

---

**From:** Duffy, Brian@CDCR

**Sent:** Thursday, July 29, 2010 5:40:22 PM

**To:** Kernan, Scott@CDCR

**Subject:** FW: Timeline

**Auto forwarded by a Rule**

John provided the timelines. Not what we needed, but I'll see if I can re-write tomorrow morning.

Hey, isn't [REDACTED] over by Pakistan? Maybe he can hop over and help out.

---

**From:** McAuliffe, John@CDCR

**Sent:** Thursday, July 29, 2010 3:24 PM

**To:** Duffy, Brian@CDCR

**Subject:** Timeline

Brain

FYI

John

**From:** Duffy, Brian@CDCR  
**To:** Kernan, Scott@CDCR  
**Subject:** Re: Drugs  
**Date:** Monday, August 02, 2010 11:20:16 AM

---

I'll come in tomorrow morning and give to you. Do you need it today?

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

**From:** Kernan, Scott@CDCR  
**To:** McAuliffe, John@CDCR  
**Cc:** Duffy, Brian@CDCR  
**Sent:** Mon Aug 02 09:58:01 2010  
**Subject:** RE: Drugs

Please and let me know. I was under impression that there was no problem with these other two drugs and we had quantity internally. Going to get very political quick. [REDACTED]

I know Brian struck out with the big company's for an importer but was looking for some smaller companies that could possibly help out. I also need to know where we are at on the email to DEA (brian?)

Scott

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

**From:** McAuliffe, John@CDCR  
**Sent:** Monday, August 02, 2010 9:51 AM  
**To:** Kernan, Scott@CDCR  
**Subject:** Drugs

Scott

Bruce Slavin just called and asked if we are having any problems getting the other two drugs? He said the AG called him and said they (AG) heard there is a shortage of Pancurium Bromide? Not sure where this is coming from but will immediately find out.

John

**From:** Kernan, Scott@CDCR  
**To:** [REDACTED]@CDCR; Duffy, Brian@CDCR  
**Subject:** FW: Lethal Injection/Sodium Thiopental  
**Date:** Monday, August 02, 2010 4:20:11 PM

---

-----  
**From:** Rice, Benjamin@CDCR  
**Sent:** Monday, August 02, 2010 4:20:12 PM  
**To:** Kernan, Scott@CDCR  
**Cc:** Cate, Matt@CDCR  
**Subject:** FW: Lethal Injection/Sodium Thiopental  
**Auto forwarded by a Rule**

FYI.

---

**From:** [REDACTED]  
**Sent:** Monday, August 02, 2010 6:15 AM  
**To:** [REDACTED]

[REDACTED]

[REDACTED]

**Subject:** Lethal Injection/Sodium Thiopental

In [REDACTED] the law provides that an execution must be inflicted by an ultra short-acting barbiturate, as well as other drugs. As many of you are aware, sodium thiopental is in short-supply. At this point, [REDACTED] has an execution scheduled for [REDACTED] and we have not been successful in finding any sodium thiopental to carry out the execution. I understand that other states have run into this problem. Can you please advise me of the course of action that has been taken in this situation? Or, if anyone has any information on how to obtain this drug or any other ultra short-acting barbiturate, that would be extremely helpful.

Thank you.

**From:** Cate, Matt@CDCR  
**To:** [REDACTED]  
**Subject:** FW: Lethal Injection/Sodium Thiopental  
**Date:** Monday, August 02, 2010 4:20:12 PM

---

[REDACTED]

**From:** [REDACTED]  
**Sent:** Monday, August 02, 2010 6:15 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]

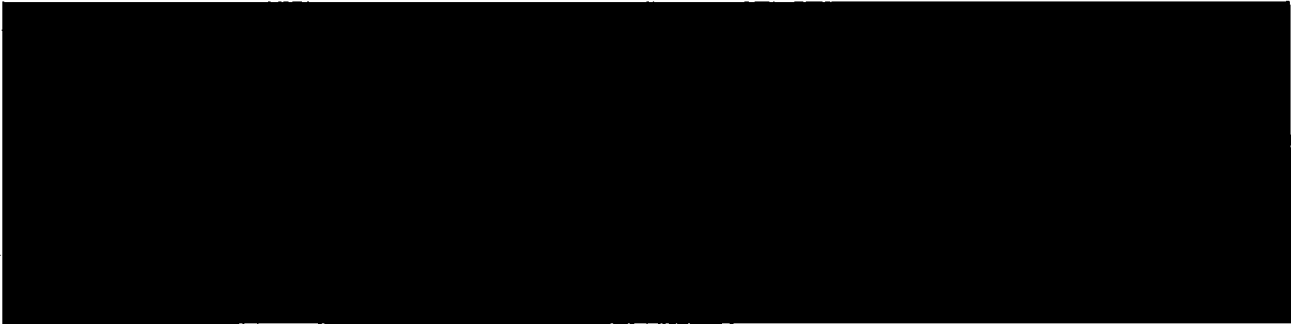
[REDACTED]

