price is \$700 per test required Procedure A: If solvents are unknown Procedure B: Required if procedure A fails Procedure C: Required if procedure B fails or if solvents are known
USP Thiopental RS	Standard	NA	\$335	
Total		6300	\$2385	Includes one residual solvents test

*This quotation is subject to the attached terms and conditions.



[REDACTED]

Date: 10/15/10

Attention: [REDACTED]

Applicant: [REDACTED]

Thank you for the opportunity to quote the above account. We are able to offer the following terms which are valid for 30 days

Company [REDACTED]

Coverage Marine Cargo - All Risk per company form OM-CCP/SS

Valuation: Cost + Insurance + Freight + 10%

Limits: \$17,000 in respect of Shipment by any one Aircraft and Connecting Conveyances

Deductible \$500 Per Claim

Premium \$750.00

Broker Fee \$175.00

Terms & Conditions

1. Short Term policy coverage one air shipment only. 100% Minimum Earned Premium/100% Fully Earned Fees - No Flat Cancellation Allowed. Payment is due at time of binding
2. Goods Insured: Pharmaceuticals packed to withstand the rigors of international transit.
3. Geographical Limits London England to Whittier, Ca
4. [REDACTED] is charging you a Broker fee for providing the basic services set forth herein. The amount of mutually agreed fee is indicated above. The general brokerage services we perform include, but are not limited to, searching our relevant market(s) for appropriate combination(s) of price, coverage, and security for a particular risk. [REDACTED] may also be entitled to receive

[REDACTED]

compensation, directly or indirectly, from the insurer that accepted and bound out business, even when you have charged a brokerage fee.

5. Company policy if bound, will not violate and United States economic or trade sanctions administered by the United States Treasury Department Office of Foreign Asset Control.

Exclusion/Endorsements – Per company forms

Mandatory Form Needed to Bind:

1. Transportation Application signed by the insured.
2. Copy of agency trust account check for 100% of premium plus fees.
3. Advise dates of shipment.

This quotation may or may not include all terms and conditions requested on your application. Please review carefully.

Best Regards, [REDACTED]

BIND REQUEST

To request binding please check the appropriate line below, sign where noted and return to our office. I further acknowledge that I have not received a quotation from any admitted carrier for this risk.

_____ Please bind effective _____. Insured is not premium financing.

X _____
Signature of Producer & Date

All checks are to be made payable to [REDACTED]
And Mailed to our Pleasanton Office: [REDACTED]

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Friday, October 15, 2010 2:02 PM
To: [REDACTED]
Subject: Fw: attachments

Had [REDACTED] no [REDACTED]

From: McAuliffe, John@CDCR
To: [REDACTED]
Cc: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR; Cullen, Vincent@CDCR; Rodriguez, William A.@CDCR [REDACTED]
Sent: Fri Oct 15 13:46:17 2010
Subject: Re: attachments

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John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 15 09:43:19 2010
Subject: attachments

Please see attachment

[REDACTED]
[REDACTED]
Phone (562) [REDACTED] **Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)**
Fax (562) [REDACTED]
e-mail [REDACTED]

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McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Friday, October 15, 2010 1:58 PM
To: [REDACTED]
Subject: Fw: attachments

First email somehow failed?

From: McAuliffe, John@CDCR
To: [REDACTED]
Cc: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR; Cullen, Vincent@CDCR; Rodriguez, William A.@CDCR; [REDACTED]
Sent: Fri Oct 15 13:46:17 2010
Subject: Re: attachments

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John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 15 09:43:19 2010
Subject: attachments

Please see attachment

[REDACTED]
[REDACTED]
[REDACTED]
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Fax (562) [REDACTED]
e-mail [REDACTED]

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McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Friday, October 15, 2010 1:46 PM
To: [REDACTED]
Cc: Kernan, Scott@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR; Cullen, Vincent@CDCR; Rodriguez, William A.@CDCR; [REDACTED]
Subject: Re: attachments

[REDACTED]
Per our conversation this AM. I left a message with your receptionist concerning the dropping off of chemicals to be tested. [REDACTED] will drop off the chemical Tuesday, October 19th at your [REDACTED] address. The [REDACTED] will call your pharmacy when he is approximately one hour away to give you an arrival time. CDCR is asking you include the costs of the testing to the invoice for the order from [REDACTED] if possible. When testing is complete we would like the results emailed (PDF) to this email. Thank you in advance.
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 15 09:43:19 2010
Subject: attachments

Please see attachment

[REDACTED]
[REDACTED]
Phone (562) [REDACTED] **Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)**
Fax (562) [REDACTED]
e-mail [REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Friday, October 15, 2010 11:56 AM
To: Kernan, Scott@CDCR
Subject: Re: Letter

[REDACTED] is waiting for the Homeland Security Clearance. They are hoping to have it by next week.

----- Original Message -----

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Fri Oct 15 11:25:39 2010
Subject: Re: Letter

John,

[REDACTED] Still working on letter from pharmacy. When will we get invoice?
Scott

----- Original Message -----

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Cc: McCleave, Kelly@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR
Sent: Fri Oct 15 08:56:24 2010
Subject: Letter

Scott

[REDACTED] needs a letter from CDCR pharmacy (SQ if possible) simply stating that CDCR is requesting that [REDACTED] order 525 grams of Sodium Thiopental from [REDACTED]. Nothing else is needed just the request. As explained to me by [REDACTED] California Law will not allow a Doctor to order on one scrip such a large volume. Pharamacy to Pharamacy will allow [REDACTED] to meet our needs to complete the process.
John

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Friday, October 15, 2010 11:50 AM
To: [REDACTED]@CDCR
Subject: Fw: attachments
Attachments: Thiopental Sodium.PDF

Fyi

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 15 09:43:19 2010
Subject: attachments

Please see attachment

[REDACTED]

Phone (562) [REDACTED] **Monday through Friday 7:30am to 4:30pm Pacific Standard Time(P.S.T.)**
Fax (562) [REDACTED]
e-mail [REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

this solution into a 100-mL volumetric flask, and dilute with Phosphoric acid solution to volume to obtain a solution having a known concentration of 0.04 mg per mL.

Assay preparation—Transfer about 40 mg of Thioguanine, accurately weighed, to a 100-mL volumetric flask, dissolve in and dilute with 0.01 N sodium hydroxide to volume, and mix. Transfer 10.0 mL of this solution to a 100-mL volumetric flask, dilute with Phosphoric acid solution to volume, and mix.

Chromatographic system (see Chromatography (621))—The liquid chromatograph is equipped with a 248-nm detector and a 4.6-mm × 5-cm column that contains packing L1. The flow rate is about 2.0 mL per minute. Chromatograph the Standard preparation, and record the peak responses as directed for Procedure; the relative retention times are about 0.60 for guanine and 1.0 for thioguanine, and the relative standard deviation for replicate injections is not more than 2.0%.

Procedure—Separately inject equal volumes (about 10 µL) of the Standard preparation and the Assay preparation into the chromatograph, record the chromatograms, and measure the responses for the major peaks. Calculate the quantity, in mg, of C₅H₅N₅S in the portion of Thioguanine taken by the formula:

$$1000C(r_u/r_s)$$

in which *C* is the concentration, in mg per mL, of USP Thioguanine RS in the Standard preparation; and *r_u* and *r_s* are the peak responses obtained from the Assay preparation and the Standard preparation, respectively.

