

**From:** Kernan, Scott@CDCR  
**To:** Hidalgo, Oscar@CDCR  
**Subject:** FW: sodium thiopental  
**Date:** Wednesday, September 29, 2010 11:38:00 AM

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This might help you explain the other state issues.

Scott

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**From:** [REDACTED]  
**Sent:** Wednesday, September 29, 2010 6:05 AM  
**To:** Kernan, Scott@CDCR  
**Cc:** [REDACTED]  
**Subject:** sodium thiopental

*Scott:*

*Today's article in the Texas prison system's back yard. It is unfortunate that Texas would not share some of it's "well stocked" supply to help sister states but down the road they may need help in some other way and this position does not help their image. Nevertheless, in the prison business things are always changing and Texas is no exception. Sorry we were not able to help more.*

*Best regards,*

[REDACTED]

## **The Huntsville Item, Huntsville, TX**

*September 29, 2010*

### **Texas well stocked with lethal injection drugs**

#### **From Staff and Wire Reports**

HUNTSVILLE — Despite a nationwide shortage of one of a trio of drugs used in the lethal injection of condemned inmates, Texas is well stocked with the drug, sodium thiopental, according to Texas prison officials in Huntsville.

Some executions in the U.S. have been put on hold because of a shortage of the drug — an anesthetic that in Texas renders the condemned inmate unconscious before other drugs in the lethal cocktail are administered.

"Texas has an ample supply of the drug in reserve so we have not been affected by the nationwide shortage," said Michelle Lyons, spokeswoman for the Texas Department of Criminal Justice. "Currently, there are three executions scheduled to take place through the end of the year, and we have a supply sufficient to carry out those executions. "

TDCJ has requested an opinion from the Texas Attorney General in an move to prevent disclosure of how much sodium thiopental it has on hand, Lyons said.

Several of the 35 states that rely on lethal injection are either scrambling to find sodium thiopental or considering using another drug. But both routes are strewn with legal or ethical roadblocks.

The shortage delayed an Oklahoma execution last month and led Kentucky's governor to postpone the signing of death warrants for two inmates. Arizona is trying to get its hands on the drug in time for its next execution, in late October. California said the shortage will force it to stop executions on Friday, three hours after an inmate is scheduled to die, when its stock expires.

The sole U.S. manufacturer, Hospira Inc. of Lake Forest, Ill., has blamed the shortage on unspecified problems with its raw-material suppliers and said new batches of sodium thiopental will not be available until January at the earliest.

Nine states have a total of 17 executions scheduled between now and the end of January, including Missouri, Ohio, Oklahoma, Tennessee and Texas.

"We are working to get it back onto the market for our customers as soon as possible," Hospira spokesman Dan Rosenberg said.

But at least one death penalty expert was skeptical of Hospira's explanation, noting that the company has made it clear it objects to using its drugs for executions. Hospira also makes the two other chemicals used in lethal injections.

Sodium thiopental is a barbiturate, used primarily to anesthetize surgical patients and induce medical comas. It is also used to help terminally ill people commit suicide and sometimes to euthanize animals.

Thirty-three of the states that have lethal injection employ the three-drug combination that was created in the 1970s: First, sodium thiopental is given by syringe to put the inmate to sleep. Then two other drugs are administered: pancuronium bromide, which paralyzes muscles, and potassium chloride, which stops the heart.

Ohio and Washington state use just one drug to carry out executions: a single, extra-large dose of sodium thiopental.

Hospira has blamed the shortage on "raw-material supplier issues" since last spring, first promising availability in July, then October, then early 2011. The company has refused to elaborate on the problem. But according to a letter obtained by The Associated Press from the Kentucky governor's office, Hospira told state officials that it lost its sole supplier of the drug's active ingredient and was trying to find a new one.

As for the possibility of obtaining the drug elsewhere, the Food and Drug Administration said

there are no FDA-approved manufacturers of sodium thiopental overseas.

Switching to another anesthetic would be difficult for some states. Some, like California, Missouri and Kentucky, adopted their execution procedures after lengthy court proceedings, and changing drugs could take time and invite lawsuits.

Obtaining sodium thiopental from hospitals does not appear to be an option, either. Sodium thiopental has been largely supplanted by other anesthetics in the U.S., and hospitals do not stock much of it.

Also, drug purchasing and use rules — and ethical guidelines that bar the medical profession from getting involved in executions — could prevent hospitals from supplying prisons with the drug, according to industry experts.

“Many of these cases, the victims have waited for 20 years, some of them longer than that. If we’re out of that drug, we need to have an alternative,” said Tennessee state Sen. Jim Tracy. Tennessee said it has enough of the drug for a November execution and expects to be able to carry out another in December.

Last spring, Hospira, a publicly traded company, sent a letter to all states outlining its discomfort with the use of its drugs for executions, as it has done periodically.

“Hospira provides these products because they improve or save lives and markets them solely for use as indicated on the product labeling,” Kees Groenhout, clinical research and development vice president, said in a March 31 letter to Ohio, obtained by the AP. “As such, we do not support the use of any of our products in capital punishment procedures.”

Jonathan Groner, an Ohio State University surgeon and death penalty opponent who researches the issue, speculated the real reason for the unavailability of sodium thiopental is that its medical uses “have shrunk to the point that the company doesn’t want to make a drug that has no use but to kill people.”

However, Rosenberg, the company spokesman, said the shortage has nothing to do with that.

Last month, an Oklahoma judge delayed the execution of Jeffrey Matthews when the state tried to switch anesthetics after running out of its regular supply in August. Matthews was convicted of killing his 77-year-old great-uncle during a 1994 robbery. Oklahoma finally found enough sodium thiopental from another state, but the court-ordered delay continues.

A few weeks ago, Kentucky’s governor held off signing death warrants — which set execution dates and allow executions to proceed — for two inmates because the state is almost out of sodium thiopental. The state’s lone dose hits its expiration date Oct. 1.

Kentucky officials said they have contacted other states unsuccessfully in a search for sodium thiopental and have gotten calls from states looking for the drug.

Kent Cattani, Arizona’s top death penalty prosecutor, said Wednesday that the state doesn’t have the drug and he is not optimistic it can be obtained in time for the Oct. 26 execution of Jeffrey Landrigan, who was sentenced to death for stabbing and strangling a man in 1989. But later, an Arizona Corrections Department spokesman said the agency has placed orders for sodium

thiopental and expects to have it by next week.

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Virginia apparently had enough of the drug Thursday to execute Teresa Lewis, the first woman put to death in the U.S. since 2005. But officials suggested the state could have a problem after that, though Virginia has no executions scheduled.

"We are in the same position as every other state regarding this matter," said Larry Traylor, Virginia prisons spokesman. He would not be more specific.

Missouri has enough for an October execution, but its supply expires in January.

Ohio, which spends about \$350 for the drug for each execution, ran out of the amount state procedures call for just three days before a May 13 execution. The state obtained enough in time but won't say where.

**From:** [Kernan, Scott@CDCR](mailto:Kernan,Scott@CDCR)  
**To:** [McAuliffe, John@CDCR](mailto:McAuliffe,John@CDCR)  
**Subject:** RE: Execution Protocol Drugs  
**Date:** Wednesday, September 29, 2010 10:05:00 AM

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John,

Need to know exact quantity we will need for one execution if AZ loans it to us. Need asap.

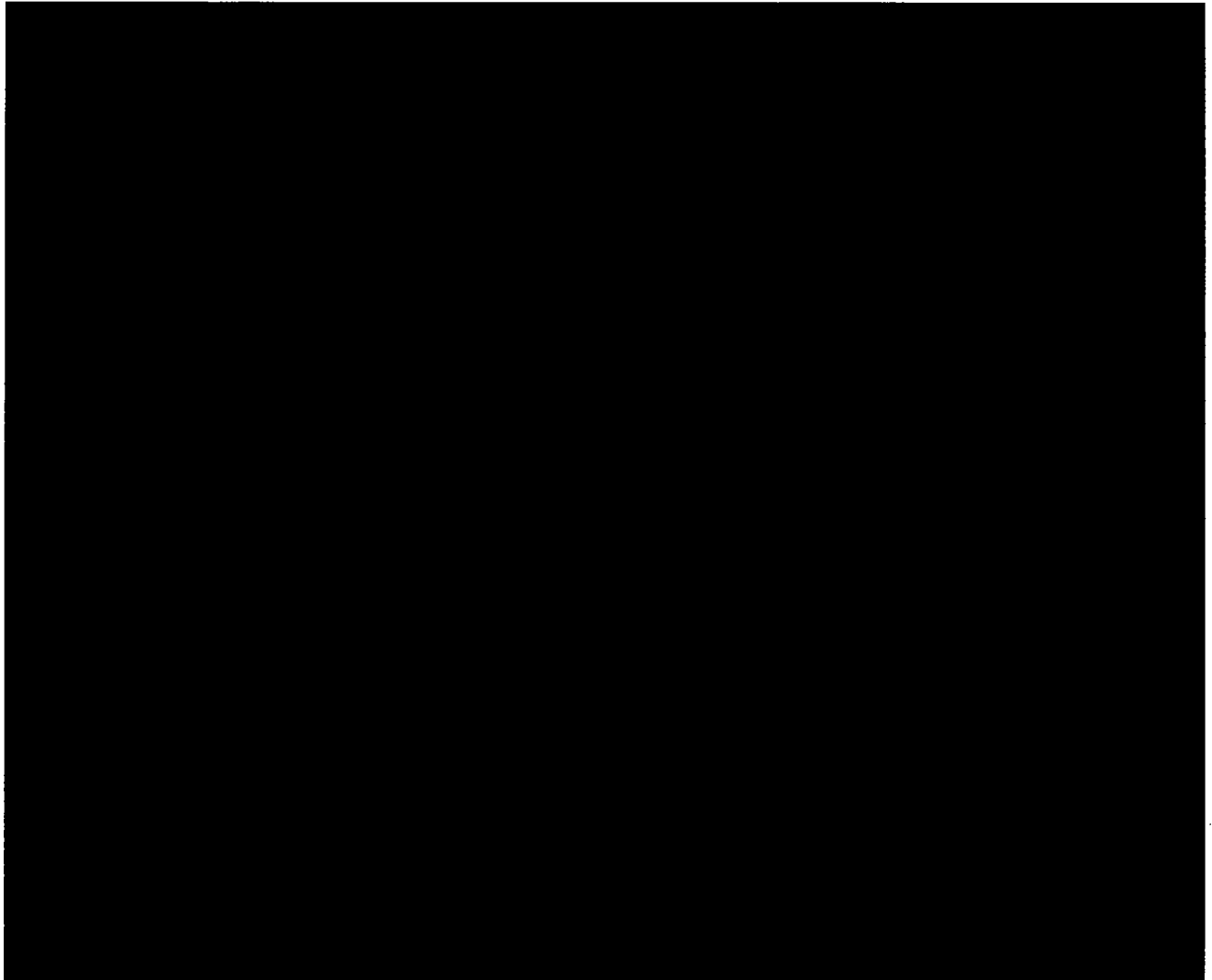
You and I also have to talk today about FDA and Customs.

