

From: Cate, Matt@CDCR
To: [REDACTED]
Subject: FW: Import/Export Permit Application
Date: Tuesday, August 17, 2010 1:58:19 PM

From: Kernan, Scott@CDCR
Sent: Tuesday, August 17, 2010 1:58:17 PM
To: Cate, Matt@CDCR; Rice, Benjamin@CDGR
Subject: FW: Import/Export Permit Application
Auto forwarded by a Rule

FYI
Scott

From: McAuliffe, John@CDCR
Sent: Tuesday, August 17, 2010 12:44 PM
To: Kernan, Scott@CDCR
Cc: Gaddi, Kathy@CDCR
Subject: Import/Export Permit Application

Scott
For your review....
John

[REDACTED]
Office of Diversion Control
Drug Enforcement Administration
United States Department of Justice

Dear Sir;

First let me thank you again for taking the time to talk and assist us in finding a solution in procuring thiopental. As you are well aware, Title 21 United States Code (USC) Controlled Substances Act; Section 952; Importation of Controlled Substances; outlines exceptions for importation of Scheduled III controlled substances. Specifically,

- Such amounts of any controlled substance in Schedule III the Attorney General finds to be necessary to provide for the medical, scientific, or other legitimate needs of the United States
- During an emergency in which domestic supplies of such substance or drug are found by the Attorney General to be inadequate.
- In any case in which the Attorney General finds that competition among domestic manufacturers of the controlled substance is inadequate and will not be rendered adequate by the registration of additional manufacturers under section 823 of this title.
- In any case in which the Attorney General finds that such controlled substance is in limited quantities exclusively for scientific, analytical or research uses; may be so imported under such regulations as the Attorney General shall prescribe.

California Department of Corrections and Rehabilitation (CDCR) finds itself unfortunately meeting all of the above bullets. As we have discussed, I have had John McAuliffe (John.McAuliffe@cdcr.ca.gov) contact the Diversion Control Units in San Francisco [REDACTED]; Sacramento [REDACTED]; Oakland (Helpline) and Washington D.C. to get assistance in the procurement of Thiopental, a scheduled III controlled substance.

Thiopental is one of three chemicals that is authorized by the State of California for capital punishment by lethal injection. In May 2010, it was reported by the American Society of Health-System Pharmacists (ASHP) that there was a shortage of thiopental. This shortage was sparked by a manufacturing problem of thiopental as well as a shortage of propofol (a popular anesthetic used by anesthesiologist) which forced anesthesiologist to further deplete supplies of thiopental as a substitute. Additionally, CDCR had contact with numerous Compounding Pharmacies around the San Francisco Bay area with the same result and answer; **"Thiopental is getting very hard to find and the manufacturer (Hospira) has the drug on back order with no predicted new date for or when it might be available."**

CDCR has located a supply of sodium thiopental in Pakistan, specifically;

[REDACTED]

I am requesting help from your office to assist CDCR with the process of procuring the thiopental through the Import/Export Permit Application. We are requesting for the Warden of San Quentin State Prison be permitted to directly order the thiopental from Pakistan for delivery to San Quentin State Prison;

[REDACTED]

CDCR would be ordering 210 grams. The state of California's Lethal Injection Regulation, CDCR, Title 15; 3349; calls for a 500 mg/2.5% Kit (25 mg/mL) combination package with contents of 500 mg of Thiopental powder and 20mL flip top vial of sterile water to be mixed by appropriate execution team members. CDCR will be ordering from Pakistan 210 grams or 420 individual package kits of thiopental.

I look forward to talking to you and discussing this matter.