Thioguanine Tablets

» Thioguanine Tablets contain not less than 93.0 percent and not more than 107.0 percent of the labeled amount of C₅H₅N₅S.

Packaging and storage—Preserve in tight containers.

USP Reference standards (11)—USP Thioguanine RS.

Identification—The UV absorption spectrum of the Acidic assay preparation employed for measurement of absorbance in the Assay exhibits maxima and minima at the same wavelengths as that of a similar solution of USP Thioguanine RS, concomitantly measured.

Dissolution (711)—

Medium: water; 900 mL.

Apparatus 2: 50 rpm.

Time: 45 minutes.

Standard preparation—Dissolve an accurately weighed quantity of USP Thioguanine RS in 1 N sodium hydroxide to obtain a solution having a known concentration of about 4.5 µg per mL.

Procedure—Determine the amount of C₅H₅N₅S dissolved from UV absorbances at the wavelength of maximum absorbance at about 348 nm of filtered portions of the solution under test, suitably diluted with 0.1 N hydrochloric acid, in comparison with the Standard preparation.

Tolerances—Not less than 75% (Q) of the labeled amount of C₅H₅N₅S is dissolved in 45 minutes.

Uniformity of dosage units (905): meet the requirements.

Residual solvents (467): meet the requirements.

(Official January 1, 2007)

Assay—

Standard preparations—Dissolve an accurately weighed quantity of USP Thioguanine RS in sodium hydroxide solution (1 in 250), and dilute quantitatively and stepwise with the sodium hydroxide solution to obtain a Standard preparation having a known concentration of 80 µg per mL. Transfer 5.0 mL of this solution to a 100-mL volumetric flask, add dilute hydrochloric acid (1 in 10) to volume, and mix, to obtain the Acidic standard preparation. Transfer another 5.0-mL portion of the solution to a second 100-mL volumetric flask, add 10.0 mL of 1 N sodium hydroxide, dilute with water to volume, and mix, to obtain the Basic standard preparation.

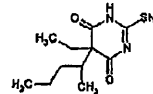
Assay preparations—Weigh and finely powder, not less than 10 tablets, an accurately weighed portion of Tablets equivalent to about 40 mg of thioguanine, to a 500-mL flask, add 50 mL of 1 N sodium hydroxide, and allow to stand 15 minutes, with frequent swirling. Dilute with water to volume, and filter a portion of the solution through a pledget of glass wool. Transfer 5.0 mL of the filtrate to a 100-mL volumetric flask, dilute hydrochloric acid (1 in 10) to volume, and mix. **Acidic assay preparation**. Transfer another 5.0-mL portion of the filtrate to a second 100-mL volumetric flask, add 10.0 mL of 1 N sodium hydroxide, dilute with water to volume, and mix. **Basic assay preparation**.

Procedure—Concomitantly determine the absorbance of the Acidic assay preparation and the Acidic standard preparation in 1-cm cells at the wavelength of maximum absorbance, 348 nm, with a suitable spectrophotometer, using the Acidic assay preparation and the Basic standard preparation, respectively, as blanks. Calculate the quantity, in mg, of C₅H₅N₅S in the Tablets taken by the formula:

$$10C(A_u/A_s)$$

in which *C* is the concentration, in µg per mL, of USP Thioguanine RS in the Acidic standard preparation, and *A_u* and *A_s* are the absorbances of the Acidic assay preparation and the Acidic standard preparation, respectively.

Thiopental Sodium



C₁₁H₁₇N₂NaO₂S 264.32

4,6-(1*H*,5*H*)-Pyrimidinedione, 5-ethylidihydro-5-(1-methylbutyl)thio-, monosodium salt, (±).

Sodium (±)-5-ethyl-5-(1-methylbutyl)-2-thiobarbiturate [71-73-8].

» Thiopental Sodium contains not less than 97.0 percent and not more than 102.0 percent of C₁₁H₁₇N₂NaO₂S calculated on the dried basis.

Packaging and storage—Preserve in tight containers.

USP Reference standards (11)—USP Thiopental RS.

Identification—

A: Dissolve about 500 mg in 10 mL of water in a separator funnel, add 10 mL of 3 N hydrochloric acid, and extract the liberated thiopental with two 25-mL portions of chloroform. Evaporate the chloroform extracts to dryness. Add 10 mL of ether, evaporate, and dry at 105° for 2 hours; the IR absorption spectrum of the potassium bromide dispersion of the residue so obtained exhibits maxima only at the same wavelengths as that of a similar preparation of USP Thiopental RS.

B: Ignite about 500 mg; the residue responds to the test for Sodium (191).

C: Dissolve about 200 mg in 5 mL of 1 N sodium hydroxide, and add 2 mL of lead acetate TS; a white precipitate is formed, which gradually darkens when the mixture is boiled. Acidify the mixture with hydrochloric acid; hydrogen sulfide is evolved, which is recognizable by its darkening of moistened lead acetate paper held in the vapor.

Loss on drying (731)—Dry it at 80° for 4 hours; it loses not more than 2.0% of its weight.

Heavy metals, Method II (231): 0.002%.

Ordinary impurities (466)—

Test solution: 10 mg of Thiopental Sodium per mL of

Standard solution: 9.2 mg of USP Thiopental RS per mL of solution.
Standard volume: 40 mL.
Solvents (467): meets the requirements.

Assay: (Official January 1, 2007)
 Transfer about 100 mg of Thiopental Sodium, accurately weighed, to a 200-mL volumetric flask, add sodium hydroxide solution (1 in 250) to volume, and mix. Pipet 5 mL of the solution into a 100-mL volumetric flask, add sodium hydroxide solution (1 in 250), and mix. Dissolve an accurately weighed quantity of Thiopental RS in sodium hydroxide solution (1 in 250), and dilute to volume. Add sodium hydroxide solution (1 in 250) incrementally and stepwise with sodium hydroxide solution (1 in 250) to obtain a Standard solution having a known concentration of about 10 µg per mL. Concomitantly determine the absorbances of the Standard solution in 1-cm cells at the wavelength of maximum absorbance, at about 304 nm, with a suitable spectrophotometer, using sodium hydroxide solution (1 in 250) as the blank. Calculate the quantity, in mg, of C₁₁H₁₇N₂NaO₂S in the Thiopental Sodium by the formula:

$$20C(1.091A_U/A_S)$$

in which *C* is the concentration, in µg per mL, of USP Thiopental RS in the Standard solution, 1.091 is the ratio of the molecular weight of Thiopental Sodium to that of thiopental, and *A_U* and *A_S* are the absorbances of the solution of Thiopental Sodium and the Standard solution, respectively.

Thiopental Sodium for Injection

Thiopental Sodium for Injection is a sterile mixture of Thiopental Sodium and anhydrous Sodium Carbonate as described under **Thiopental Sodium**. It contains not less than 93.0 percent and not more than 107.0 percent of the labeled amount of C₁₁H₁₇N₂NaO₂S.