[REDACTED]

**Subject:** Lethal Injection/Sodium Thiopental

In [REDACTED] the law provides that an execution must be inflicted by an ultra short-acting barbiturate, as well as other drugs. As many of you are aware, sodium thiopental is in short supply. At this point, [REDACTED] has an execution scheduled for [REDACTED] and we have not been successful in finding any sodium thiopental to carry out the execution. I understand that other states have run into this problem. Can you please advise me of the course of action that has been taken in this situation? Or, if anyone has any information on how to obtain this drug or any other ultra short-acting barbiturate, that would be extremely helpful.

Thank you.



**From:** Rice, Benjamin@CDCR  
**To:** Kernan, Scott@CDCR  
**Cc:** Cate, Matt@CDCR  
**Sent:** Mon Aug 02 16:20:12 2010  
**Subject:** FW: Lethal Injection/Sodium Thiopental

FYI.

---

**From:** [Redacted]  
**Sent:** Monday, August 02, 2010 6:15 AM  
**To:** [Redacted]  
**Cc:** [Redacted]



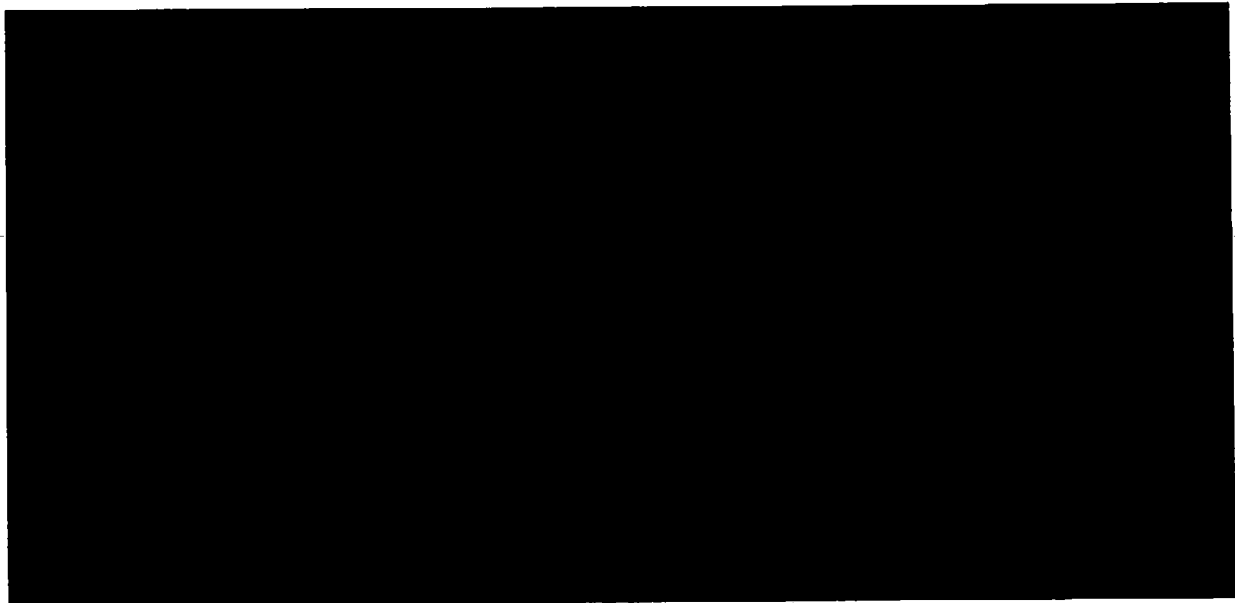
[REDACTED]

**Subject:** Lethal Injection/Sodium Thiopental

In [REDACTED] the law provides that an execution must be inflicted by an ultra short-acting barbiturate, as well as other drugs. As many of you are aware, sodium thiopental is in short supply. At this point, [REDACTED] has an execution scheduled for August 17 and we have not been successful in finding any sodium thiopental to carry out the execution. I understand that other states have run into this problem. Can you please advise me of the course of action that has been taken in this situation? Or, if anyone has any information on how to obtain this drug or any other ultra short-acting barbiturate, that would be extremely helpful.