Scott Kernan
Undersecretary, Operations
California Department of Corrections and Rehabilitation
[REDACTED]

From: [Acosta-Hoshall, Christina@CDCR](mailto:Acosta-Hoshall.Christina@CDCR)
To: [REDACTED]
Cc: [Kernan, Scott@CDCR](mailto:Kernan.Scott@CDCR); [McAuliffe, John@CDCR](mailto:McAuliffe.John@CDCR)
Subject: letter from Scott Kernan, Undersecretary, Operations, California Department of Corrections and Rehabilitation regarding procurement of Sodium Thiopental
Date: Wednesday, August 18, 2010 1:10:04 PM
Attachments: [Drug Enforcement Administration 081820100001.pdf](#)

SENT ON BEHALF OF SCOTT KERNAN, UNDERSECRETARY, OPERATIONS

Please see the attached letter from Scott Kernan, Undersecretary, Operations, California Department of Corrections and Rehabilitation regarding procurement of Sodium Thiopental.

Thank you,

Christina Acosta-Hoshall
Executive Assistant to Terri McDonald, Chief Deputy Secretary, Adult Operations
California Department of Corrections and Rehabilitation
1515 S Street, Suite 502-S
Sacramento, CA 95811

[REDACTED]
[REDACTED]
[REDACTED]

OFFICE OF THE SECRETARY

P.O. Box 942883
Sacramento, CA 94283-0001



August 18, 2010

[REDACTED]
Office of Diversion Control
Drug Enforcement Administration
United States Department of Justice

Dear [REDACTED]:

Thank you again for taking the time to talk and assist us in finding a solution in procuring Sodium Thiopental. As you are well aware, Title 21, United States Code (USC) Controlled Substances Act; Section 952; Importation of Controlled Substances; outlined below are exceptions for importation of Scheduled III controlled substances:

- The Attorney General finds to be necessary to provide for the medical, scientific, or other legitimate needs of the United States.
- During an emergency in which domestic supplies of such substance or drug are found by the Attorney General to be inadequate.
- The Attorney General finds that competition among domestic manufacturers of the controlled substance is inadequate and will not be rendered adequate by the registration of additional manufacturers under section 823 of title 21.
- The Attorney General finds that such controlled substance is in limited quantities exclusively for scientific, analytical or research uses; may be so imported under such regulations as the Attorney General shall prescribe.

The California Department of Corrections and Rehabilitation (CDCR) finds itself unfortunately meeting all of the above exceptions. As we have discussed, John McAuliffe contacted the Diversion Control Units in San Francisco [REDACTED]; Sacramento ([REDACTED]); Oakland (Helpline) and Washington D.C. to get assistance in the procurement of Sodium Thiopental, a scheduled III controlled substance.

Sodium Thiopental is one of three chemicals authorized by the state of California for capital punishment by lethal injection. In May 2010 it was reported by the American Society of Health-System Pharmacists that there was a shortage of Sodium Thiopental. This shortage was sparked by a manufacturing problem of Sodium Thiopental as well as a shortage of Propofol (a popular anesthetic used by anesthesiologists) which forced anesthesiologists to further deplete supplies of Sodium Thiopental as a substitute. Additionally, CDCR had contact with numerous compounding pharmacies around the

Page 2


San Francisco Bay area with the same result. CDCR has located a supply of Sodium Thiopental in Pakistan at [REDACTED]

CDCR is requesting help from your office to assist with the process of procuring the Sodium Thiopental through the Import/Export Permit Application. We are requesting for the Warden of San Quentin State Prison be permitted to directly order the Sodium Thiopental from Pakistan for delivery to San Quentin State Prison at the following address:

[REDACTED]

CDCR would be ordering 210 grams or 420 individual package kits of Sodium Thiopental. The state of California's Lethal Injection Regulation, California Code of Regulations, Title 15; Section 3349; calls for a 500-mg/2.5 percent kit (25 mg/mL) combination package with contents of 500-mg of Sodium Thiopental powder and 20mL flip top vial of sterile water to be mixed by appropriate execution team members.

I look forward to talking to you and discussing this matter. If you have any further questions, please contact me at (916) 323-6001.