Packaging and storage—Preserve in Containers for Sterile Solids as described under **Injections** (1), preferably of Type III glass.

Reference standards (11)—USP Thiopental RS. USP Thiopental Sodium RS.

Appearance and color of solution (641)—Mix 800 mg with 10 mL of sodium hydroxide-free water; after 1 minute, the solution is clear and contains no undissolved solid.

Test solution—At the time of use, it meets the requirements described under **Tested Solutions under Injections** (1).

Endotoxins (85)—It contains not more than 1.0 USP Endotoxin Unit per mg of thiopental sodium.

Specific rotation (220)—Between 10.2 and 11.2, in the solution prepared in the test solution.

Solvents (467): meets the requirements.

(Official January 1, 2007)

Requirements—It responds to the **Identification** tests and meets the requirements of the test for **Heavy metals** under **Thiopental Sodium**, also the requirements for **Sterility Tests** (71), **Labeling of Dosage Units** (905), and for **Labeling under Injections** (1).

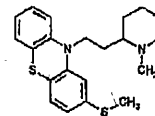
Assay: Dissolve the contents of 10 containers of Thiopental Sodium for Injection in sufficient water, diluting to an accurately known volume, to obtain a solution containing about 50 mg of Thiopental Sodium per mL. Dilute this solution quantitatively and dilute with sodium hydroxide solution (1 in 250) to obtain a solution having a concentration of about 5 µg of thiopental sodium per mL. Proceed as directed in the **Assay under Thiopental Sodium**, using the Test solution.

Thiopental RS." Calculate the average quantity, in mg, of C₁₁H₁₇N₂NaO₂S in each container of Thiopental Sodium for Injection taken by the formula:

$$VC(1.091A_U/A_S)$$

in which *V* is the volume, in mL, of the solution prepared to contain about 50 mg of thiopental sodium per mL, *C* is the concentration, in µg per mL, of USP Thiopental RS in the Standard solution, 1.091 is the ratio of the molecular weight of thiopental sodium to that of thiopental, and *A_U* and *A_S* are the absorbances of the solution of Thiopental Sodium for Injection and the Standard solution, respectively.

Thioridazine



C₂₁H₂₆N₂S₂ 370.58
 10H-Phenothiazine, 10-[2-(1-methyl-2-piperidyl)ethyl]-2-(methylthio)-
 10-[2-(1-Methyl-2-piperidyl)ethyl]-2-(methylthio)phenothiazine
 [50-52-2].

» Thioridazine contains not less than 99.0 percent and not more than 101.0 percent of C₂₁H₂₆N₂S₂, calculated on the dried basis.

Packaging and storage—Preserve in well-closed, light-resistant containers.

USP Reference standards (11)—USP Thioridazine RS.

NOTE—Throughout the following procedures, protect test, or assay specimens, the Reference Standard, and solutions containing them, by conducting the procedures without delay, under subdued light, or using low-actinic glassware.

Identification, Infrared Absorption (197K).

Loss on drying (731)—Dry it in vacuum at 50° for 4 hours; it loses not more than 0.5% of its weight.

Residue on ignition (281): not more than 0.1%.

Chromatographic purity—[NOTE—Conduct this procedure without delay, under subdued light.] Transfer 100 mg of Thioridazine to a 10-mL volumetric flask, add a mixture of methanol and ammonium hydroxide (49:1) to volume, and mix to obtain the **Test solution**. Using an accurately weighed quantity of USP Thioridazine RS, prepare two solutions in the same solvent system containing 50 µg per mL (**Solution A**, equivalent to 0.5%) and 20 µg per mL (**Solution B**, equivalent to 0.2%). Apply 5-µL portions of the **Test solution** and each of the two Standard solutions to a thin-layer chromatographic plate (see **Chromatography** (621)) coated with a 0.25-mm layer of chromatographic silica gel mixture. Immediately develop the chromatogram in a solvent system consisting of a mixture of chloroform, isopropyl alcohol, and ammonium hydroxide (74:25:1) until the solvent front has moved about three-fourths of the length of the plate. Remove the plate from the developing chamber, mark the solvent front, allow the solvent to evaporate, and examine the plate under short-wavelength UV light; the chromatograms show principal spots at about the same *R_f* value; no secondary spot, if present in the chromatogram from the **Test solution**, is more intense than the principal spot obtained from **Solution A** (0.5%); and the sum of the intensities of all secondary spots, if present in the chromatogram from the **Test solution**, is not greater than 0.5%.

Organic volatile impurities, Method V (467): meets the requirements.

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Friday, October 15, 2010 8:56 AM
To: Kernan, Scott@CDCR
Cc: McCleave, Kelly@CDCR; Rice, Benjamin@CDCR; Slavin, Bruce@CDCR
Subject: Letter

Scott

██████████ needs a letter from CDCR pharmacy (SQ if possible) simply stating that CDCR is requesting that ██████████ order 525 grams of Sodium Thiopental from ██████████. Nothing else is needed just the request. As explained to me by ██████████ California Law will not allow a Doctor to order on one scrip such a large volume. Pharamacy to Pharamacy will allow ██████████ to meet our needs to complete the process.

John

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Thursday, October 14, 2010 10:16 AM
To: [REDACTED]
Subject: Fw: Thiopental Injection

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Thu Oct 14 09:44:39 2010
Subject: Re: Thiopental Injection

Hi John,
Enclosed please find product summary characteristics for Thiopental.
This product is: Freeze-dried powder for solution for injection in a vial.
This product dose not come with a diluents.

Regards,
[REDACTED]

Archimedes Pharma UK Ltd
250 South Oak Way, Green Park, Reading, RG2
6UG, UK
Telephone: +44 (0)118 931 5050
Fax: +44 (0)118 931 5056
WWW: <http://www.archimedespharma.com>



Before you contact this company: often several companies will market medicines with the same active ingredient. Please check that this is the correct company before contacting them. **Why?**

Summary of Product Characteristics last updated on the eMC: 05/05/2004

Thiopental injection

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- 11. Legal Category

1. NAME OF THE MEDICINAL PRODUCT

Thiopental Injection BP

2. QUALITATIVE AND QUANTITATIVE COMPOSITION

Thiopental Sodium BP 500mg

3. PHARMACEUTICAL FORM

Freeze-dried powder for solution for injection in a vial.

4. CLINICAL PARTICULARS

4.1 Therapeutic indications

1. Thiopental is used for the induction of general anaesthesia and is also used as an adjunct to provide hypnosis during balanced anaesthesia with other anaesthetic agents, including analgesics and muscle relaxants.

2. Thiopental is also used as an adjunct for control of convulsive disorders of

various aetiology, including those caused by local anaesthetics.

3. Thiopental has now been used to reduce the intracranial pressure in patients with increased intracranial pressure, if controlled ventilation is provided.

4.2 Posology and method of administration

Intravenous injection.

Thiopental Injection BP is administered intravenously normally as a 2.5% w/v (500mg in 20ml) solution. On occasions it may be administered as a 5% w/v solution (500mg in 10ml).

The intravenous injection preparation should be used after reconstitution of the sterile powder with Water for Injections, usually to produce a 2.5% w/v solution and this should be discarded after seven hours.