Scott

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

From: McAuliffe, John@CDCR  
Sent: Tuesday, September 28, 2010 6:21 PM  
To: Kernan, Scott@CDCR  
Subject: Fw: Execution Protocol Drugs

Fyi



**From:** Kernan, Scott@CDCR  
**To:** [REDACTED]  
**Subject:** FW: Execution Protocol Drugs  
**Date:** Wednesday, September 29, 2010 8:19:00 AM

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[REDACTED]

Please check out this email string. Sounds like Arizona has found a way to get it via customs. I am calling AZ this morning and see if they will lend us enough for one execution and try to contact the vendor and see if they can get us additional quantity. What do you think?

Scott

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

**From:** McAuliffe, John@CDCR  
**Sent:** Tuesday, September 28, 2010 6:21 PM  
**To:** Kernan, Scott@CDCR  
**Subject:** Fw: Execution Protocol Drugs

Fyi

[REDACTED]

**From:** Kernan, Scott@CDCR  
**To:** Cate, Matt@CDCR; Rice, Benjamin@CDCR  
**Subject:** FW: sodium thiopental  
**Date:** Wednesday, September 29, 2010 8:10:00 AM

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Fyi

Scott

---

**From:** [REDACTED] [mailto:[REDACTED]@com]  
**Sent:** Wednesday, September 29, 2010 6:05 AM  
**To:** Kernan, Scott@CDCR  
**Cc:** [REDACTED]  
**Subject:** sodium thiopental

**Scott:**

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TDCJ has requested an opinion from the Texas Attorney General in an move to prevent disclosure of how much sodium thiopental it has on hand, Lyons said.

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Switching to another anesthetic would be difficult for some states. Some, like California, Missouri and Kentucky, adopted their execution procedures after lengthy court proceedings, and changing drugs could take time and invite lawsuits.

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**From:** Kernan, Scott@CDCR  
**To:** [REDACTED]  
**Subject:** Re: sodium thiopental  
**Date:** Wednesday, September 29, 2010 6:46:06 AM

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[REDACTED]  
Thanks. Very unfortunate. Sure appreciate your continued efforts. Have you heard that Hospria is issuing a letter indicating they will not manufacture the sodium for executions? We heard a rumor yesterday to that fact. We also think we may have a line from England and a method to bring it into the country. Still working all angles on our side.

Thanks and all the best. Please let me know if something comes up.  
Scott

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**From:** [REDACTED]  
**To:** Kernan, Scott@CDCR  
**Cc:** [REDACTED]  
**Sent:** Wed Sep 29 06:05:02 2010  
**Subject:** sodium thiopental

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**From:** [Kernan, Scott@CDJR](mailto:Kernan.Scott@CDJR)  
**To:** [McAuliffe, John@CDJR](mailto:McAuliffe, John@CDJR)  
**Subject:** Re: Morales v. Cate: Order Following Remand  
**Date:** Tuesday, September 28, 2010 7:25:34 PM

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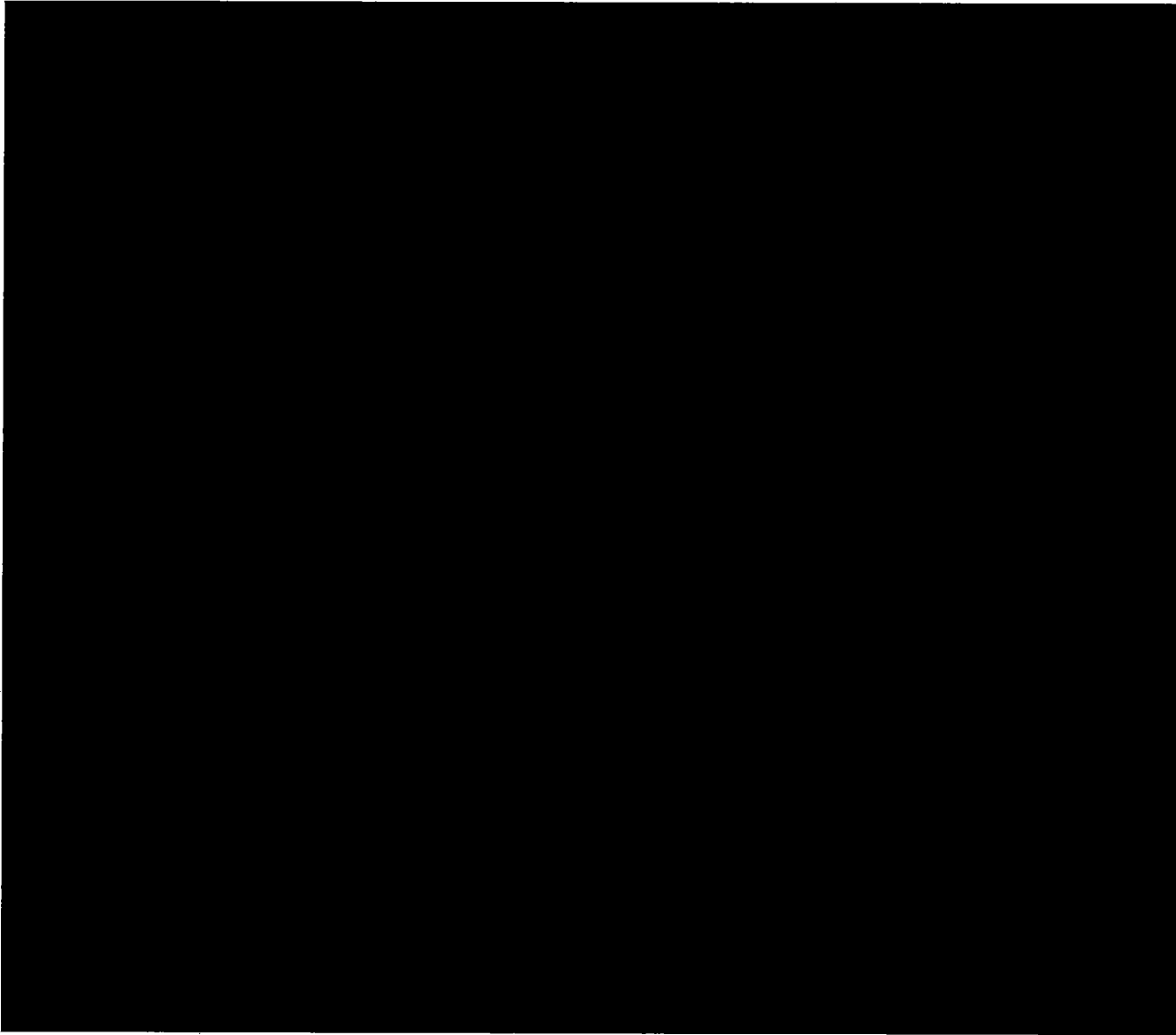
Yes. Apealling to supreme tomorrow.