Thank you.





**From:** McAuliffe, John@CDCR  
**To:** Kernan, Scott@CDCR  
**Sent:** Mon Aug 02 12:20:02 2010  
**Subject:** FW: [REDACTED] Name

---

**From:** McAuliffe, John@CDCR  
**Sent:** Friday, July 30, 2010 10:20 AM  
**To:** Kernan, Scott@CDCR  
**Subject:** RE [REDACTED]

Scott

Here is the email for the guy's name.....Also when you talk to him to have him place the order I would recommend placing an order for 3 executions.

63 grams of Sodium Thiopental  
1050 milligrams of Pancuronium Bromide  
4200 milliequivalents of Potassium Chloride

Each execution to include training will require a minimum of:

21 grams of Sodium Thiopental  
350 milligrams of Pancuronium Bromide  
1400 milliequivalents of Potassium Chloride

John McAuliffe

---

**From:** Kernan, Scott@CDCR  
**Sent:** Thursday, July 08, 2010 12:28 PM  
**To:** McAuliffe, John@CDCR  
**Subject:** FW: Lethal Injection Process

Fyi Matt is calling [REDACTED] to see if they receive a script from a doc will they order it. Let you know. Any luck from other states?

Scott

**From:** [McAullife, John@CDCR](mailto:McAullife_John@CDCR)  
**To:** [Kernan, Scott@CDCR](mailto:Kernan, Scott@CDCR)  
**Subject:** Drug Mailing  
**Date:** Wednesday, August 04, 2010 2:49:00 PM

---

Scott



**Cullen, Vincent@CDCR**

---

**From:** Duffy, Brian@CDCR [Brian.Duffy@cdcr.ca.gov]  
**Sent:** Monday, August 23, 2010 9:55 AM  
**To:** Cullen, Vincent@CDCR; McAuliffe, John@CDCR  
**Cc:** Kernan, Scott@CDCR  
**Subject:** FW:

---

Vince and John,

Please see below.

Brian

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

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

**From:** Rice, Benjamin@CDCR  
**To:** Kernan, Scott@CDCR; Cate, Matt@CDCR  
**Sent:** Mon Aug 23 09:27:07 2010  
**Subject:** Re:

[REDACTED]

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

**From:** Kernan, Scott@CDCR  
**To:** Cate, Matt@CDCR; Rice, Benjamin@CDCR  
**Sent:** Mon Aug 23 09:23:27 2010  
**Subject:**

I just got great news. [REDACTED] advised that he has got and is shipping the lethal injection drugs to SQ pharmacy. Its enough to do one execution. Bad news is the drug expires in Oct. But at least we would be ready. He is still looking for more. Matt, would be nice for you to call and thank them.  
Scott