Use in anaesthesia

Normal dosage for the induction of anaesthesia is 100mg to 150mg injected over 10 to 15 seconds. If necessary a repeat dose of 100mg to 150mg may be given after one minute. No fixed dosage recommendations for the intravenous injection can be given, since the dosage will need to be carefully adjusted according to the patient's response. Factors such as age, sex, and weight of the patient should be taken into consideration. Thiopental sodium reaches effective concentrations in the brain within 30 seconds and anaesthesia is normally produced within one minute of an intravenous dose.

Adult

100mg to 150mg intravenously over 10 to 15 seconds, normally as a 2.5% w/v solution.

A repeat dose of 100mg to 150mg may be given after one minute.

The intravenous injection should be given slowly and the amounts given titrated against the patient's response to minimise the risk of respiratory depression or the possibility of overdose. The average dose for an adult of 70kg is roughly 200mg to 300mg (8mls to 12mls of a 2.5% w/v solution) with a maximum of 500mg.

Children

2 to 7mg/kg bodyweight, intravenously over 10 to 15 seconds, normally as a 2.5% w/v solution. A repeat dose of 2 to 7mg/kg may be given after one minute. The dose is 2 to 7mg/kg based on the patient's response. The dose for children should not exceed 7mg/kg.

Elderly

Smaller adult doses are advisable.

Use in convulsive states

75mg to 125mg (3mls to 5mls of a 2.5% w/v solution) should be given as soon as possible after the convulsion begins. Further doses may be required to control convulsions following the use of a local anaesthetic. Other regimens, such as the use of intravenous or rectal diazepam, may be used to control convulsive states.

Use in neurological patients with raised intracranial pressure

Intermittent bolus injections of 1.5 to 3mg/kg of bodyweight may be given to reduce elevations of intracranial pressure if controlled ventilation is provided.

4.3 Contraindications

Thiopental is contraindicated in respiratory obstruction, acute asthma, severe shock and dystrophia myotonica. Administration of any barbiturate is contraindicated in porphyria.

Care should also be exercised with severe cardiovascular diseases, severe respiratory diseases and hypertension of various aetiology.

Patients with hypersensitivity reactions to barbiturates.

4.4 Special warnings and precautions for use

Special care is needed in administering thiopental to patients with the following conditions:- hypovolaemia, severe haemorrhage, burns, dehydration, severe anaemia, cardiovascular disease, status asthmaticus, severe liver disease, myasthenia gravis and muscular dystrophies, adrenocortical insufficiency (even when controlled by cortisone), cachexia and severe toxæmia, raised intracranial pressure, raised blood urea, raised plasma potassium, metabolic disorders e.g. thyrotoxicosis, myxoedema, diabetes.

Thiopental may precipitate acute circulatory failure in patients with cardiovascular disease, particularly constrictive pericarditis.

Thiopental can cause respiratory depression and a reduction in cardiac output.

Headache is also reported with the use of barbiturate anaesthetics.

Reduced doses are recommended in shock, dehydration, severe anaemia, hyperkalaemia, toxæmia, myxoedema or other metabolic disorders. Thiopental

sodium is metabolised primarily by the liver so doses should be reduced in patients with hepatic impairment. Reduced doses are also indicated in the elderly and in patients who have been premedicated with narcotic analgesics.

Thiopental has been shown to interact with sulphafurazole. Reduced initial doses may be required to achieve adequate anaesthesia, but repeat doses may also be necessary to maintain anaesthesia.

Increased doses may be necessary in patients who have either an habituation or addiction to alcohol or drugs of abuse. Under these circumstances it is recommended that supplementary analgesic agents are used.

Accidental intra-arterial injection of thiopental causes severe arterial spasm and an intense burning pain around the injection site. In the case of accidental intra-arterial injection of thiopental the needle should be left in-situ so that an injection of an antispasmodic, such as papaverine or prilocaine hydrochloride may be given. Anticoagulant therapy may also be started to reduce the risk of thrombosis.

Thiopental injection should be used with caution in patients with adrenocortical insufficiency or with raised intracranial pressure.

4.5 Interaction with other medicinal products and other forms of interaction

Thiopental has been shown to interact with sulphafurazole.

It should be noted that thiopental will interact with beta-blockers and calcium antagonists causing a fall in blood pressure.

The sedative properties of antipsychotics and anxiolytics may be potentiated by thiopental.

4.6 Pregnancy and lactation

Thiopental readily crosses the placental barrier and also appears in breast milk. Therefore, breast-feeding should be temporarily suspended or breast milk expressed before the induction of anaesthesia. It has been shown that thiopental can be used without adverse effects during pregnancy although the total dose should not exceed 250mg. However, when considering use of thiopental the clinician should only use the drug when the expected benefits outweigh any potential risks.

4.7 Effects on ability to drive and use machines

Post-operative vertigo, disorientation and sedation may be prolonged and out-patients given thiopental should therefore be advised not to drive or use machinery, especially within the first 24 to 36 hours.

4.8 Undesirable effects

Laryngeal spasm may occur, together with coughing or sneezing, during the induction procedure. For this reason it is not advised to use thiopental alone for peroral endoscopy.

Extravasation causes local tissue necrosis and severe pain. This can be relieved by application of an ice pack and local injection of hydrocortisone. The 5% w/v solution is hypertonic and may cause pain on injection and thrombophlebitis.

Allergic reactions, skin reactions and hypersensitivity have been rarely reported.

Bronchospasm, respiratory depression and myocardial depression or cardiac arrhythmias may occur.

4.9 Overdose

Overdosage produces acute respiratory depression, hypotension, circulatory failure and apnoea. Treatment must be artificial ventilation, lowering of the patient's head and infusion of plasma volume expanders.

5. PHARMACOLOGICAL PROPERTIES

5.1 Pharmacodynamic properties

Thiopental is a short-acting substituted barbiturate that is more lipid soluble than other groups of barbiturates. The drug reversibly depresses the activity of all excitable tissues. The CNS is particularly sensitive and normally a general anaesthesia can be achieved with thiopental without significant effects on peripheral tissues.

Thiopental acts through the CNS with particular activity in the mesencephalic reticular activating system. The barbiturates exert different effects on synaptic transmission, mostly those dependent on GABA. Autonomic ganglia of the peripheral nervous system are also depressed.

5.2 Pharmacokinetic properties

Following intravenous administration, unconsciousness occurs within 30 seconds and will be continued for 20 to 30 minutes after a single dose. Rapid uptake occurs to most vascular areas of the brain followed by redistribution into other tissues.

Thiopental is strongly bound to plasma protein, which impairs excretion through the kidney. The metabolites are usually inactive and are then excreted. Thiopental, therefore, whilst having a short duration of action, may have a long elimination phase.

5.3 Preclinical safety data

There are no pre-clinical data of relevance to the prescriber which are additional to that already included in other sections of the Summary of Product Characteristics.

6. PHARMACEUTICAL PARTICULARS

6.1 List of excipients

None

6.2 Incompatibilities

Solutions of thiopental injection have a pH of 10 to 11 and are strongly alkaline in order to maintain stability. Solutions are incompatible with acid, acidic salts and solutions such as pethidine, morphine and promethazine.