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

From: McAuliffe, John@CDJR  
To: Kernan, Scott@CDJR  
Sent: Tue Sep 28 19:21:58 2010  
Subject: Fw: Morales v. Cate: Order Following Remand

Scott

Fogel has granted a stay. I think it all revolves around our lack of Sodium Thiopental.  
John



**From:** [Kernan, Scott@CDCCR](mailto:Kernan.Scott@CDCCR)  
**To:** [Gaddi, Kathy@CDCCR](mailto:Gaddi.Kathy@CDCCR); [Duffy, Brian@CDCCR](mailto:Duffy.Brian@CDCCR)  
**Subject:** Fw: Execution Protocol Drugs  
**Date:** Tuesday, September 28, 2010 6:25:04 PM

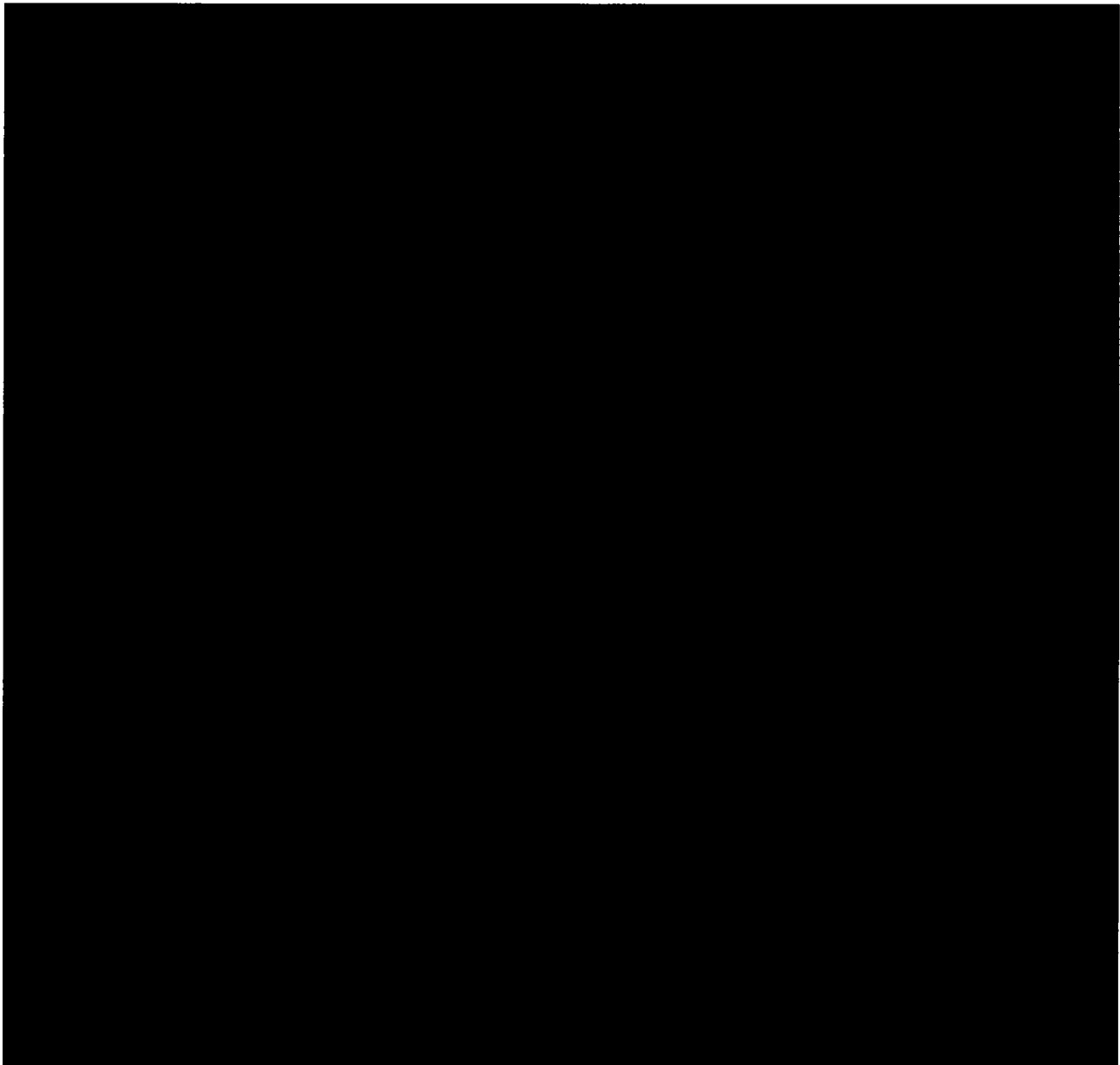
---

This is very confidential. Please do not forward. Put under nose first thing. Thx  
Scott

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

From: McAuliffe, John@CDCCR  
To: Kernan, Scott@CDCCR  
Sent: Tue Sep 28 18:21:20 2010  
Subject: Fw: Execution Protocol Drugs

Fyi





**From:** Kernan, Scott@CDCR  
**To:** Gaddi, Kathy@CDCR  
**Subject:** Fw: No CDCR Star Today  
**Date:** Tuesday, September 28, 2010 11:02:40 AM

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Send to John and have him advise. Thx

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**From:** Cate, Matt@CDCR  
**To:** Kernan, Scott@CDCR  
**Sent:** Tue Sep 28 10:51:23 2010  
**Subject:** FW: No CDCR Star Today

Arizona says they have ordered Sodium Thiopental. Where are you from whom?

---

**From:** Hidalgo, Oscar@CDCR  
**Sent:** Tuesday, September 28, 2010 9:24 AM  
**To:** CDCR Cabinet  
**Subject:** No CDCR Star Today

Due to staff shortages in OPEC, the CDCR will not be published today. Here are some key news clips below.

## Governor delays execution for Riverside killer

09:00 AM PDT on Tuesday, September 28, 2010

By RICHARD K. DE ATLEY  
The Press-Enterprise

**AP Interactive:** [Method of execution in states with the death penalty](#)

**UPDATED 8:45 A.M.:** A federal judge who cleared the way for the execution of Albert Greenwood Brown Jr. has been ordered to hold a hearing on whether California's three-drug protocol for lethal injection executions complies with a U.S. Supreme Court ruling.

"This matter is remanded to the district court to determine whether, under Baze, Brown is entitled to a stay of his execution as it would be conducted under the three-drug protocol now in effect," the U.S. 9th Circuit Court of Appeals wrote.

Baze is the 2008 U.S. Supreme Court ruling that found constitutional the three-drug cocktail used in lethal injection executions. It adopted a standard of whether the procedure poses a "substantial risk of serious harm."

Brown was sentenced to death in 1982 for the kidnap, rape, and strangulation of 15-year-old Susan Louise Jordan of Riverside in 1980.

Brown, 56, currently faces death by legal injection at San Quentin Prison at 9 pm

Thursday, just three hours before the Oct. 1 expiration of the first drug that will be pumped into his system, sodium thiopental.

The manufacturer has said it has problems with manufacture of the drug and that it likely cannot produce new batches until January.

There was no immediate word on how the order for a hearing in Fogel's court may affect the time for Brown's execution, which had been moved from 12:01 a.m. Wednesday.

Gov. Arnold Schwarzenegger ordered the 45-hour reprieve Monday because the time to petition the state Supreme Court to hear an appeal regarding Brown's case expires Sept. 30 -- one day after Brown's previously scheduled execution time of 12:01 a.m. Wednesday.

Brown, 56, was first sentenced to die for the murder of 15-year-old Susan Louise Jordan in 1982. He would be the first person executed in California since early 2006.

"I did expect some kind of delay -- that's what happens," said James Jordan, Susan's brother, who plans to attend the execution along with sister Karen Jordan Brown. "I expected something, to be honest."

Brown abducted Susan Jordan on Oct. 28, 1980, as she walked along Victoria Avenue in Riverside on her way to Arlington High School. The girl was raped and strangled with one of her shoelaces.

Later that evening, Brown made taunting phone calls to Jordan's mother, telling her she would never see her daughter again, then hinted about where her body could be found in an orange grove.

He was arrested a few days later and has been in custody ever since.

An appeals court on Sept. 20 overturned a Marin County Superior Court ruling that ordered the state to refrain from carrying out lethal injection executions. The permitted time for appeal does not end until Sept. 30.

"This is a legal technicality and we anticipate the execution moving forward," said Riverside County district attorney spokesman John Hall.

Schwarzenegger also is considering a clemency request from Brown.

"The reprieve has nothing to do with his clemency request. It's to allow Mr. Brown to exhaust all his appeals under the law," said Rachel Arrezola, a Schwarzenegger spokeswoman.

Schwarzenegger's decision on whether to grant clemency to Brown is expected as soon as today.

## **DRUG SHORTAGE**

Hospira, the only company in the country that makes sodium thiopental, has blamed the shortage on unspecified problems with its raw-material suppliers and said new batches of the drug will not be available until January at the earliest. Several other states have rescheduled executions because of the drug shortage.

The company has also told prison officials across the country, "we do not support the use of any of our products in capital punishment procedures."

The California attorney general's office said Monday it would recommend not scheduling any more executions after Thursday until the state can secure a fresh supply of the drug, an anesthetic that renders condemned inmates unconscious before lethal drugs are injected.

Sodium thiopental is a barbiturate, used primarily to anesthetize surgical patients and induce medical comas. It is also used to help terminally ill people commit suicide and sometimes to euthanize animals.

Sodium thiopental would be the first drug administered to Brown, who is to receive two shots each of 1.5 grams of the sedative, and more if he is still awake. Once he's unconsciousness, Brown would be injected with pancuronium bromide and potassium chloride, which should stop his heart.

Brown has exhausted all the appeals for his criminal case. His court actions are now limited to challenging the protocol of California's newly adopted lethal injection procedures, which were put in place in late August.

The delay was imposed by Schwarzenegger just hours after Marin County Superior Court Judge Verna Adams refused to block Brown's execution. Brown's attorneys argue that the process puts the inmate at risk of suffering extreme pain. They also say the regulations were drafted improperly and ignored the many public comments warning about the perils of the three-drug cocktail.

Adams did not agree.

"Mr. Brown cannot prove that he will suffer pain if he is executed under the current regulations," Adams said.

Brown's case also is before the 9th U.S. Circuit Court of Appeals.

Brown's attorneys appealed after a federal judge Friday refused to halt his scheduled execution.

*The Associated Press contributed to this story*

*Reach Richard K. De Atley at 951-368-9573 or [rdeatley@PE.com](mailto:rdeatley@PE.com)*

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## Execution drama unfolds in California

By Howard Mintz [hmintz@mercurynews.com](mailto:hmintz@mercurynews.com)

Posted: 09/28/2010 08:22:08 AM PDT

With furious legal battles swirling through the courts and a bid for clemency on the governor's desk, California's first execution in nearly five years may now hinge on a surprising factor: whether it can be carried out before one of the state's lethal drugs hits its expiration date and prison officials are left without a dose they need to put a Riverside County murderer to death.