SCOTT KERNAN
Undersecretary, Operations
California Department of Corrections and Rehabilitation

cc: Benjamin T. Rice Rice, General Council, Legal Affairs
Terri McDonald, Chief Deputy Secretary, Adult Operations
Vince Cullen, Warden (A), San Quentin State Prison

From: McAuliffe, John@CDCR
To: [REDACTED]
Subject: FW: letter from Scott Kernan, Undersecretary, Operations, California Department of Corrections and Rehabilitation regarding procurement of Sodium Thiopental
Date: Tuesday, August 24, 2010 10:20:00 AM
Attachments: Drug Enforcement Administration 081820100001.pdf

[REDACTED]
Thanks for your help.
John McAuliffe

From: McAuliffe, John@CDCR
Sent: Tuesday, August 24, 2010 10:13 AM
To: [REDACTED]
Subject: FW: letter from Scott Kernan, Undersecretary, Operations, California Department of Corrections and Rehabilitation regarding procurement of Sodium Thiopental

[REDACTED]
Just a follow up to see if you received Mr. Kernan's letter and thank you in advance for any help that you can give us.
John McAuliffe

From: Acosta-Hoshall, Christina@CDCR [mailto:Christina.Acosta-Hoshall@cdcr.ca.gov]
Sent: Wednesday, August 18, 2010 1:10 PM
To: [REDACTED]
Cc: Kernan, Scott@CDCR; McAuliffe, John@CDCR
Subject: letter from Scott Kernan, Undersecretary, Operations, California Department of Corrections and Rehabilitation regarding procurement of Sodium Thiopental

SENT ON BEHALF OF SCOTT KERNAN, UNDERSECRETARY, OPERATIONS

Please see the attached letter from Scott Kernan, Undersecretary, Operations, California Department of Corrections and Rehabilitation regarding procurement of Sodium Thiopental.

Thank you,

Christina Acosta-Hoshall
Executive Assistant to Terri McDonald, Chief Deputy Secretary, Adult Operations
California Department of Corrections and Rehabilitation
1515 S Street, Suite 502-S
Sacramento, CA 95811

[REDACTED]
[REDACTED]
[REDACTED]

From: [McAuliffe, John@CDCR](mailto:McAuliffe,John@CDCR)
To: [Cullen, Vincent@CDCR](mailto:Cullen,Vincent@CDCR)
Cc: [Kernan, Scott@CDCR](mailto:Kernan,Scott@CDCR); [Rice, Benjamin@CDCR](mailto:Rice,Benjamin@CDCR); [Slavin, Bruce@CDCR](mailto:Slavin,Bruce@CDCR); [McCleese, Kelly@CDCR](mailto:McCleese,Kelly@CDCR)
Bcc: [REDACTED]
Subject: Dr 's SQ DEA #
Date: Wednesday, September 29, 2010 4:16:33 PM

Warden

DEA called me and gave me 2 of our 3 Dr 's SQ DEA #'s. The third Dr was emailed and told to reapply due to having an incomplete address. These additional numbers will be used when ordering the drugs I will put together a book with all of the Dr 's names, contact info, DEA #'s and CDCR work info. I will include the Nurses with same info. Additionally, I will include the DEA agent info assigned to SQ with point of contact info.rmaton.

John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Subject: RE: Thiopental Injection
Date: Thursday, September 30, 2010 2:19:26 PM

When he responds please get a name and number of superior who can approve an exemption for this specific purpose. I'll call or even get Matt or somebody in Gov's office to call. Thx

Scott

From: McAuliffe, John@CDCR
Sent: Thursday, September 30, 2010 1:59 PM
To: Kernan, Scott@CDCR
Subject: Re: Thiopental Injection

No, DEA tracks drugs by Dr.'s DEA #. Since we can no longer use pharmacy at SQ (which would answer your question as yes) the importer would be [REDACTED] with final shipment into the USA identified as SQ. Dr,s can not import/export scheduled drugs unless DEA approves. That is why we asked the Dr's to to get an additional DEA # with SQ address so that we could request DEA to approve the Dr's DEA # for import to SQ thus eliminating the need for [REDACTED] I finally talked to DEA, [REDACTED] who is in charge of import/export division and he acknowledged receiving our letter. Unfortunately he said all import approvals are above him? [REDACTED] is approving authority). [REDACTED] did say he would talk to his bosses and get back to me. That was 3 hours ago.
John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Thu Sep 30 13:33:57 2010
Subject: RE: Thiopental Injection

Does this mean that we can be identified as the importer using our doc's DEA number?