6.3 Shelf life

48 months.

6.4 Special precautions for storage

Do not store above 25°C. Store reconstituted solution between 2°C to 8°C in an upright position and use within 7 hours. Use once following reconstitution and discard any residue.

6.5 Nature and contents of container

20ml Type III clear glass vials with 20mm bromylbutyl caoutchouc siliconised rubber closures.

Pack size: 25 vials per pack.

6.6 Special precautions for disposal and other handling

Not applicable.

7. MARKETING AUTHORISATION HOLDER

Link Pharmaceuticals Limited, Bishops Weald House, Albion Way, Horsham, West Sussex RH12 1AH, UK

8. MARKETING AUTHORISATION NUMBER(S)

PL 12406/0014

9. DATE OF FIRST AUTHORISATION/RENEWAL OF THE AUTHORISATION

5 April 1999

10. DATE OF REVISION OF THE TEXT

January 2003

11. Legal Category

POM

----- Original Message -----

From: McAuliffe, John@CDCR
To: [REDACTED]
Sent: 14 October, 2010 3:31 PM
Subject: Re: Thiopental Injection

[REDACTED]
Question? Does each individual Thiopental vial come with it's own pre measured diluent? Specifically, for every 500 mg vial a 20 mL liquid vial is coupled for exact mixing for 500 mg.
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 01 06:11:56 2010
Subject: Re: Thiopental Injection

Hi John,
Since there is an 8 hours difference in time, if you need to get in touch with me by phone, the following is my mobile number:
I am available from 6:00Am until 8:00PM just about all the time.
My office number: 011-44-[REDACTED]
My mobile: 011-44-[REDACTED]

Regards,
[REDACTED]

----- Original Message -----

From: McAuliffe, John@CDCR
To: [REDACTED]
Sent: 01 October, 2010 1:01 AM
Subject: Re: Thiopental Injection

[REDACTED]
We are trying to work with DEA and/or an import pharmacy company to deal with the DEA/FDA/Customs. Any suggestions or advise to make this happen sooner than later would be greatly appreciated.
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Thu Sep 30 05:27:27 2010
Subject: Thiopental Injection

30-09-10

Dear Mr. McAuliffe,

Thank you for your call and thank you for your interest in [REDACTED].

I would be happy to supply you:

Thiopental Injection , powder for reconstitution, thiopental sodium, 500-mg vial packs of 25's £196.75 (pounds sterling)
The current expiry date is February 2014.

POTASSIUM CHLORIDE 1.5GM 10ML INJ. PACKS OF 10 £15.55
Expiry date: 01/13

Pancuronium Injection, pancuronium bromide 2 mg/mL, 2-mL amp packs of 10's £58.73
Expiry date: 11/11

If you could supply me with the following information, I can produce a proforma invoice:

Invoice address

Delivery address, including contact person and contact person phone number

I will dispatch the goods to you by FedEx,
FedEx delivery charges is separate item.

In order to get the product easier through US customs, I think it would be a good idea for you to write a letter in the department letterhead, attention of US custom and let them know why you need this product. I would include this letter in your shipment.

Please also email or fax me a copy of your DEA license, to include it in your shipment.

Please let me know if you need further information.

Many thanks,
Kind regards

Tel: 44

Fax: 44

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Thursday, October 14, 2010 8:21 AM
To: [REDACTED]
Subject: Re: Thiopental Injection

See email

From: McAuliffe, John@CDCR
To: [REDACTED]
Sent: Thu Oct 14 07:31:35 2010
Subject: Re: Thiopental Injection

[REDACTED]
Question? Does each individual Thiopental vial come with it's own pre measured diluent? Specifically, for every 500 mg vial a 20 mL liquid vial is coupled for exact mixing for 500 mg.
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 01 06:11:56 2010
Subject: Re: Thiopental Injection

Hi John,
Since there is an 8 hours difference in time, if you need to get in touch with me by phone, the following is my mobile number:
I am available from 6:00Am until 8:00PM just about all the time.
My office number: 011-44-[REDACTED]
My mobile: 011-44-[REDACTED]

Regards,
[REDACTED]

----- Original Message -----

From: McAuliffe, John@CDCR
To: [REDACTED]
Sent: 01 October, 2010 1:01 AM
Subject: Re: Thiopental Injection

[REDACTED]
We are trying to work with DEA and/or an import pharmacy company to deal with the DEA/FDA/Customs. Any suggestions or advise to make this happen sooner than later would be greatly appreciated.
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Thu Sep 30 05:27:27 2010
Subject: Thiopental Injection

30-09-10

Dear Mr. McAuliffe,

Thank you for your call and thank you for your interest in [REDACTED]

I would be happy to supply you:

Thiopental Injection , powder for reconstitution, thiopental sodium, 500-mg vial packs of 25's £196.75 (pounds sterling)

The current expiry date is February 2014.

POTASSIUM CHLORIDE 1.5GM 10ML INJ. PACKS OF 10 £15.55

Expiry date: 01/13

Pancuronium Injection, pancuronium bromide 2 mg/mL, 2-mL amp packs of 10's £58.73

Expiry date: 11/11

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Invoice address

Delivery address, including contact person and contact person phone number

I will dispatch the goods to you by FedEx,
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In order to get the product easier through US customs, I think it would be a goods idea for you to write a letter in the department letterhead, attention of US custom and let them know why you need this product. I would include this letter in your shipment.

Please also email or fax me a copy of your DEA license, to include it in your shipment.

Please let me know if you need further information.

Many thanks,
Kind regards

[REDACTED]
Tel: 44

Fax: 44
[REDACTED]

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Thursday, October 14, 2010 7:32 AM
To: [REDACTED]
Subject: Re: Thiopental Injection

[REDACTED]
Question? Does each individual Thiopental vial come with it's own pre measured diluent? Specifically, for every 500 mg vial a 20 mL liquid vial is coupled for exact mixing for 500 mg.
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 01 06:11:56 2010
Subject: Re: Thiopental Injection

Hi John,
Since there is an 8 hours difference in time, if you need to get in touch with me by phone, the following is my mobile number:
I am available from 6:00AM until 8:00PM just about all the time.
My office number: 011-44-[REDACTED]
My mobile: 011-44-[REDACTED]

Regards,
[REDACTED]

----- Original Message -----
From: McAuliffe, John@CDCR
To: [REDACTED]
Sent: 01 October, 2010 1:01 AM
Subject: Re: Thiopental Injection

[REDACTED]
We are trying to work with DEA and/or an import pharmacy company to deal with the DEA/FDA/Customs. Any suggestions or advise to make this happen sooner than later would be greatly appreciated.
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Thu Sep 30 05:27:27 2010
Subject: Thiopental Injection

30-09-10

Dear Mr. McAuliffe,
Thank you for your call and thank you for your interest in [REDACTED]
I would be happy to supply you:

Thiopental Injection , powder for reconstitution, thiopental sodium, 500-mg vial

packs of 25's £196.75 (pounds sterling)
The current expiry date is February 2014.