The fast-paced drama to resume executions in California took several new and unprecedented twists Monday, when Gov. Arnold Schwarzenegger gave Albert Greenwood Brown a 45-hour reprieve to allow his final legal arguments and clemency request to get full consideration. The governor's order pushed Brown's scheduled execution from Wednesday morning to 9 p.m. Thursday.

Then a federal appeals court late Monday night cast more doubt on whether Brown's execution could go forward, finding in part that a San Jose federal judge last week failed to fully evaluate California's new lethal injection procedures when he said Brown's execution could proceed.

The 9th U.S. Circuit Court of Appeals ordered U.S. District Judge Jeremy Fogel to reconsider the case, which could prompt another delay of the execution.

"It is incredible to think that the deliberative process might be driven by the expiration date of the execution drug," the court said.

The ruling came the same day it was revealed that as of Friday, prison officials will no longer have a usable dose of the anesthetic sodium thiopental, the first of three drugs used in a lethal injection. The Illinois-based manufacturer of sodium thiopental has said it will not have a fresh supply of the anesthetic until early next year.

That means that if Brown's execution is delayed much further, it would have to be postponed until 2011. Also delayed would be the state's efforts to set execution dates for several other California death row inmates, including Santa Clara County's David Allen Raley. Oklahoma and Kentucky have recently postponed executions because of the shortage of the drug.

Brown, on death row since 1982 for the rape and murder of a 15-year-old girl, would be the first inmate executed in California since January 2006. The state's executions have been on hold since that time as a result of legal challenges to the lethal injection method.

Two judges in recent days have rejected Brown's bid to block the execution. On Monday, a Marin County judge turned away a challenge based on the argument that the state failed to properly adopt its new lethal injection procedures, which went into effect in August. Fogel also refused to stay the execution this weekend.

Brown's lawyers appealed both orders.

In rejecting Brown's legal arguments last week, Fogel gave the 56-year-old death row inmate a choice of being put to death with a single drug, the sodium thiopental, or the state's preferred three-drug combination. Fogel in 2006 put executions on hold in California after concluding that the state's lethal injection method at the time was flawed and posed an undue risk of a cruel and inhumane execution.

But the San Jose judge rejected Brown's bid to stay his execution, citing the state's revised procedures and a 2008 U.S. Supreme Court ruling that upheld Kentucky's similar protocol. Fogel indicated that a fatal dose of the single anesthetic could avoid potential risks in the state's planned use of the three-drug cocktail.

Brown refused to choose his method of execution, appealing Fogel's ruling to the 9th Circuit, which found the judge's order giving Brown a choice of drugs was "not consistent with California state law and procedures."

John Grele, one of Brown's lawyers, called it "ridiculous" that the state is attempting to squeeze the execution into a five-hour window Thursday night without any backup supply of drugs if the procedure goes awry. "Now we know why they insisted on this date," Grele said. "Talk about a rush to execution."

In a court filing Monday, Attorney General Jerry Brown, who has intensified the push to resume executions in the midst of his heated gubernatorial campaign, said Albert Brown's arguments were "merely the pretext for seeking to avoid execution by any means."

Albert Brown's lawyers have separately asked Schwarzenegger for clemency, relying in large part on the argument that his trial jury did not get full information on the scope of his mental problems and brain damage. The clemency petition asked Schwarzenegger to postpone the execution to give the next governor an opportunity to consider the issue next year.

Riverside County prosecutors and the family of the high school girl killed by Brown have urged the governor to deny clemency.

Schwarzenegger has not granted clemency while in office, nor has any other governor since the state restored the death penalty in 1978. Brown would be the 14th inmate executed during that period.

Contact Howard Mintz at 408-286-0236.

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Some US executions held up by shortage of drug

By ANDREW WELSH-HUGGINS (AP) – 8 hours ago

COLUMBUS, Ohio — Some executions in the U.S. have been put on hold because of a shortage of one of the drugs used in lethal injections from coast to coast.

Several of the 35 states that rely on lethal injection are either scrambling to find sodium thiopental — an anesthetic that renders the condemned inmate unconscious — or considering using another drug. But both routes are strewn with legal or ethical roadblocks.

The shortage delayed an Oklahoma execution last month and led Kentucky's governor to postpone the signing of death warrants for two inmates. Arizona is trying to get its hands on the drug in time for its next execution, in late October. California said the shortage will force it to stop executions on Friday, three hours after an inmate is scheduled to die, when its stock expires.

The sole U.S. manufacturer, Hospira Inc. of Lake Forest, Ill., has blamed the shortage on unspecified problems with its raw-material suppliers and said new batches of sodium thiopental will not be available until January at the earliest.

Nine states have a total of 17 executions scheduled between now and the end of January, including Missouri, Ohio, Oklahoma, Tennessee and Texas.

"We are working to get it back onto the market for our customers as soon as possible," Hospira spokesman Dan Rosenberg said.

But at least one death penalty expert was skeptical of Hospira's explanation, noting that the company has made it clear it objects to using its drugs for executions. Hospira also makes the two other chemicals used in lethal injections.

Sodium thiopental is a barbiturate, used primarily to anesthetize surgical patients and induce medical comas. It is also used to help terminally ill people commit suicide and sometimes to euthanize animals.

Thirty-three of the states that have lethal injection employ the three-drug combination that was created in the 1970s: First, sodium thiopental is given by syringe to put the inmate to sleep. Then two other drugs are administered: pancuronium bromide, which paralyzes muscles, and potassium chloride, which stops the heart.

Ohio and Washington state use just one drug to carry out executions: a single, extra-large dose of sodium thiopental.

Hospira has blamed the shortage on "raw-material supplier issues" since last spring, first promising availability in July, then October, then early 2011. The company has refused to elaborate on the problem. But according to a letter obtained by The Associated Press from the Kentucky governor's office, Hospira told state officials that it lost its sole supplier of the drug's active ingredient and was trying to find a new one.

As for the possibility of obtaining the drug elsewhere, the Food and Drug Administration said there are no FDA-approved manufacturers of sodium thiopental overseas.

Switching to another anesthetic would be difficult for some states. Some, like California, Missouri and Kentucky, adopted their execution procedures after lengthy court proceedings, and changing drugs could take time and invite lawsuits.

Obtaining sodium thiopental from hospitals does not appear to be an option, either. Sodium thiopental has been largely supplanted by other anesthetics in the U.S., and hospitals do not stock much of it.

Also, drug purchasing and use rules — and ethical guidelines that bar the medical profession from getting involved in executions — could prevent hospitals from supplying prisons with the drug, according to industry experts.

"Many of these cases, the victims have waited for 20 years, some of them longer than that. If we're out of that drug, we need to have an alternative," said Tennessee state Sen. Jim Tracy. Tennessee said it has enough of the drug for a November execution and expects to be able to carry out another in December.

Last spring, Hospira, a publicly traded company, sent a letter to all states outlining its discomfort with the use of its drugs for executions, as it has done periodically.

"Hospira provides these products because they improve or save lives and markets them solely for use as indicated on the product labeling," Kees Groenhout, clinical research and development vice president, said in a March 31 letter to Ohio, obtained by the AP. "As such, we do not support the use of any of our products in capital punishment procedures."

Jonathan Groner, an Ohio State University surgeon and death penalty opponent who researches the issue, speculated the real reason for the unavailability of sodium thiopental is that its medical uses "have shrunk to the point that the company doesn't want to make a drug that has no use but to kill people."

However, Rosenberg, the company spokesman, said the shortage has nothing to do with that.

Last month, an Oklahoma judge delayed the execution of Jeffrey Matthews when the state tried to switch anesthetics after running out of its regular supply in August. Matthews was convicted of killing his 77-year-old great-uncle during a 1994 robbery. Oklahoma finally found enough sodium thiopental from another state, but the court-ordered delay continues.

A few weeks ago, Kentucky's governor held off signing death warrants — which set execution dates and allow executions to proceed — for two inmates because the state is almost out of sodium thiopental. The state's lone dose hits its expiration date Oct. 1.

Kentucky officials said they have contacted other states unsuccessfully in a search for sodium thiopental and have gotten calls from states looking for the drug.

Kent Cattani, Arizona's top death penalty prosecutor, said Wednesday that the state doesn't have the drug and he is not optimistic it can be obtained in time for the Oct. 26 execution of Jeffrey Landrigan, who was sentenced to death for stabbing and strangling a man in 1989. But later, an Arizona Corrections Department spokesman said the agency has placed orders for sodium thiopental and expects to have it by next week.

Georgia pressed ahead with an execution Monday night, putting Brandon Joseph Rhode to death for the 1998 killings of Steven Moss, 37, his 11-year-old son Bryan and 15-year-old daughter Kristin during a burglary. Georgia's Corrections Department said it has an "appropriate supply" of sodium thiopental. The California attorney general's office had said it only has enough of the drug for Thursday's scheduled execution of Albert Brown, who was condemned to die in 1982 for the rape and murder of a 15-year-old girl, though a federal appeals court ordered a trial judge late Monday to reconsider his ruling that paved the way for the execution.

Virginia apparently had enough of the drug Thursday to execute Teresa Lewis, the first woman put to death in the U.S. since 2005. But officials suggested the state could have a problem after that, though Virginia has no executions scheduled.

"We are in the same position as every other state regarding this matter," said Larry Traylor, Virginia prisons spokesman. He would not be more specific.

Missouri has enough for an October execution, but its supply expires in January.

Ohio, which spends about \$350 for the drug for each execution, ran out of the amount state procedures call for just three days before a May 13 execution. The state obtained enough in time but won't say where.

Prisons officials in Texas, the nation's busiest death penalty state, refused to discuss how much sodium thiopental they have on hand, saying the information could inflame protesters outside the death house, and "people could get seriously hurt or killed."