**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.

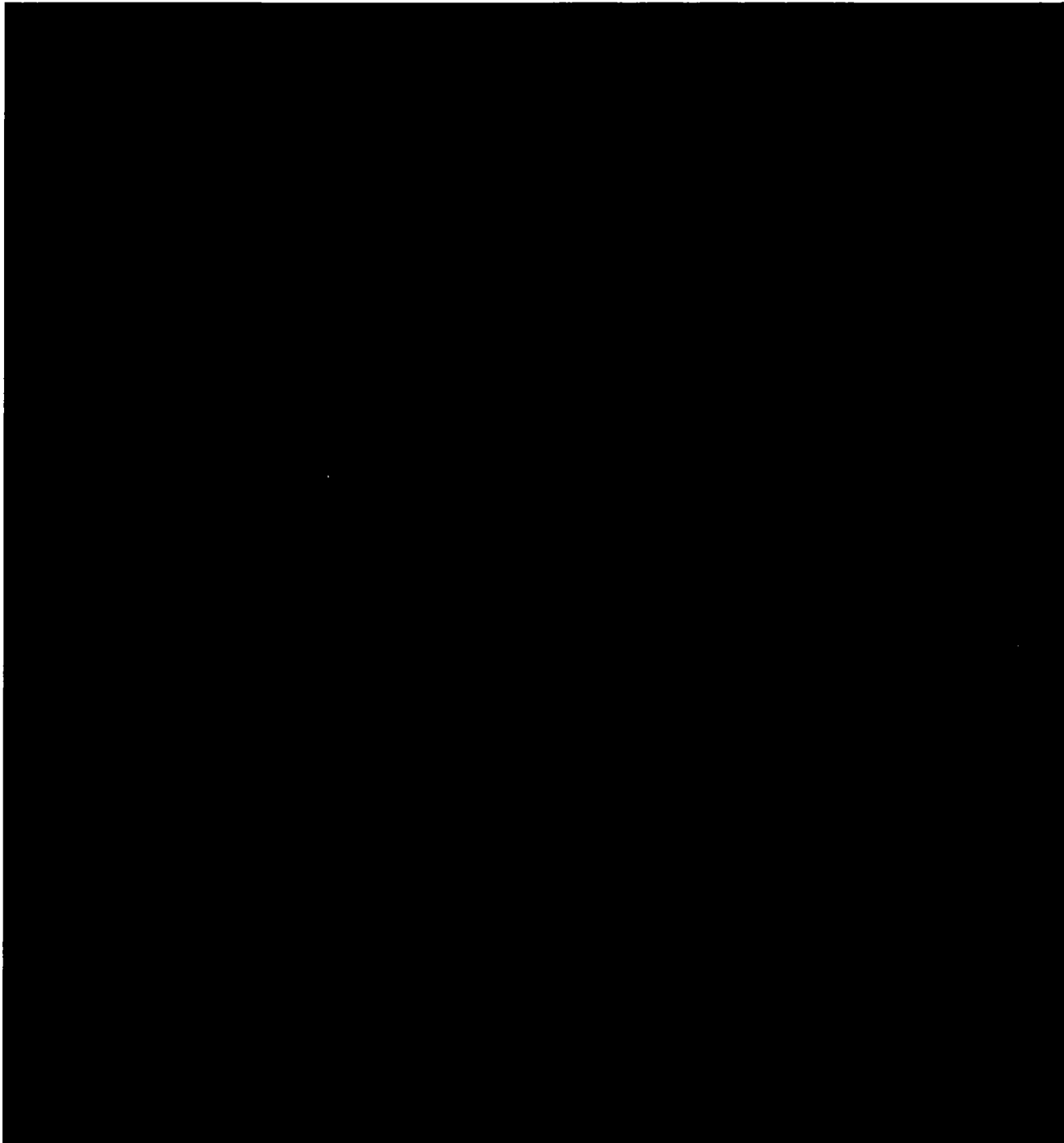
I will keep you advised.

[REDACTED]

**From:** [McAuliffe, John@CDCR](mailto:McAuliffe, John@CDCR)  
**To:** [Keman, Scott@CDCR](mailto:Keman, Scott@CDCR)  
**Subject:** Fw: Execution Protocol Drugs  
**Date:** Tuesday, September 28, 2010 6:21:20 PM