From: McAuliffe, John@CDCR
Sent: Thursday, September 30, 2010 12:56 PM
To: Kernan, Scott@CDCR
Subject: FW: Thiopental Injection

Scott
Please look at and advise and I will complete.....
John

From: [REDACTED]
Sent: Thursday, September 30, 2010 12:50 PM
To: McAuliffe, John@CDCR
Subject: RE: Thiopental Injection

I need to know the entity that will serve as the actual importer...

- Name of entity (California Department of Corrections)
- Address of entity
- DEA Registration #

Quantity of Thiopental Sodium you will be ordering

FORM 236 will be used for this transaction. Once we have all the data, the product will be ordered and this will be submitted with the order. A summary of the different Parts of Form 236 are included below. [REDACTED] will coordinate the shipment and importation of the drug to its warehouse for clearance. Once released by customs and FDA, [REDACTED] will ship to you when requested. Part of 5 would be [REDACTED] address and DEA registration.

Part "IMPORTER" means the authorized DEA registrant who receives the controlled substance;

1. "EXPORTER" means the authorized DEA registrant who ships the controlled substance.

Part
2. Typical entries might read

Strength: 10 mg tablets

Size or 1,000 tablets/bottle

Weight (Bulk): 100 kilo/drum

Quantity: 100 bottles, 2 drums

If needed, use additional forms and distribute in the prescribed manner after the required documents are attached to each copy.

Part Self-explanatory.

3.

Part Insert name of vessel or airline and flight number, together with all intermediate carriers.

4. Furnish all information concerning the transportation of the goods known at the time of preparing form DEA-236.

Part Enter DEA registration number, if known, for "Import Declaration"; or foreign registration

5. number, if applicable, for "Export Declaration".

If this form is prepared as a **Controlled Substance Import Declaration**, distribute as follows:

Copies 1, 2, and 3 must be forwarded to the foreign shipper. These copies will accompany the shipment to certain points.

Upon receipt of **Copies 1, 2, and 3**, the foreign shipper will present **Copy 1** to the proper foreign government agency or authority, if required, as a prerequisite to export authorization. **Copy 1** shall then accompany the shipment to its final destination and shall be retained in the files of the importer for a period of at least two years.

Copy 2 shall be detached by the customs official at the foreign port.

Copy 3 shall be removed by an official of the United States Customs and Border Protection at the port of entry, certified and signed by the customs official (after noting any discrepancies), and forwarded to the Drug Enforcement Administration, Office of Diversion Control, Import / Export (ODGI) 8701 Morrissette Drive, Springfield, VA 22152.

Copy 4 must be forwarded at least 15 days prior to importation to the Drug Enforcement Administration, Office of Diversion Control, Import / Export Unit.

Copy 5 must be retained by the importer until receipt of **Copy 1**.

If this form is prepared as a **Controlled Substance Export Declaration**, distribute as follows:

Copies 1, 2, and 3 shall accompany the shipment to certain points.

Copy 1 shall remain with the shipment to its final destination.

Copy 2 shall remain with the shipment, to be detached and retained by the customs official of the foreign port of importation.

Copy 3 shall be removed by an official of the United States Customs Service at the domestic port of exportation, certified and signed by the customs official (after noting any discrepancies), and forwarded to the Drug Enforcement Administration, Office of Diversion Control, Import / Export Unit (ODGI), 8701 Morrissette Drive, Springfield, VA 22152

Copy 4 shall be forwarded at least 15 days prior to exportation to the Drug Enforcement Administration, Office of Diversion Control, Import / Export Unit (ODGI), 8701 Morrissette Drive, Springfield, VA 22152. In cases where the 15 day notice cannot be given, a special waiver may be requested from the Administration.

Copy 5 shall be retained by the exporter as part of his records for a period of at least two years.