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## Governor Postpones Execution in California

By JESSE MCKINLEY and MALIA WOLLAN

SAN FRANCISCO — With the clock ticking and uncertainties — both legal and pharmaceutical — hovering, Gov. Arnold Schwarzenegger ordered a temporary last-minute reprieve on Monday in what would be California's first execution in more than four years.

Mr. Schwarzenegger, a Republican in the final weeks of his administration, announced late Monday that he would postpone the execution of Albert G. Brown Jr. — who had been scheduled to die by lethal injection at 12:01 a.m. on Wednesday — until Thursday to allow time for legal appeals to be exhausted. The state Department of Corrections has rescheduled the execution for Thursday evening, the governor's office said.

Mr. Brown, 56, was convicted in 1982 of raping and strangling a 15-year-old girl in Riverside, Calif.

The postponement came after a whirlwind day in which Mr. Brown's fortunes seemed to rise and fall with each passing hour. Earlier Monday, Mr. Brown had been denied a stay from a state judge, Verna A. Adams, in Marin County, where San Quentin State Prison is located.

Shortly after that denial state officials also made a surprise announcement that the execution would be the last in the state until the one of the drugs proposed for his execution — sodium thiopental, a barbiturate — could be restocked by the state's Department of Corrections and Rehabilitation.

Moreover, Terry Thornton, a spokeswoman for the department, said its supply of sodium thiopental was good only until Friday. That expiration date is now just hours after Mr. Brown's planned execution on Thursday.

Ms. Thornton said her department was continuing with preparations for Mr. Brown's



execution and had enough sodium thiopental to stop Mr. Brown's heart. She added that the state was "actively seeking supplies of the drug for future executions."

How exactly sodium thiopental became scarce is unclear. The Food and Drug Administration reported shortages in March, citing production issues with Hospira, an Illinois-based company that is the sole American manufacturer.

A company spokesman, Dan Rosenberg, said that the drug was unavailable because of a lack of supply of an active pharmaceutical ingredient and that Hospira was working to get the drug back on the market by early next year. But Mr. Rosenberg also expressed displeasure that the drug — meant to be used as an anesthetic — had found its way into death chambers.

"Hospira manufactures this product because it improves or saves lives, and the company markets it solely for use as indicated on the product labeling," Mr. Rosenberg said in a statement. "The drug is not indicated for capital punishment, and Hospira does not support its use in this procedure."

He added that the company had made that opinion clear to corrections departments nationwide.

Mr. Brown's execution was cleared on Friday by a federal district judge, Jeremy D. Fogel, who had effectively halted executions in the state in 2006 after expressing concern about a three-drug cocktail commonly used in lethal injection procedures and various deficiencies in the state's methods, including the training of execution teams, antiquated facilities and the preparation of execution drugs.

Since then, however, California has drafted detailed new regulations — approved earlier this year — to guide executions and built a new death chamber at San Quentin, north of San Francisco.

Those developments had apparently quelled Judge Fogel's worries enough to allow Mr. Brown's execution to proceed.

Mr. Brown is still seeking a stay from the United States Court of Appeals for the Ninth Circuit. His lawyer, John R. Grele, said Judge Fogel's decision was "neither a legal nor rational response" to his client's efforts to avoid execution or undue pain.

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LA Times Opinion

Capital punishment politics

By Elisabeth Semel

Story posted 2010.09.28 at 12:07 AM PDT

Californians tend to think that capital punishment in the South — especially in Texas, where the overwhelming majority of executions take place — is driven by politics. But this week's scramble to carry out an execution in California for the first time in almost five years is a reminder that electoral politics is also an engine driving our state's capital punishment

system.

Executions have been on hold in California since 2006 because of three legal challenges to the manner by which the state takes a life. The most well known of the cases is the one in which U.S. District Judge Jeremy Fogel issued a preliminary ruling in December 2006 finding that if the California Department of Corrections and Rehabilitation did not revise its execution method, he would be compelled to declare California's procedures in violation of the cruel and unusual punishment clause of the U.S. Constitution.

In the second challenge, in state court, the corrections department was successfully sued for devising its lethal-injection protocol in secret, which is impermissible under the state's Administrative Procedures Act. A separate federal court challenge alleges that use of a paralytic chemical — the second in the three-drug procedure — acts as a "chemical curtain" that prevents the media and the public from observing whether the inmate is experiencing excruciating pain during the execution.

In each of the three lawsuits, Atty. Gen. Jerry Brown's office, which represents the corrections department, has argued that it is permitted to adopt its procedures behind closed doors — that is, to operate free from judicial or public oversight. Absent these legal challenges, however, the public would not have learned, as Fogel found, that the protocol in practice was unreliable and that there may have been problems with as many as seven of the 11 lethal-injection executions carried out under the protocol that was in place until now.

In July, the state's administrative agency approved the correction's department's new lethal-injection procedures. In August, with the approval of the state attorney general's office, the execution of Albert Greenwood Brown, who was convicted of murder and rape, was scheduled for Sept. 29. This action was taken despite the fact that none of the cases challenging California's lethal-injection procedures has been resolved.

On Friday, Fogel declined to include Brown in the case before him, but he expressed surprise at the state's insistence on speed: "The court has always understood, apparently incorrectly, that executions would not resume until it had an opportunity to review the new lethal-injection protocol."

On Monday, Gov. Arnold Schwarzenegger intervened to grant a reprieve until Sept. 30.

However, the politics of the situation are symbolized by the fact that the execution was scheduled at all. Jerry Brown's office insists that the attorney general, who is running for governor, had nothing to do with the exact timing of the Sept. 29 execution date. But it strains credulity to argue that any impetus other than election season politics accounts for this rush to execute.

We have seen this before. In California campaigns, candidates often work hard to establish their law-and-order bona fides, amplifying the volume on their endorsement of the death penalty. During the 1990 gubernatorial race between Pete Wilson and Dianne Feinstein, both candidates ran ads touting their support for the death penalty. This strategy has also been a hallmark of Dan Lungren's political career, as attorney general and now in Congress.

Candidates who support environmental and consumer protection, a woman's right to choose and public education frequently move to the right on criminal justice issues in order to get elected because it is the least politically risky shift. Brown — a onetime opponent of the

death penalty who is facing Meg Whitman, an unwavering capital punishment advocate — is now positioned to be the man who got executions on track after a hiatus of nearly five years.

Since the last execution in California, there has been no public groundswell to get the death chamber back in business. Californians have been no less safe than they were between 1992 and 2006, when 13 men were executed. In fact, violent crimes — homicides in particular — have steadily declined during this period.

Both gubernatorial candidates insist that they can return California to solvency. But even as day-care centers are closing, teachers are being laid off and services for the poor and disabled are being curtailed, and the state parks are having trouble paying for toilet paper, neither Brown nor Whitman has publicly raised questions about whether the state should continue to shoulder the huge costs of capital punishment. According to the California Commission on the Fair Administration of Justice, the death penalty system costs the state \$137 million each year, and if the system were brought up to the level recommended by the commission, it would require an additional \$95 million annually to repair a system that California Chief Justice Ronald M. George called "dysfunctional." A new death row, needed to deal with such issues as overcrowding, will cost an estimated \$400 million.

Neither candidate has been willing to ask whether Californians want to spend the financial or moral capital it will take to execute the 700 men and women who have been sentenced to death.

In 2008, in his concurring opinion in *Baze vs. Rees*, which upheld Kentucky's lethal injection procedures, Supreme Court Justice John Paul Stevens announced his conclusion that capital punishment violates the Constitution. He called on the nation to begin a sober, rational discussion about the continued imposition of the death penalty.

Jerry Brown had the opportunity to open this dialogue in California by allowing the three legal challenges to go forward before an execution date was set. The governor stepped in to postpone Albert Brown's execution. But the politics of the situation remain unchanged.

Elisabeth Semel is a clinical professor of law at UC Berkeley's school of law, where she directs the Death Penalty Clinic.

Oscar Hidalgo  
Assistant Secretary, Communications  
California Department of Corrections and Rehabilitation  
(916) 201-4165 Cell



**From:** [Kernan, Scott@CDCR](mailto:Kernan.Scott@CDCR)  
**To:** [Rice, Benjamin@CDCR](mailto:Rice.Benjamin@CDCR)  
**Subject:** Fw: Hospira Sodium Thiopental  
**Date:** Tuesday, September 28, 2010 8:47:13 AM

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Fyi  
Scott

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

From: Duffy, Brian@CDCR  
To: Kernan, Scott@CDCR  
Sent: Tue Sep 28 08:43:29 2010  
Subject: RE: Hospira Sodium Thiopental

Just checked Hospira's web site. They didn't have anything listed that I could find. Went through their press releases.

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

From: Kernan, Scott@CDCR  
Sent: Tuesday, September 28, 2010 8:35 AM  
To: [REDACTED] Duffy, Brian@CDCR  
Subject: FW: Hospira Sodium Thiopental

-----  
From: McAuliffe, John@CDCR  
Sent: Tuesday, September 28, 2010 8:35:23 AM  
To: Kernan, Scott@CDCR  
Subject: Re: Hospira Sodium Thiopental  
Auto forwarded by a Rule

This was on news last night. I have not seen nor heard if letter has been sent out yet.  
John

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

From: Kernan, Scott@CDCR  
To: McAuliffe, John@CDCR  
Sent: Tue Sep 28 08:09:58 2010  
Subject: Re: Hospira Sodium Thiopental

Is this just rumor or have we seen letter?