---

Fyi





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

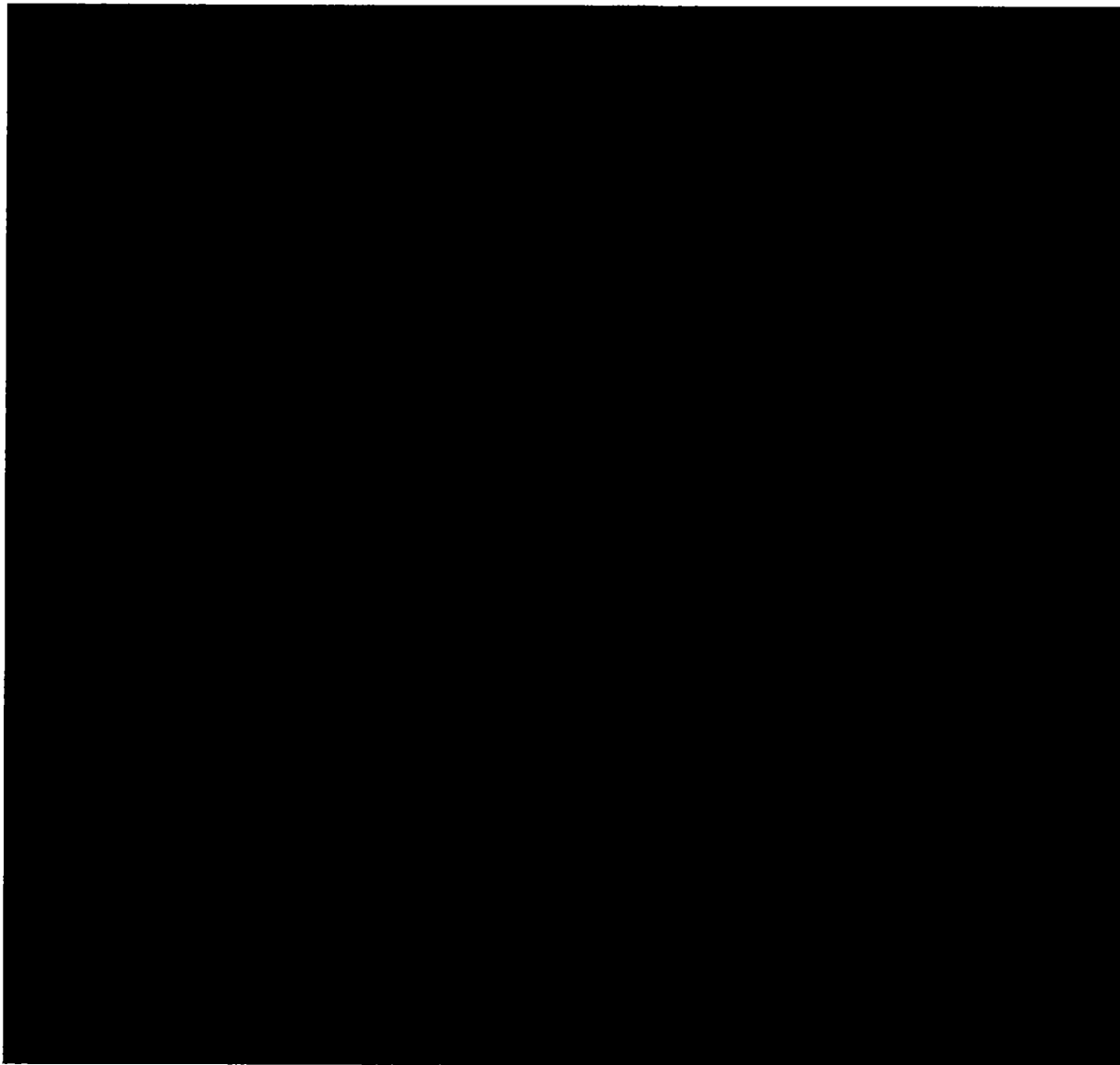
---

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

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

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

Fyi



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

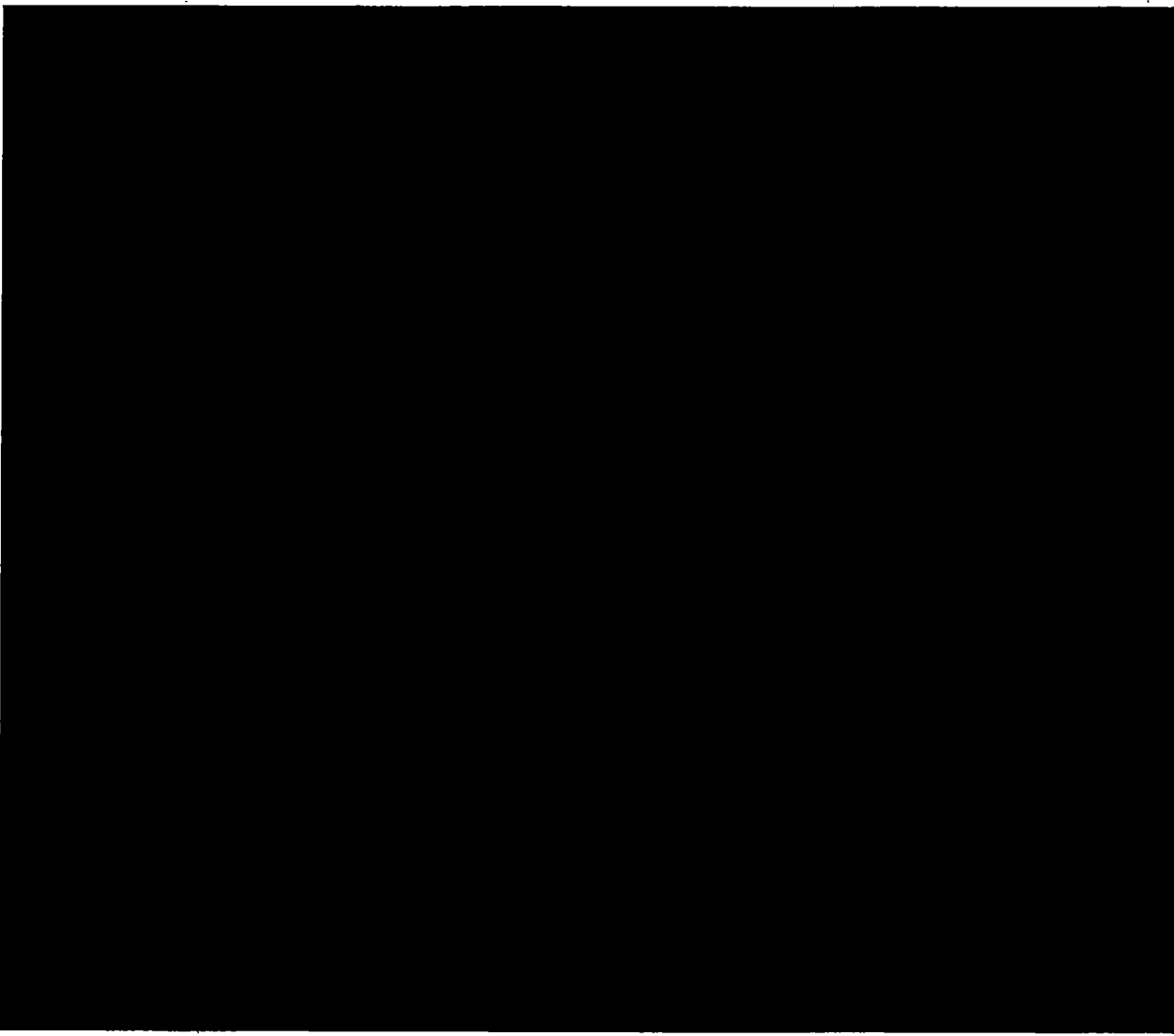
---

Yes. Apealling to supreme tomorrow.

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

**From:** McAuliffe, John@CDCR  
**To:** Kernan, Scott@CDCR  
**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:** Cate, Matt@CDCR  
**To:** [REDACTED]  
**Subject:** FW: URGENT - Formulary QJuestion  
**Date:** Wednesday, September 29, 2010 4:48:43 PM  
**Importance:** High

---

-----  
**From:** [REDACTED]  
**Sent:** Wednesday, September 29, 2010 4:48:30 PM  
**To:** Cate, Matt@CDCR  
**Subject:** RE: URGENT - Formulary QJuestion  
**Importance:** High  
**Auto forwarded by a Rule**

Matt,

We don't carry in either pharmacy. We will continue to check with [REDACTED] but will not have answer until tomorrow.

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Wednesday, September 29, 2010 4:33 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED] 'matt.cate@cdcr.ca.gov'  
**Subject:** RE: URGENT - Formulary QJuestion

We do not stock.

Will call [REDACTED]

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Wednesday, September 29, 2010 4:25 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED] 'matt.cate@cdcr.ca.gov'  