POTASSIUM CHLORIDE 1.5GM 10ML INJ. PACKS OF 10 £15.55
Expiry date: 01/13

Pancuronium Injection, pancuronium bromide 2 mg/mL, 2-mL amp packs of
10's £58.73
Expiry date: 11/11

If you could supply me with the following information, I can produce a proforma
invoice:

Invoice address

Delivery address, including contact person and contact person phone number

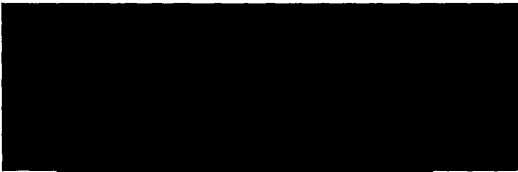
I will dispatch the goods to you by FedEx,
FedEx delivery charges is separate item.

In order to get the product easier through US customs, I think it would be a
goods idea for you to write a letter in the department letterhead, attention of US
custom and let them know why you need this product. I would include this letter
in your shipment.

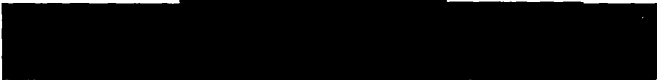
Please also email or fax me a copy of your DEA license, to include it in your
shipment.

Please let me know if you need further information.

Many thanks,
Kind regards



Tel: 44
Fax: 44



McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Wednesday, October 13, 2010 5:23 PM
To: Kernan, Scott@CDCR
Subject: Re: Importation of Thiopental by [REDACTED]

Scott
I will see what can be done to make it work. I will be at SQ this Thursday and Friday for Team Training. I will contact the Lawyer Thursday and see.
John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Wed Oct 13 16:09:45 2010
Subject: FW: Importation of Thiopental by [REDACTED]

Don't know if this just complicates things. Sounds like we will need this if we want to write check to lawyer instead of company.

Scott

From: Gilpin, Timothy@CDCR
Sent: Wednesday, October 13, 2010 3:59 PM
To: Kernan, Scott@CDCR
Subject: RE: Importation of Thiopental by [REDACTED]

Then I need a vendor data record for the attorney and an invoice from him to pay along with a purchase document. Hope that is available.

From: Kernan, Scott@CDCR
Sent: Wednesday, October 13, 2010 3:03 PM
To: Gilpin, Timothy@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

So it does not look like I'll get invoice until Monday. Get it to you as soon as I get it. See note below, they want check payable to attorney to avoid publicity. Is that possible?

Scott

From: McAuliffe, John@CDCR
Sent: Wednesday, October 13, 2010 11:32 AM
To: Kernan, Scott@CDCR
Subject: Fw: Importation of Thiopental by [REDACTED]

Scott
See email concerning invoice.
John

From: [REDACTED]

To: McAuliffe, John@CDCR
Cc: [REDACTED]
Sent: Wed Oct 13 10:19:44 2010
Subject: Re: Importation of Thiopental by [REDACTED]

Sure John. I just spoke to [REDACTED] and there will be a delay of a few days because the shipment needs to be approved by Homeland Security. This has nothing to do with his import license but is simply a post 911 security measure. According to [REDACTED] this will only take a few days so I am hopeful I can get you an invoice by Monday of next week- no later than Wednesday. [REDACTED] also is concerned about publicity; is it acceptable for you to make the check payable to my attorney trust account and I'll cut the checks to all the appropriate entities. We working on it. [REDACTED]

From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>
Date: Wed, 13 Oct 2010 10:06:07 -0700
To: [REDACTED]
Subject: RE: Importation of Thiopental by [REDACTED]

[REDACTED]
Per our conversation....Please email (PDF) an invoice for services requested from [REDACTED]
Specifically, the invoice should reflect:
Costs of 525 grams of Sodium Thiopental
Importation request to DEA
Insurance on shipment
Duty fees to Customs
Additional DEA and FDA Insurance on shipment
[REDACTED] fees ([REDACTED] fees should account for all additional costs to include shipping, attorney fees, etc...without listing them as separate)
We are also asking for the Thiopental to be shipped directly to [REDACTED] for CDCR to pick up upon arrival. [REDACTED] ([REDACTED] 011-44-[REDACTED]; email [REDACTED]) has told us that the Thiopental that is being ordered will have an expiration date of May 2014. It is important that all 525 grams have that expiration date of May 2014. Thank you for your assistance in this matter.
John McAuliffe

From: [REDACTED]
Sent: Tuesday, October 12, 2010 1:39 PM
To: McAuliffe, John@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

John- see my email below. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]
[REDACTED]

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----- Forwarded Message

From: [REDACTED]
Date: Tue, 12 Oct 2010 13:35:32 -0700
To: <John.McAuliffe@cdcr.ca.com>
Cc: [REDACTED]
Conversation: Importation of Thiopental by [REDACTED]
Subject: Importation of Thiopental by [REDACTED]

Hi John- as we discussed yesterday, I am the lawyer that represents [REDACTED] and its owner [REDACTED]. I acknowledge CDCR's request that [REDACTED] act as importer of a quantity of Thiopental. And, also as we discussed yesterday, please be advised that [REDACTED] is very interested in assisting the CDCR in this regard subject to [REDACTED] and CDCR agreeing on the terms for importation. At best I can only estimate the costs involved as follows: Cost of 525 grams of drug= \$16,590; Fee For Importation Request to DEA= \$100; Insurance on Shipment= \$3000; Shipping Fee= \$1500; Duty Fee to Customs= \$1700; Additional DEA and FDA fees= \$500; Broker Fees= \$1500; [REDACTED] Fee Including Attorney's Fees = \$12,500 for a total of \$37,390. I understand that if this proposal is acceptable the CDCR is requesting an invoice only itemizing the cost of the drug and expressing the remaining costs as included in [REDACTED] fee. Allow me to reiterate these costs are estimates. Additional costs may be incurred such as a Homeland Security fee or storage fees if the shipment is held up by Customs for any reason. [REDACTED] would reserve the right to issue an additional invoice to CDCR for such additional costs and would refund CDCR in the event of an overpayment. We suggest that the CDCR pick up the shipment at the port of entry and that the CDCR write a letter to Customs or otherwise inform Customs of the need for these supplies. Please let me know your thoughts. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Ph: 949- [REDACTED]
Fax: 949- [REDACTED]
[REDACTED]

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----- End of Forwarded Message

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Wednesday, October 13, 2010 12:29 PM
To: [REDACTED]
Subject: Re: Importation of Thiopental by [REDACTED]

[REDACTED]
Per your request.