[REDACTED]

From: McAuliffe, John@CDCR [mailto:John.McAuliffe@cdcr.ca.gov]
Sent: Thursday, September 30, 2010 12:05 PM
To: [REDACTED]
Subject: FW: Thiopental Injection
Importance: High

[REDACTED]
Thank you again here is the information and email:
John McAuliffe

From: [REDACTED]
Sent: Thursday, September 30, 2010 5:27 AM
To: McAuliffe, John@CDCR
Subject: Thiopental Injection
Importance: High

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.

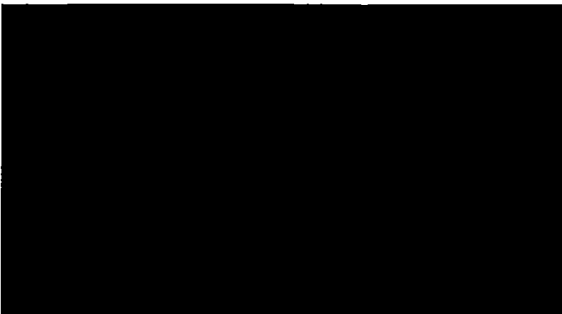
In order to get the product easier through US customs, I think it would be a goods idea for you to write a letter in the department letterhead, attention of US custom and let them know why you need this product. I would include this letter in your shipment.

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



From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Thiopental Injection
Date: Thursday, September 30, 2010 4:01:39 PM
Importance: High

From: McAuliffe, John@CDCR
Sent: Thursday, September 30, 2010 4:01:35 PM
To: Kernan, Scott@CDCR
Subject: Fw: Thiopental Injection
Importance: High
Auto forwarded by a Rule

Scott
I meet with you tomorrow at 10 and we can discuss options in detail if ok with you? Still no call from DEA but I have names and numbers.
John

From: Alston, Steve M@CDCR
To: Kernan, Scott@CDCR
Cc: McAuliffe, John@CDCR
Sent: Thu Sep 30 15:51:41 2010
Subject: RE: Thiopental Injection

Scott,

Here is our take on the issue:

- The attached MSA is a vendor provided agreement covering a number of services, which, based on your note below, we should not sign.
- Based on your note this appears to be a straight purchase and not a service contract. Consequently, if [REDACTED] is in fact the vendor of choice, we will need to see if they will accept a CDCR issued purchase order.
- If you want to pursue a non-competitive bid purchase, then a justification will need to be developed explaining why this cannot go out for bid.
- The dollar value of the purchase will dictate required approvals:
 - Less than \$5,000 can be approved by OBS without an NCB.
 - If the purchase is \$5-25,000 an NCB will be required, but will not require DGS review / approval.
 - If the purchase is in excess of \$25,000 then DGS review / approval will be required.

Hope this helps!

From: [McAuliffe, John@CDCR](mailto:McAuliffe,John@CDCR)
To: [Kernan, Scott@CDCR](mailto:Kernan,Scott@CDCR)
Subject: Fw: DEA Registrations
Date: Thursday, September 30, 2010 4:07:17 PM
Attachments: [pract_manual012508.pdf](#)

Scott

Just got this email [REDACTED]

John

From: [REDACTED]
To: McAuliffe, John@CDCR
Sent: Thu Sep 30 16:01:46 2010
Subject: DEA Registrations

John,

I hope you able to get in contact with our DEA Diversion H.Q. International Drug Unit: [REDACTED], for assistance with your international drug import issue. Feel free to contact me if you need any other assistance. For your agency's information, I have attached the "DEA Practitioners Manual" which discusses the rules and regulations that pertain to Practitioner DEA Registrations.

<<pract_manual012508.pdf>>

[REDACTED]
DEA Oakland Diversion Group

From: [REDACTED]
To: McAuliffe, John@CDCR
Subject: RE: Pentothal update
Date: Monday, October 04, 2010 10:56:25 AM

No, we do not.