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

From: McAuliffe, John@CDCR  
To: Kernan, Scott@CDCR  
Cc: Rice, Benjamin@CDCR; Slavin, Bruce@CDCR; McCleave, Kelly@CDCR; Cullen, Vincent@CDCR  
Sent: Tue Sep 28 08:02:22 2010  
Subject: Hospira Sodium Thiopental

Scott

Hospira the manufacturer of Sodium Thiopental yesterday announced that they are going to send out letters to all 35 states that have lethal injection stating "they do not want their drug (Sodium Thiopental) used for executions.". Not sure how this will effect our current and/or future orders? I will call Hospira directly after this execution.  
John



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Sent: Tue Sep 28 08:09:58 2010

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

From: McAuliffe, John@CDCR

To: Kernan, Scott@CDCR

Cc: Rice, Benjamin@CDCR; Slavin, Bruce@CDCR; McCleave, Kelly@CDCR; Cullen, Vincent@CDCR

Sent: Tue Sep 28 08:02:22 2010

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**From:** [Kernan, Scott@CDCR](mailto:Kernan, Scott@CDCR)  
**To:** [McAuliffe, John@CDCR](mailto:McAuliffe, John@CDCR)  
**Subject:** Re: Hospira Sodium Thiopental  
**Date:** Tuesday, September 28, 2010 8:09:58 AM

---

Is this just rumor or have we seen letter?

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

From: McAuliffe, John@CDCR  
To: Kernan, Scott@CDCR  
Cc: Rice, Benjamin@CDCR; Slavin, Bruce@CDCR; McCleave, Kelly@CDCR; Cullen, Vincent@CDCR  
Sent: Tue Sep 28 08:02:22 2010  
Subject: Hospira Sodium Thiopental

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John

**From:** [Kernan.Scott@CDCR](mailto:Kernan.Scott@CDCR)  
**To:** [Rice.Benjamin@CDCR](mailto:Rice.Benjamin@CDCR)  
**Subject:** Fw: Hospira Sodium Thiopental  
**Date:** Tuesday, September 28, 2010 8:09:31 AM

---

Maybe this explains rumor. I shot note to [REDACTED] but no response.  
Scott

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

From: McAuliffe, John@CDCR  
To: Kernan, Scott@CDCR  
Cc: Rice, Benjamin@CDCR; Slavin, Bruce@CDCR; McCleave, Kelly@CDCR; Cullen, Vincent@CDCR  
Sent: Tue Sep 28 08:02:22 2010  
Subject: Hospira Sodium Thiopental

Scott

Hospira the manufacturer of Sodium Thiopental yesterday announced that they are going to send out letters to all 35 states that have lethal injection stating "they do not want their drug (Sodium Thiopental) used for executions.". Not sure how this will effect our current and/or future orders? I will call Hospira directly after this execution.

John

**From:** Kernan, Scott@CDCR  
**To:** [REDACTED]  
**Subject:** RE: Call Placed  
**Date:** Wednesday, September 22, 2010 8:14:00 AM

---

[REDACTED]

Thanks. We are getting ready for Tuesday night execution now. Judge indicated yesterday he wanted information on one drug execution. Same judge that just made us go through regulation process for three drugs? Who knows, but its heating up here in California. I'll stay in touch.

Scott

---

**From:** [REDACTED]  
**Sent:** Wednesday, September 22, 2010 8:06 AM  
**To:** Kernan, Scott@CDCR  
**Cc:** [REDACTED]  
**Subject:** Call Placed

Good Morning Scott:

Per Matt's request [REDACTED] has placed a call to Governor [REDACTED] office and discussed the need for having a commitment to ship, upon request, a dose of sodium pentothal from [REDACTED] to CDCR. Governor [REDACTED] is traveling today, but [REDACTED] talked with the Governor's assistant, who in turn, will get in touch with Governor [REDACTED] and get back to [REDACTED] sometime today or early tomorrow.

I will keep you advised.

[REDACTED]



**From:** Kernan, Scott@CDCR  
**To:** Cate, Matt@CDCR  
**Subject:** FW: Call Placed  
**Date:** Wednesday, September 22, 2010 8:12:00 AM

---

FYI

Scott

---

**From:** [REDACTED]  
**Sent:** Wednesday, September 22, 2010 8:06 AM  
**To:** Kernan, Scott@CDCR  
**Cc:** [REDACTED]  
**Subject:** Call Placed

Good Morning Scott:

Per Matt's request, [REDACTED] has placed a call to Governor [REDACTED] office and discussed the need for having a commitment to ship, upon request, a dose of sodium pentothal from [REDACTED] o CDCR. Governor [REDACTED] is traveling today, but [REDACTED] talked with the Governor's assistant, who in turn, will get in touch with Governor [REDACTED] and get back to [REDACTED] sometime today or early tomorrow.

I will keep you advised.

[REDACTED]

**From:** Kernan, Scott@CDCR  
**To:** [REDACTED]  
**Cc:** [REDACTED]; Cate, Matt@CDCR; Rice, Benjamin@CDCR  
**Subject:** RE: Ca Drugs  
**Date:** Monday, September 20, 2010 6:32:00 AM

---

Jim,

Thank you very much. We sure appreciate all your efforts. I'll let you know how Matt wants to go forward with [REDACTED] after talks with Governor. Let you know hopefully today.

Scott

---

**From:** [REDACTED]  
**Sent:** Friday, September 17, 2010 3:02 PM  
**To:** Kernan, Scott@CDCR  
**Cc:** [REDACTED]  
**Subject:** Fw: Ca Drugs

Scott:

One of the lessons of life is that bad news doesn't get better with time. Unfortunately, despite numerous calls and contacts **yesterday and today**, we have been unable to secure any additional supplies of sodium pentothal at this time.

Scott, we will continue to search but as I promised you and Matt, I wanted to give you a definitive answer before Monday.

While we continue to look for an existing supply, [REDACTED] remains willing to call Governor [REDACTED] and ask for his assistance in putting a string on [REDACTED] supply should you need it before new production resumes.

Please let us know how to proceed.

[REDACTED]

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

**From:** [REDACTED]  
**Cc:** [REDACTED]  
**Sent:** Thursday, September 16, 2010 5:09 PM  
**Subject:** Re: Ca Drugs

[REDACTED]  
We have contacted 80-90 hospitals over the past few days and none of them have a drop of Pentothal. Most have been out for quite some time. I still have folks in the industry keeping an

eye out and I will let you know if I hear of any leads.

thanks,



[REDACTED] wrote:



Can you get us an official update availability production timelines? Also [REDACTED] --any luck on getting that other supply of sodium pentothal?



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

**From:** Kernan, Scott@CDJR

**To:** [REDACTED]

**Sent:** Wednesday, September 08, 2010 5:38 PM



We are getting some press inquiries on the Lethal Injection drugs. Hearing that availability may be pushed deep into 2011. Have you heard anything like that? Any luck on finding us anything or date certain when manufacturing will start back up and be available. Sorry to bother you and as always, thanks for your help.

Scott

**From:** [Kernan, Scott@CDCR](mailto:Kernan.Scott@CDCR)  
**To:** [Cate, Matt@CDCR](mailto:Cate.Matt@CDCR); [Rice, Benjamin@CDCR](mailto:Rice.Benjamin@CDCR)  
**Subject:** Fw: Drugs  
**Date:** Thursday, September 09, 2010 1:20:53 PM  
**Attachments:** [Hospira Backorder Report wk of 090610.xlsx](#)

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Fyi  
Scott

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**From:** [REDACTED]  
**To:** Kernan, Scott@CDCR  
**Sent:** Thu Sep 09 13:00:43 2010  
**Subject:** Re: Drugs

Scott:

You have heard correct that the production date for the sodium pentothal has been pushed back to 1st Qtr 2011. Attached is the latest Hospira backorder report.

We continue to search for other supplies that may be available and will ship as soon as they are found.

Will keep you informed.

[REDACTED]

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

**From:** Kernan, Scott@CDCR  
**To:** [REDACTED]  
**Sent:** Wednesday, September 08, 2010 5:38 PM

[REDACTED]

We are getting some press inquiries on the Lethal Injection drugs. Hearing that availability may be pushed deep into 2011. Have you heard anything like that? Any luck on finding us anything or date certain when manufacturing will start back up and be available. Sorry to bother you and as always, thanks for your help.