DEA# [REDACTED]
CA Lic. # [REDACTED]
Thanks
John McAuliffe

From: [REDACTED]
To: McAuliffe, John@CDCR
Cc: [REDACTED]
Sent: Wed Oct 13 10:19:44 2010
Subject: Re: Importation of Thiopental by [REDACTED]

Sure John. I just spoke to [REDACTED] and there will be a delay of a few days because the shipment needs to be approved by Homeland Security. This has nothing to do with his import license but is simply a post 911 security measure. According to [REDACTED] this will only take a few days so I am hopeful I can get you an invoice by Monday of next week- no later than Wednesday. [REDACTED] also is concerned about publicity; is it acceptable for you to make the check payable to my attorney trust account and I'll cut the checks to all the appropriate entities. We working on it. [REDACTED]

From: "McAuliffe, John@CDCR" <John.McAuliffe@cdcr.ca.gov>
Date: Wed, 13 Oct 2010 10:06:07 -0700
To: [REDACTED]
Subject: RE: Importation of Thiopental by [REDACTED]

[REDACTED]
Per our conversation.....Please email (PDF) an invoice for services requested from [REDACTED]. Specifically, the invoice should reflect:
Costs of 525 grams of Sodium Thiopental
Importation request to DEA
Insurance on shipment
Duty fees to Customs
Additional DEA and FDA Insurance on shipment
[REDACTED] fees ([REDACTED] fees should account for all additional costs to include shipping, attorney fees, etc...without listing them as separate)
We are also asking for the Thiopental to be shipped directly to [REDACTED] for CDCR to pick up upon arrival. [REDACTED] 011-44 [REDACTED]; email [REDACTED] has told us that the Thiopental that is being ordered will have an expiration date of May 2014. It is important that all 525 grams have that expiration date of May 2014. Thank you for your assistance in this matter.
John McAuliffe

From: [REDACTED]
Sent: Tuesday, October 12, 2010 1:39 PM
To: McAuliffe, John@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

John- see my email below. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]
[REDACTED]

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----- Forwarded Message

From: [REDACTED]
Date: Tue, 12 Oct 2010 13:35:32 -0700
To: <John.McAuliffe@cdcr.ca.com>
Cc: [REDACTED]
Conversation: Importation of Thiopental by [REDACTED]
Subject: Importation of Thiopental by [REDACTED]

Hi John- as we discussed yesterday, I am the lawyer that represents [REDACTED] and its owner [REDACTED]. I acknowledge CDCR's request that [REDACTED] act as importer of a quantity of Thiopental. And, also as we discussed yesterday, please be advised that [REDACTED] is very interested in assisting the CDCR in this regard subject to [REDACTED] and CDCR agreeing on the terms for importation. At best I can only estimate the costs involved as follows: Cost of 525 grams of drug= \$16,590; Fee For Importation Request to DEA= \$100; Insurance on Shipment= \$3000; Shipping Fee= \$1500; Duty Fee to Customs= \$1700; Additional DEA and FDA fees= \$500; Broker Fees= \$1500; [REDACTED] Fee Including Attorney's Fees = \$12,500 for a total of \$37,390. I understand that if this proposal is acceptable the CDCR is requesting an invoice only itemizing the cost of the drug and expressing the remaining costs as included in [REDACTED] fee. Allow me to reiterate these costs are estimates. Additional costs may be incurred such as a Homeland Security fee or storage fees if the shipment is held up by Customs for any reason. [REDACTED] would reserve the right to issue an additional invoice to CDCR for such additional costs and would refund CDCR in the event of an overpayment. We suggest that the CDCR pick up the shipment at the port of entry and that the CDCR write a letter to Customs or otherwise inform Customs of the need for these supplies. Please let me know your thoughts. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]

[REDACTED]

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McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
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Subject: Fw: Importation of Thiopental by [REDACTED]

Scott
See email concerning invoice.
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Cc: [REDACTED]
Sent: Wed Oct 13 10:19:44 2010
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Sure John. I just spoke to [REDACTED] and there will be a delay of a few days because the shipment needs to be approved by Homeland Security. This has nothing to do with his import license but is simply a post 911 security measure. According to [REDACTED] this will only take a few days so I am hopeful I can get you an invoice by Monday of next week- no later than Wednesday. [REDACTED] also is concerned about publicity; is it acceptable for you to make the check payable to my attorney trust account and I'll cut the checks to all the appropriate entities. We working on it. [REDACTED]

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Date: Wed, 13 Oct 2010 10:06:07 -0700
To: [REDACTED]
Subject: RE: Importation of Thiopental by [REDACTED]

[REDACTED]
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Insurance on shipment
Duty fees to Customs
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John McAuliffe

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Sent: Tuesday, October 12, 2010 1:39 PM

To: McAuliffe, John@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

John- see my email below. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]
[REDACTED]

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Cc: [REDACTED]
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Subject: Importation of Thiopental by [REDACTED]

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[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]
[REDACTED]

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McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Wednesday, October 13, 2010 10:29 AM
To: [REDACTED]
Subject: Re: Importation of Thiopental by [REDACTED]

[REDACTED]
Check will reflect invoice. As [REDACTED] Attorney I do not see a problem as long as invoice reflects my email showing costs.
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Cc: [REDACTED]
Sent: Wed Oct 13 10:19:44 2010
Subject: Re: Importation of Thiopental by [REDACTED]

Sure John. I just spoke to [REDACTED] and there will be a delay of a few days because the shipment needs to be approved by Homeland Security. This has nothing to do with his import license but is simply a post 911 security measure. According to [REDACTED] this will only take a few days so I am hopeful I can get you an invoice by Monday of next week- no later than Wednesday. [REDACTED] also is concerned about publicity; is it acceptable for you to make the check payable to my attorney trust account and I'll cut the checks to all the appropriate entities. We working on it. [REDACTED]

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Importation request to DEA
Insurance on shipment
Duty fees to Customs
Additional DEA and FDA Insurance on shipment
[REDACTED] fees (*fees should account for all additional costs to include shipping, attorney fees, etc...without listing them as separate*)

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John McAuliffe

From: [REDACTED]

Sent: Tuesday, October 12, 2010 1:39 PM
To: McAuliffe, John@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

John- see my email below. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]
[REDACTED]

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Date: Tue, 12 Oct 2010 13:35:32 -0700
To: <John.McAuliffe@cdcr.ca.com>
Cc: [REDACTED]
Conversation: Importation of Thiopental by [REDACTED]
Subject: Importation of Thiopental by [REDACTED]

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[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]
[REDACTED]

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§§ 2510-2521, is confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply to the sender that you have received the message in error, then delete it. Thank you.

----- End of Forwarded Message

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Wednesday, October 13, 2010 10:06 AM
To: [REDACTED]
Subject: RE: Importation of Thiopental by [REDACTED]

[REDACTED]
Per our conversation.....Please email (PDF) an invoice for services requested from [REDACTED]. Specifically, the invoice should reflect:
Costs of 525 grams of Sodium Thiopental
Importation request to DEA
Insurance on shipment
Duty fees to Customs
Additional DEA and FDA Insurance on shipment
[REDACTED] fees ([REDACTED] fees should account for all additional costs to include shipping, attorney fees, etc...without listing them as separate)
We are also asking for the Thiopental to be shipped directly to [REDACTED] for CDCR to pick up upon arrival. [REDACTED] ([REDACTED] 011-44-[REDACTED]; email [REDACTED]) has told us that the Thiopental that is being ordered will have an expiration date of May 2014. It is important that all 525 grams have that expiration date of May 2014. Thank you for your assistance in this matter.
John McAuliffe

From: [REDACTED]
Sent: Tuesday, October 12, 2010 1:39 PM
To: McAuliffe, John@CDCR
Subject: FW: Importation of Thiopental by [REDACTED]

John- see my email below. [REDACTED]

--
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]
[REDACTED]