From: McAuliffe, John@CDCR [mailto:John.McAuliffe@cdcr.ca.gov]
Sent: Monday, October 04, 2010 12:53 PM
To: [REDACTED]
Subject: RE: Pentothal update

[REDACTED]
Question, do you have an import license?
John McAuliffe

From: [REDACTED]
Sent: Monday, October 04, 2010 10:38 AM
To: McAuliffe, John@CDCR
Subject: Pentothal update

John, I have spoken with Hospira today on the Pentothal...they have moved back delivery dates until sometime in the first quarter 2011.

I'll let you know if I find anything somewhere else.

[REDACTED]

From: Kernan, Scott@CDCR
To: [REDACTED]@CDCR; Duffy, Brian@CDCR
Subject: FW: Thiopental Injection
Date: Friday, October 01, 2010 1:44:41 PM

From: McAuliffe, John@CDCR
Sent: Friday, October 01, 2010 1:44:34 PM
To: Kernan, Scott@CDCR
Subject: Re: Thiopental Injection
Auto forwarded by a Rule

Scott
DEA

[REDACTED]
John

From: Kernan, Scott@CDCR
To: Alston, Steve M@CDCR
Cc: McAuliffe, John@CDCR
Sent: Thu Sep 30 16:47:46 2010
Subject: RE: Thiopental Injection

Helps. Thanks. I'll let you know if in fact we have to go this way to procure the drugs.

Scott

From: Alston, Steve M@CDCR
Sent: Thursday, September 30, 2010 3:52 PM
To: Kernan, Scott@CDCR
Cc: McAuliffe, John@CDCR
Subject: RE: Thiopental Injection
Importance: High

Scott,

Here is our take on the issue:

- The attached MSA is a vendor provided agreement covering a number of services, which, based on your note below, we should not sign.
- Based on your note this appears to be a straight purchase and not a service contract. Consequently, if [REDACTED] is in fact the vendor of choice, we will need to see if they will accept a CDCR issued purchase order.
- If you want to pursue a non-competitive bid purchase, then a justification will need to be developed explaining why this cannot go out for bid.

The dollar value of the purchase will dictate required approvals:

- o Less than \$5,000 can be approved by OBS without an NCB.
- o If the purchase is \$5-25,000 an NCB will be required, but will not require DGS review / approval.
- o If the purchase is in excess of \$25,000 then DGS review / approval will be required.

Hope this helps!

Steve

From: Kernan, Scott@CDCR
Sent: Thursday, September 30, 2010 1:44 PM
To: Alston, Steve M@CDCR
Cc: McAuliffe, John@CDCR
Subject: RE: Thiopental Injection

Steve,

Thanks for your help. Needs to be addressed confidentially.

I assume the 3 year noted in the agreement is standard. Fact is we are buying enough of the drugs to last until 2014 and would not think, but not impossible, that we would need any more during the three years. So one time transaction.

I'll have to get back to you on cost. Don't know.

The contractor would facilitate the one time purchase of the drug and we would take possession for storage at SQ. no need for them to store it.

Scott

From: Alston, Steve M@CDCR
Sent: Thursday, September 30, 2010 11:21 AM
To: Kernan, Scott@CDCR
Subject: RE: Thiopental Injection