**Subject:** URGENT - Formulary QJuestion

[REDACTED]

Follow-up to [REDACTED] and my calls:

I need a quick response about whether you would carry sodium thiopental in your pharmacy formulary and if so how much you have in stock? And care you spare any for loan to CDCR.

Less of a rush but still ASAP, could you check [REDACTED] formularies as well and see if they would be willing to loan some to CDCR?

Thanks



Privacy Notice

*This electronic message, together with any attachments is intended only for the use of the individual or entity to which it is addressed. It may contain information that is PRIVATE and PROHIBITED from disclosure. If you are not the intended recipient, you are hereby notified that any dissemination or copying of this message or any attachment is strictly prohibited. If you have received this message in error, please notify the original sender by responding to the original e-mail. Instructions for final disposition will be made available. Thank you..*

From: [REDACTED]  
To: [REDACTED] CDCR  
Date: Friday, October 01, 2010 2:13:49 PM

---



**From:** McAuliffe, John@CDCR  
**To:** [REDACTED]  
**Cc:** Kernan, Scott@CDCR  
**Subject:** Telephone call this AM  
**Date:** Tuesday, October 05, 2010 10:33:00 AM

---

[REDACTED]

Sir;  
Thank you for talking to me this AM. Please contact me by email and/or cell [REDACTED] on any question you may have.  
John McAuliffe