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----- Forwarded Message
From: [REDACTED]
Date: Tue, 12 Oct 2010 13:35:32 -0700
To: <John.McAuliffe@cdcr.ca.com>
Cc: [REDACTED]
Conversation: Importation of Thiopental by [REDACTED]
Subject: Importation of Thiopental by [REDACTED]

Hi John- as we discussed yesterday, I am the lawyer that represents [REDACTED] and its owner [REDACTED]. I acknowledge CDCR's request that [REDACTED] act as importer of a quantity of Thiopental. And, also as we discussed yesterday, please be advised that [REDACTED] is very interested in assisting the CDCR in this regard subject to [REDACTED] and CDCR agreeing on the terms for importation. At best I can only estimate the costs involved as follows: Cost of 525 grams of drug= \$16,590; Fee For Importation Request to DEA= \$100; Insurance on Shipment= \$3000; Shipping Fee= \$1500; Duty Fee to Customs= \$1700; Additional DEA and FDA fees= \$500; Broker Fees= \$1500; [REDACTED] Fee Including Attorney's Fees = \$12,500 for a total of \$37,390. I understand that if this proposal is acceptable the CDCR is requesting an invoice only itemizing the cost of the drug and expressing the remaining costs as included in [REDACTED] fee. Allow me to reiterate these costs are estimates. Additional costs may be incurred such as a Homeland Security fee or storage fees if the shipment is held up by Customs for any reason. [REDACTED] would reserve the right to issue an additional invoice to CDCR for such additional costs and would refund CDCR in the event of an overpayment. We suggest that the CDCR pick up the shipment at the port of entry and that the CDCR write a letter to Customs or otherwise inform Customs of the need for these supplies. Please let me know your thoughts. [REDACTED]

--
 [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]
 Ph: 949-[REDACTED]
 Fax: 949-[REDACTED]
 [REDACTED]

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----- End of Forwarded Message

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Tuesday, October 12, 2010 1:51 PM
To: [REDACTED]
Subject: Fw: Importation of Thiopental by [REDACTED]

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Tue Oct 12 13:39:05 2010
Subject: FW: Importation of Thiopental by [REDACTED]

John- see my email below. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Ph: 949-[REDACTED]
Fax: 949-[REDACTED]
[REDACTED]

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Cc: [REDACTED]
Conversation: Importation of Thiopental by [REDACTED]
Subject: Importation of Thiopental by [REDACTED]

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up the shipment at the port of entry and that the CDCR write a letter to Customs or otherwise inform Customs of the need for these supplies. Please let me know your thoughts. [REDACTED]

--
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Ph: 949- [REDACTED]
Fax: 949- [REDACTED]
[REDACTED]

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McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Monday, October 11, 2010 12:49 PM
To: Kernan, Scott@CDCR
Subject: Fw:

Scott
Link Pharm out of England.
John

From: McAuliffe, John@CDCR
To: [REDACTED]@CDCR
Sent: Mon Oct 11 12:42:43 2010
Subject: Fw:

[REDACTED]
See emails. Scott Kernan is asking.
John

From: [REDACTED]@CDCR
To: McAuliffe, John@CDCR
Sent: Mon Oct 11 12:28:39 2010
Subject: RE:

Thanks. Will wait to hear then.

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
(916) [REDACTED]



From: McAuliffe, John@CDCR
Sent: Monday, October 11, 2010 12:26 PM
To: [REDACTED]@CDCR
Subject: Re:

Yes waiting for SQ to call me back. I asked that they check this AM.
John

From: [REDACTED]@CDCR
To: McAuliffe, John@CDCR
Sent: Mon Oct 11 12:23:28 2010
Subject:

Hi, were you able to check on that (re Friday's email) for Scott?

Thanks,


Executive Assistant to Scott Kernan
Undersecretary, Operations
(916) 

McAuliffe, John@CDRC

From: McAuliffe, John@CDRC
Sent: Monday, October 11, 2010 12:43 PM
To: [REDACTED]
Subject: Fw:

[REDACTED]
See emails. Scott Kernan is asking.
John

From: [REDACTED]@CDRC
To: McAuliffe, John@CDRC
Sent: Mon Oct 11 12:28:39 2010
Subject: RE:

Thanks. Will wait to hear then.

[REDACTED]
Executive Assistant to Scott Kernan
Undersecretary, Operations
(916) [REDACTED]

From: McAuliffe, John@CDRC
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To: [REDACTED]@CDRC
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Thanks,

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Undersecretary, Operations
(916) [REDACTED]

McAuliffe, John@CDCR

From: McAuliffe, John@CDCR
Sent: Friday, October 08, 2010 4:34 PM
To: Kernan, Scott@CDCR
Subject: Re: Progress 1

Scott
Only way would be to open safe and look.
John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 16:30:07 2010
Subject: Re: Progress 1

Getting question if hospria is on label?
Scott

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 16:05:57 2010
Subject: Re: Progress 1

Scott
I did not ask but I believe it is a subsidiary of [REDACTED]. They have international locations such as the one in Pakistan. SQ could open safe and the outside of package would ID if an [REDACTED] product but most likely not the exact subsidiary. John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 13:42:29 2010
Subject: Re: Progress 1

John
What is the name of the manufacturer on the drugs we got from az.

From: McAuliffe, John@CDCR
To: Kernan, Scott@CDCR
Sent: Fri Oct 08 08:48:44 2010
Subject: Fw: Progress 1

Fyl
John

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Fri Oct 08 08:04:41 2010
Subject: Progress 1

Dear John McAuliffiee

I have called and sent an e-mail to [REDACTED] to provide me with the steps and correct forms to request an importation quota for Sodium Thiopental

Will keep you informed of my progress.

Thank you again for the opportunity.

[REDACTED]

(562) [REDACTED] Monday through Friday 7:30am to 4:30pm PST
Fax (562) [REDACTED]

WARNING: This email is covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). It contains health information that is personal and confidential and contains sensitive information related to a person's healthcare. The information contained therein is being emailed to you after obtaining authorization from the patient. You, being the recipient, are obligated to maintain this information in a SAFE, SECURE, CONFIDENTIAL, and RETRIEVABLE fashion. Unauthorized re-disclosure and/or failure to maintain confidentiality is prohibited by law and could subject you to penalties described under the Federal HIPAA Act of 1996 and applicable State law.

McAuliffe, John@CDCR

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Subject: Re: Progress 1

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Sent: Fri Oct 08 13:42:29 2010
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To: Kernan, Scott@CDCR
Sent: Fri Oct 08 08:48:44 2010
Subject: Fw: Progress 1

Fyl
John

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To: McAuliffe, John@CDCR
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Subject: Progress 1

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[REDACTED]
[REDACTED]
(562) [REDACTED] Monday through Friday 7:30am to 4:30pm PST
Fax (562) [REDACTED]



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Sent: Friday, October 08, 2010 8:49 AM
To: Kernan, Scott@CDCR
Subject: Fw: Progress 1

Fyl
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Sent: Fri Oct 08 08:04:41 2010
Subject: Progress 1

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(562) [REDACTED] Monday through Friday 7:30am to 4:30pm PST
Fax (562) [REDACTED]

[REDACTED]

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