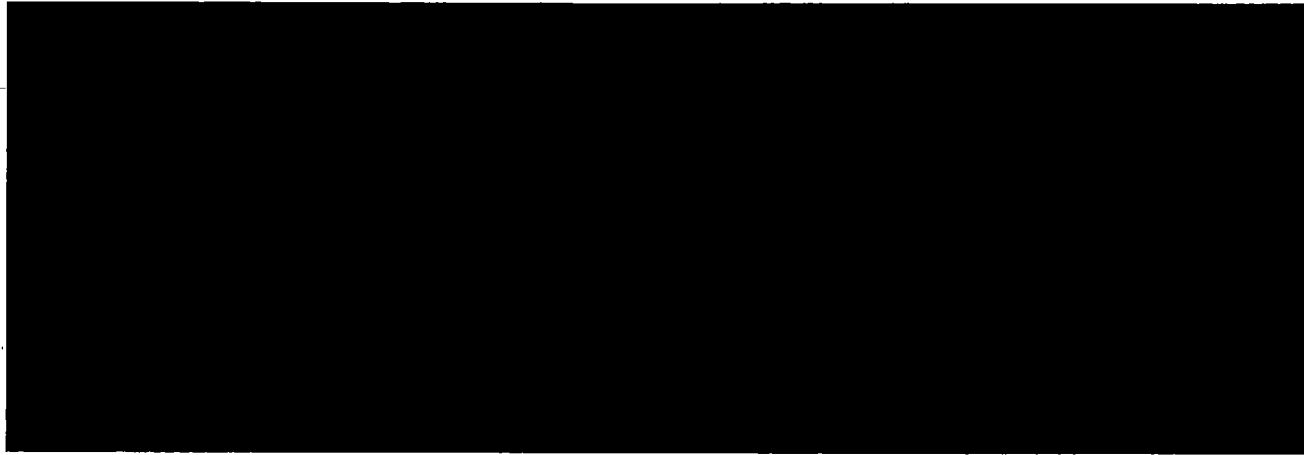
Scott,

Pulling our team together this afternoon to discuss in detail after which I will get back to you on this. A few questions for you:

1. Looks like a proposed three year agreement, right?
2. Estimated cost?
3. Will the proposed contractor store the inventory and ship it to CDCR on an as needed basis?

THANKS!

Steve



From: McAuliffe, John@CDCR
Sent: Thursday, September 30, 2010 9:20 AM
To: Kernan, Scott@CDCR
Subject: FW: Thiopental Injection

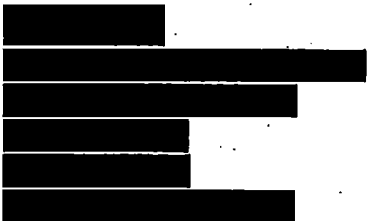
FYI
John

From: [REDACTED]
Sent: Thursday, September 30, 2010 9:15 AM
To: McAuliffe, John@CDCR
Cc: [REDACTED]
Subject: RE: Thiopental Injection

Received.

I have attached our standard contract (MSA). A Statement of Work (SOW) will define exact work to be conducted.

Please review and redline any issues.



From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Cc: Duffy, Brian@CDCR
Subject: FW: DEA Registered Importers of Thiopental
Date: Monday, October 04, 2010 2:50:27 PM
Attachments: Importers of Thiopental.xml

John,

Here is what DEA gave me. They are unwilling to provide a waiver. I would think we need to engage off this list and see if any are willing to help. Would you like Brian to help? I would like to document who we talked to and if necessary I will engage Matt or Gov Office to assist. Let me know what you think.

By the way, I called the head guy this morning and that is how we got a hold of [REDACTED]

Scott

From: [REDACTED]
Sent: Monday, October 04, 2010 1:19 PM
To: Kernan, Scott@CDCR
Subject: DEA Registered Importers of Thiopental

Attached is a spreadsheet containing companies who are specifically registered with DEA to import Thiopental. We are looking to send you an expanded list of companies as Thiopental belongs to a larger class of barbiturates. I'll send additional information if the additional importers are pertinent to your issue.

<<Importers of Thiopental.xml>>

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
To: McAuliffe, John@CDCR
Subject: RE: Thiopental Injection
Date: Monday, October 04, 2010 12:38:30 PM

John,

[REDACTED] does not have an existing Controlled Substance Import License to support Thiopental Sodium and does not wish to obtain the license for import of this material due to the risk of being the importer of record.

I wish you all the best.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: McAuliffe, John@CDCR [mailto:John.McAuliffe@cdcr.ca.gov]
Sent: Thursday, September 30, 2010 12:05 PM
To: [REDACTED]
Subject: FW: Thiopental Injection
Importance: High

[REDACTED]
Thank you again here is the information and email.
John McAuliffe

From: [REDACTED]
Sent: Thursday, September 30, 2010 5:27 AM
To: McAuliffe, John@CDCR
Subject: Thiopental Injection
Importance: High

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

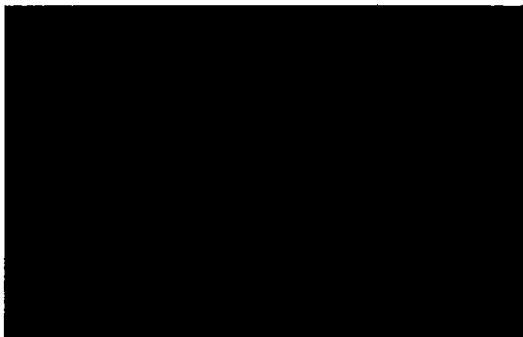
I will dispatch the goods to you by FedEx,
FedEx delivery charges is separate item.