Scott

**HOSPIRA BACKORDER REPORT**  
**WK OF 09/06/2010**

Marketing Manager	NDC	Description	Status	Next Delivery	Projected BO Clear Date (Early, Mid, Late)
enny altari	00 09330 03	AC T C ST 100M 30 M T	ackorder	ate September	ate ovember
enny altari	00 09330803	AC T C ST 200M 30 M T	ackorder	ate September	ate ovember
llen Wetterling	0 09806029	AM DAT 20M A O	ackorder	arly September	Mid Sept
Caleb Hart	0 09 16 05	AMINOSYN II 10% S-F (AN AM NO AC D NJ) 1000ML	Backorder	1Q 2011	1Q 2011
Caleb Hart	0 09 16 03	AMINOSYN II 10% S-F (AN AM NO AC D NJ) 500ML	Backorder	Early Oct	Mid Oct
Caleb art	0 09 1220	AM OS 15 A AM O AC D 2000M P P	ackorder	1 2011	2 2011
enny altari	00 0960 301	AMMO M C ORD 20 30M	SO	arly ov	arly ov
llen Wetterling	00 09 9113	ATROP S AT S 10M A O	ackorder	Mid September	Mid ovember
enny altari	00 0901 11	A ilthromycin 500 mg 15M ADD antage	ackorder	Mid September	2010
Cynthia Medalle	61 03033218	OM C S 15 SD 1 85A Iyo	ackorder	1 2011	1 2011
Cynthia Medalle	61 03033222	OM C S 30 SD 1 95A Iyo	ackorder	1 2011	1 2011
enny altari	00 091 1210	M TA D 0 25M M 10M	ackorder	ate September	2 , 2011
enny altari	00 091 120	M TA D 0 25M M M 5M	ackorder	1 2011	1 2011
enny altari	00 091 1250	M T D 0 25M 10M A - O AP S	ackorder	2010	2010
enny altari	00 091 12 9	M T D 0 25M M 5M - O AP S	ackorder	1 2011	1 2011
llen Wetterling	00 0990 202	P P P TOP 30M AMP	Allocation - Wholesale Direct	October	December
llen Wetterling	0 0990 502	P ACA C 0 5 P 1 200,000 30M TT	ackorder	arly September	arly September
ill Wickman	00 09201232	PR OR C S MPK 1M 2M	ackorder	ate Sep	ate Sep
llen Wetterling	00 09163110	CA C 10 A S R 10M S R	ackorder	ate September	October
enny altari	00 09080301	Cefuro ime 5 gm Pharmacy ial	ackorder	3 , 2010	3 , 2010
osh ordon	00390001 10	C A ORA C OTA M 500M A	ackorder	arly ovember	arly ovember
enny altari	00 09 05001	C DAM C T 300M 2M	ackorder	ate September	ate September
enny altari	00 09 05101	C DAM C T 600 M 5M	ackorder	Mid September	October
Cynthia Medalle	61 03031922	Cytarabine in 100mg m 20m SD 1982A	Allocation - Wholesale Direct	2 2011	2 2011
Cynthia Medalle	61 030303 6	Cytarabine in 20 mg ml 5 ml SD 019 9C	Allocation - Wholesale Direct	1 2011	1 2011
Cynthia Medalle	61 03031922	Cytarabine in 20mg ml 25ml MD 0198 A	Allocation - Wholesale Direct	1 2011	1 2011
Cynthia Medalle	61 030303 6	Cytarabine in 20mg ml 50 ml P P 0199 A	Allocation - Wholesale Direct	1 2011	1 2011
Cynthia Medalle	61 03032 22	Dacarba ine n SP 10mg m 20ml SD	Allocation - Wholesale Direct	ate October	ate ovember
enny altari	00 09233610	D RO AM M S AT 500M 10M	ackorder	Mid Sept	ate October
enny altari	00 09233 25	D RO AMM M S AT 2 M 25M	ackorder	Mid Sept	ate October
ill Wickman	0 09118069	D M RO M P C SPC 100M 1M C S MPK	ackorders	ate ovember	2 , 2011
ill Wickman	00 0911 830	D MR C CP T 50M 1M 2M	ackorder	Mid Oct	2 , 2011
enny altari	00 09226501	D SMOPR SS AC TAT MC M - AMP	backorder	ate September	October
llen Wetterling	00 09 51 16	D 50 SP 50M A S R	Allocation - Wholesale Direct	arly September	December
enny altari	00 0966 802	D TROS 50 50M T	ackorder	arly September	Mid Sept
Caleb Hart	0 09 91819	DEXTROSE 70% NJ USP 1000ML (500ML F LL)	Backorder	Mid Sept	Late Sept
llen Wetterling	00 09 9023	D TROS S D 50M A O	Allocation - Wholesale Direct	Mid September	ate September
ill Wickman	00 0912 305	DA PAM 5M M S C R S R 2M 2M	ackorder	arly Sept	2010
ill Wickman	00 0912 332	DA PAM CP 5M S M 2M	ackorder	arly October	ate October

**HOSPIRA BACKORDER REPORT**  
**WK OF 09/06/2010**

Marketing Manager	NDC	Description	Status	Next Delivery	Projected BO Clear Date (Early, Mid, Late)
Ill Wickman	00 0911 102	D T A M C 5M 10M A	ackorder	3 , 2011	3 , 2011
enny attari	00 0911 101	D T A M C 5M 5M A	ackorder	3 , 2011	3 , 2011
enny attari	00 09 35003	D T M C 100M AD 15M ADD T	ackorder	2010	, 2010
enny attari	00 09202520	DO TAM 12 5M S 20M A	ackorder	1 2011	1 2011
enny attari	00 0920255	DO TAM 12 5M S 0M A	ackorder	1 2011	1 2011
Julie Ronin	0 0923 32	DOBUTAMINE IN 5% DEXTROSE INJ USP 500 MG, 250 ML	Backorder	Mid Sept	Late Sept
Ilen Wetterling	00 09118 01	DROP R DA 2 M	ackorder	Sept	Sept
Caleb art	161 -05	mply vac Cont 1000m	Allocation - Direct	T D	2010
Caleb art	161 -03	mply vac Cont 250m	Allocation - Direct	T D	2010
Caleb art	0161 -02	MPT AC AT D CO TA R ASS 250 M	ackorder	T D	, 2010
enny attari	00 09212201	A APR AT 1 25 M M 1M A	ackorder	arly October	1 2011
enny attari	00 09212202	A APR AT 1 25 M M 2M A	ackorder	2010	2010
Ilen Wetterling	00 09 9213	P S D 10M A O	ackorder	ate September	Mid October
Ilen Wetterling	00 09 9213	P S D 10M A O	ackorder	arly September	Mid October
Ilen Wetterling	00 09 2 101	P P R 1M	ackorder	Mid September	1 2011
Ilen Wetterling	00 09 90118	P P R SP 10M A O	ackorder	Mid Sept	ate Sept
Cynthia Medalle	61 0335959	P R C C 200M 100M	ackorders	arly anuary	T D
Cynthia Medalle	61 0335993	P R C C 50M 25M	ackorders	2 2011	2 2011
Cynthia Medalle	61 033 35	P R C DROC ORD OR 50M SD	ackorders	ate ovember	T D
enny attari	00 096 8201	R T ACT 500 M	ackorder	ate December	ate December
Ilen Wetterling	00 09909 22	TA C TRAT 2M TOP	ackorder	December	December
Ilen Wetterling	00 09909 22	TA C TRAT 2M TOP	SO	December	December
Ilen Wetterling	00 09909 25	TA C TRAT 5M TOP	ackorders	ate September	December
Ilen Wetterling	00 09909 61	TA C TRAT T 50 M	ackorder	ate September	December
Ilen Wetterling	00 09909 61	TA C TRAT T 50 M	SO	ate September	ate September
Ilen Wetterling	00 09909332	entanyl Citrate n 100mcg 2ml 10	ackorder	December	December
Ilen Wetterling	00 09909332	entanyl Citrate n 100mcg 2ml 10	SO	December	December
Ilen Wetterling	00 09909336	TA C TRAT SPC 0 05M M	ackorder	December	December
Ilen Wetterling	00 09909336	TA C TRAT SPC 0 05M M	SO	December	December
Ill Wickman	00 0912 632	T CTR S MPK 2M	Allocation - Wholesale Direct	Mid September	December
Ill Wickman	00 0912 632	T CTR S MPK 2M	ackorders	Mid September	10
ulie Ronin	00 09386302	OSCAR T SOD M 2 M M AC 250M	ackorder	2010	2010
ulie Ronin	00 09386305	OSCAR T SOD M 2 M M AC 500M	ackorder	2010	2010
enny attari	00 09610210	ROS M D A 10 M	ackorder	Sept	Oct
enny attari	00 09610202	ROS M D A 2M	ackorder	Sept	Oct
enny attari	00 0961020	ROS M D A M	ackorder	Sept	Oct
enny attari	00 09120 03	TAM C OM M 2M TOP	ackorder	Mid September	Mid September
enny attari	00 092 2101	eparin 10000 ml 1ml lass ial	ackorder	ate September	ate September
enny attari	00 091152 0	PAR CK S T 10 M	ackorder	1 2011	1 2011