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



From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Subject: FW: DEA Registered Importers of Thiopental
Date: Monday, October 04, 2010 2:59:54 PM

For our records.

Scott

From: [REDACTED]
Sent: Monday, October 04, 2010 2:58 PM
To: Kernan, Scott@CDCR
Subject: Re: DEA Registered Importers of Thiopental

The listed companies would file the appropriate paperwork. DEA would not require anything from the Dept of Corrections.

[REDACTED]
Office of Diversion Control

From: Kernan, Scott@CDCR <Scott.Kernan@cdcr.ca.gov>
To: [REDACTED]
Sent: Mon Oct 04 17:48:07 2010
Subject: RE: DEA Registered Importers of Thiopental

[REDACTED],

Thank you very much for getting me this list. We will contact them directly. I assume that if we can get one of them to import the drug for us that they will complete the appropriate documentation and you would not need anything directly from the department? Thanks again for your help.

Scott

From: [REDACTED]
Sent: Monday, October 04, 2010 1:19 PM
To: Kernan, Scott@CDCR
Subject: DEA Registered Importers of Thiopental

Attached is a spreadsheet containing companies who are specifically registered with DEA to import Thiopental. We are looking to send you an expanded list of companies as Thiopental belongs to a larger class of barbiturates. I'll send additional information if the additional importers are pertinent to your issue.

<<Importers of Thiopental.xml>>

[REDACTED]

[REDACTED]

From: [McAuliffe, John@CDCR](mailto:McAuliffe.John@CDCR)
To: [Kernan, Scott@CDCR](mailto:Kernan.Scott@CDCR)
Subject: Re: DEA Registered Importers of Thiopental
Date: Monday, October 04, 2010 3:16:40 PM

Scott

I can work on this list early Tuesday AM and give you full update prior to our meeting on Tuesday at 1:30. I will start working on phone #'s and contact person now.

John

From: Kernan, Scott@CDCR
To: McAuliffe, John@CDCR
Sent: Mon Oct 04 14:59:51 2010
Subject: FW: DEA Registered Importers of Thiopental

For our records.

Scott

From: [REDACTED]
Sent: Monday, October 04, 2010 2:58 PM
To: Kernan, Scott@CDCR
Subject: Re: DEA Registered Importers of Thiopental

The listed companies would file the appropriate paperwork. DEA would not require anything from the Dept of Corrections.

[REDACTED]
Office of Diversion Control

From: Kernan, Scott@CDCR <Scott.Kernan@cdcr.ca.gov>
To: [REDACTED]
Sent: Mon Oct 04 17:48:07 2010
Subject: RE: DEA Registered Importers of Thiopental

[REDACTED]

Thank you very much for getting me this list. We will contact them directly. I assume that if we can get one of them to import the drug for us that they will complete the appropriate documentation and you would not need anything directly from the department? Thanks again for your help.

Scott

From: [REDACTED]
Sent: Monday, October 04, 2010 1:19 PM
To: Kernan, Scott@CDCR
Subject: DEA Registered Importers of Thiopental

Attached is a spreadsheet containing companies who are specifically registered with DEA to import Thiopental. We are looking to send you an expanded list of companies as Thiopental belongs to a larger class of barbiturates. I'll send additional information if the additional importers are pertinent to your issue.

<<Importers of Thiopental.xml>>

[REDACTED]

[REDACTED]

Office of Diversion Control

Drug Enforcement Administration

[REDACTED]

[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]
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.

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