**HOSPIRA BACKORDER REPORT**  
**WK OF 09/06/2010**

Marketing Manager	NDC	Description	Status	Next Delivery	Projected BO Clear Date (Early, Mid, Late)
Ill Wickman	00 09128135	PAR CK SO CP T 5M R K	ackorder	ate Sept	ate Sep
enny attari	00 091152 8	PAR OCK S T 30 M	ackorder	1 2011	1 2011
Ill Wickman	00 091 0231	PAR SOD CP TS M 1M 2M	ackorders	ate September	, 2011
ulie Ronin	00 09 65062	PAR SOD SP 100 M 0 5 SOD C 250M	Product Allocation	Product Allocation	Product Allocation
ulie Ronin	00 09 62059	PAR SOD SP 2 M 0 9 SOD C 1	Product Allocation	Product Allocation	Product Allocation
ulie Ronin	00 09 62003	PAR SOD SP 2 M 0 9 SOD C 500M	Product Allocation	Product Allocation	Product Allocation
ulie Ronin	00 09 6003	PAR SOD SP 0 M 5 D TROS 500 M	Product Allocation	Product Allocation	Product Allocation
ulie Ronin	00 09 9 62	PAR SOD SP 50 M 5 D TROS 250M	Product Allocation	Product Allocation	Product Allocation
ulie Ronin	00 09 65162	PAR SOD SP 50 M 0 5 SOD C 250M	Product Allocation	Product Allocation	Product Allocation
ulie Ronin	00 09 65103	PAR SOD SP 50 M 0 5 SOD C 500M	Product Allocation	Product Allocation	Product Allocation
ulie Ronin	00 09 6103	PAR SOD SP 50 M 5 D TROS 500 M	Product Allocation	Product Allocation	Product Allocation
ulie Ronin	00 09 9362	PAR D5W 100 TS 250M PM	Product Allocation	Product Allocation	Product Allocation
Ill Wickman	00 09131230	DRMP 2M CP S MP 1M 2M	Allocation - Wholesale Direct	arly September	2010
Ill Wickman	00 09128331	DRMRP 1M CP S 1M 2M	Allocation - Wholesale Direct	arly September	2010
enny attari	00 09 85605	DROCORT SO SOD M S CC AT OR	ackorder	ate December	ate December
enny attari	00 09255201	DROMORP 1M 1M AMP	Allocation - Wholesale Direct	arly September	1 2011
Ilen Wetterling	00 093 93 9	K TORO AC 15 M T 1 2 M	SO	Mid Sept	Mid Sept
Ilen Wetterling	00 093 9601	K TORO AC 30 M T 2 M	ackorder	ate September	ate September
Ill Wickman	00 09228 22	K TORO AC 30M M IS C R 2M 2M	ackorder	arly Oct	arly October
enny attari	00 09226 20	A TA O C 5M M 20M MD	ackorder	Mid September	ate August
Ill Wickman	00 0923393	A TA O C 5M M M 5M	ackorder	Mid September	2010
Ilen Wetterling	00 09 2 902	D 1 0 T AR TOP 30M	SO	Mid Sept	arly ov
Ilen Wetterling	00 09206605	D C SP 2 5M A	SO	Mid September	Mid September
Ilen Wetterling	00 09120965	D P 1 5 P D 5M AMP	SO	Mid September	October
Ilen Wetterling	00 09132305	DC 2 C SP 5M A S R	Allocation - Wholesale Direct	Mid September	Oct
Ilen Wetterling	00 09913 05	DOC 1 C SP 5M A S R	ackorder	ovember	Oct
Ilen Wetterling	00 09 9033	DOCA 2 C S 5M A O	ackorder	Mid September	Mid Sept
Caleb art	00 099 9002	POS 10 250M	ackorder	o TA at this time	o TA at this time
Caleb art	00 099 9003	POS 10 500M	ackorder	o TA at this time	o TA at this time
Caleb art	00 099 9102	POS 20 250M	ackorder	o TA at this time	o TA at this time
Caleb art	00 099 9102	POS 20 500M	ackorder	o TA at this time	o TA at this time
Caleb art	00 09689203	POS 30 500M	ackorder	o TA at this time	o TA at this time
enny attari	00 096 802	ORA PAM 2M M T 1 2M A	ackorder	ate Sept	ovember
Ill Wickman	00 09198505	ORA PAM 2mg/ml IS C R S R 1M 2M	ackorder	Mid ov	Mid ov
Ill Wickman	00 09153931	ORA PAM CP S MPK 1M 2M	ackorder	1 2011	1 2011
Ellen Wetterling	0 09 69801	LTA (LARYNGOTRACHEAL ANESTH) KIT PRE-ATTACHED	Backorder	Mid September	ate September
Julie Ronin	0 096 292	MAGNESIUM SULFATE 2G/50ML WATER FOR INJ	Backorder	Late Sept	Early Oct
Ilen Wetterling	00 091 610	MARC C 0 25 W P 10M SD	SO	Mid September	Mid September
Ilen Wetterling	00 091 630	MARC C 0 25 W P 30M SD	ackorder	arly Oct	2 2011

**HOSPIRA BACKORDER REPORT**  
**WK OF 09/06/2010**

Marketing Manager	NDC	Description	Status	Next Delivery	Projected BO Clear Date (Early, Mid, Late)
Ilen Wetterling	00 091 910	MARC C 05 W P 10M SD	ackorders	Mid Oct	Mid Oct
ill Wickman	00 09230 21	M DA O AM 5M M iS C R 1M 2M	ackorder	Mid Sept	Mid Sept
ill Wickman	00 09126069	MORP S 8M M CP T S M 1M 2M	ackorder	arly Oct	1 2011
ill Wickman	00 091 6230	MORP S 2M CP T25 1M 2M	Allocation - Wholesale Direct	arly September	2010
ill Wickman	00 09125830	MORP S M CP T25 1M 2M	Allocation - Wholesale Direct	Mid September	2010
Caleb art	61 030 2283	M - Adult Pharma ulk Pack 2 50 m	ackorder	December	December
Caleb art	61 030 2282	M - Adult WK Dual SD ials 2 5m	ackorder	December	December
Ilen Wetterling	00 091 63 9	A P 10M M 1M AMP O AP S	ackorder	Mid September	Mid September
Ilen Wetterling	00 091 6301	A P DRO 1M	ackorder	Mid September	October
Ilen Wetterling	00 09121501	A O O PTO P 12M	ackorder	Mid September	ate September
Ilen Wetterling	00 09121901	A O O MD 10M	ackorder	Mid September	ate September
ill Wickman	00 091 8269	A C 0 M R S MPAK	ackorder	December	December
ulie Ronin	00 091 8 02	TRO PM D 5 100M	ackorder	3 2010	3 2010
ulie Ronin	00 091 8303	TRO PM D 5 50M	ackorder	3 2010	3 2010
ill Wickman	00 09112062	O DA S TRO SP 2M 2M S C R S R	ackorder	ovember	10
Ilen Wetterling	00 09 6 601	PA C RO M ROM 1M 10M	ackorder	arly October	late October
Ilen Wetterling	00 096 3501	P T 1 COM O T P KT	ackorder	1 2011	1 2011
Ilen Wetterling	00 09332901	P T SOD WW T P KT	ackorder	1 2011	1 2011
Ilen Wetterling	00 096 3102	P TOT A T K 1 50M	ackorder	1 2011	1 2011
Ilen Wetterling	00 09335201	P TOT A S D 00 M	ackorder	1 2011	1 2011
Ilen Wetterling	00 09335301	P TOT A S D 500 M	ackorder	1 2011	1 2011
enny attari	00 09131 02	P TO SOD M 5 M	ackorder	ate September	arly October
Caleb art	00 09329 51	POTASS M ACTAT 2M 50 M	Allocation - Wholesale Direct	arly October	Mid ovember
enny attari	00 09190201	PROCA AM D C 1 T 10M	SO	ovember	ovember
ill Wickman	00 09231202	PROM T A C 25M M S C R S R	ackorder	2010	2010
ill Wickman	00 09231231	PROM T CP T S MPK 1M 2M	ackorder	2010	2010
Ilen Wetterling	00 09 6992	PROPO O 100M A	Allocation - Wholesale Direct	ntermittent deliveries	ntermittent deliveries
Ilen Wetterling	00 09 69930	PROPO O 20M A	Allocation - Wholesale Direct	ntermittent deliveries	ntermittent deliveries
Ilen Wetterling	00 09 69933	PROPO O 50M A	Allocation - Wholesale Direct	ntermittent deliveries	ntermittent deliveries
Ilen Wetterling	00 09662902	C C 20M M 10 M	ackorder	ate September	December
Ilen Wetterling	00 0969 010	C -1000 10 20M T	ackorder	ate September	December
Caleb art	00 0911 102	SOD M C 23 100M A	ackorder	arly September	ate September
Caleb art	00 09113002	SOD M C 23 SP	ackorder	September	2010
enny attari	5816-31	ST R MPT A 1 A	ackorder	ate September	October
Ilen Wetterling	00 093380 9	S TA 50MC M 1M O AT	SO	ate Sept	ate Sept
Ilen Wetterling	00 09338032	S TA 50MC M 2M AMP	ackorder	ate Sept	ate Sept
Ilen Wetterling	00 09338035	S TA 50MC M 5M T	SO	ate Sept	ate Sept
enny attari	00 0935 801	TO RAM C S T T 2M 0M M	ackorder	ate September	Mid September
enny attari	0 09650901	A COM C -5 MS	ackorders	ate October	2010



**HOSPIRA BACKORDER REPORT**  
**WK OF 09/06/2010**

Marketing Manager	NDC	Description	Status	Next Delivery	Projected BO Clear Date (Early, Mid, Late)
enny attari	00 09653301	A COM C 1 M T TA A	ackorder	arly September	arly October
enny attari	00 09651001	ancormycin C 10 100M OTT	ackorder	ate October	2010
enny attari	00 09653501	A COM C C 1 RAM ADD- A TA	ackorder	ate October	ate October
enny attari	00 096535 9	A COM C C 1 RAM ADD- A TA O AT O	ackorder	Mid September	arly October
enny attari	00 09653102	A COM C C 50M 25M T	ackorder	late overnber	arly December
enny attari	00 096509 9	A COM C A 5 MS	ackorder	Mid September	2010
Ilen Wetterling	00 09163201	C ROM D 10 M 10M T	ackorder	ate ebruary	March 2011
enny attari	00 0911 02	RAPAM PTOP 5M	ackorder	ate September	ate September
Cynthia Medalle	61 03030916	incristine Sul in 2mg vial 0 139A	ackorder	Mid September	2010
Cynthia Medalle	61 0330906	CR ST S AT SP 1 M M 1 M SD	ackorders	Mid September	T D 10
Cynthia Medalle	61 0303 106	inorelbine Tartrate 10mg vial 0 200A- S	ackorder	arly October	1 2011
Cynthia Medalle	61 0303 109	inorelbine Tartrate 50mg vial 0 210A- S	Allocation - Wholesale Direct	ate October	T D 1 11
il Wickman	00 0920 902	W T RP CP T O D RS	ackorders	Mid Sept	Mid Sept

**Terminology Key**

**Status Column**

Allocation - Direct intermittent supply to direct customers  
Allocation - Wholesale Direct intermittent supply to holesalers and direct customers  
ackorder ot shipping to anyone

**Projected BO Clear Date**

arly 1st thru the 10th of the month  
Mid 11th thru 20th of the month  
ate 21st thru the end of the month

Due to technical constraints, the trademark designations have not been noted in the catalog backorder listing  
The health information contained herein is provided for informational purposes only  
All decisions regarding patient care must be made ith a healthcare provider and consider the uni ue characteristics of each patient

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