

**Chaus, Anthony@CDCR**

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**From:** Kernan, Scott@CDCR  
**Sent:** Wednesday, September 29, 2010 4:22 PM  
**To:** Chaus, Anthony@CDCR  
**Subject:** RE:

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Great let you know

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**From:** Chaus, Anthony@CDCR  
**Sent:** Wednesday, September 29, 2010 4:08 PM  
**To:** Kernan, Scott@CDCR  
**Subject:** Re:

Scott,  
Absolutley. Give me the green light and it will be done very discreetly.  
Tony

---

**From:** Kernan, Scott@CDCR  
**To:** Chaus, Anthony@CDCR  
**Sent:** Wed Sep 29 16:02:30 2010  
**Subject:**

Tony,

May have a secret and important mission for you. Not sure you are following, but we are unable to do the execution because nationwide we have been unable to procure one of the three drugs needed. The quantity we currently have expires 10/1/10. So, out of the blue I find some from AZ. I might need one of your So Cal guys to go to Florence, AZ and pick up a quantity of the drug and drive it to SQ. Not asking you to do anything just yet, will let you know. Could you handle something like this.

Scott

**Chaus, Anthony@CDCR**

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**From:** Kernan, Scott@CDCR  
**Sent:** Wednesday, September 29, 2010 5:13 PM  
**To:** Chaus, Anthony@CDCR  
**Cc:** McAuliffe, John@CDCR  
**Subject:** FW: FW: Execution Protocol Drugs

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Tony,

As you can see below, this is very political and media sensitive. I need to have one or two of your SoCal agents ready to go to Florence, AZ tomorrow morning and pick up the drug and drive to SQ directly. I am having John McAuliffe contact the warden first thing in the morning and work through all the logistical chain of custody information necessary to do this legal. As soon as I get the go ahead from him I'd like to direct your agents to Florence. Can you work on getting your folks ready for this mission and advise me of how long it will take them to get to the Florence prison once we get the go ahead. Thx

Scott

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

**From:** CHARLES FLANAGAN [REDACTED]  
**Sent:** Wednesday, September 29, 2010 4:40 PM  
**To:** Kernan, Scott@CDCR  
**Cc:** CARSON McWILLIAMS; ROBERT PATTON  
**Subject:** Re: FW: Execution Protocol Drugs

Scott:

To confirm our verbal conversation, Director Ryan has authorized the Arizona Department of Corrections (ADC) to provide you with 12 grams of the Thiopental Sodium we have just acquired. You also have our thanks for the Pancuronium Bromide your agency has provided to ADC. Please let us know when your employees would like to arrive at the Arizona State Prison Complex-Florence, located at Florence, Arizona, in order to pick up the drugs, as you indicated this is your preferred method of delivery and transportation.

Warden Carson McWilliams will facilitate the transfer to your staff. His contact information is:

[REDACTED]

I understand from you that your staff will contact him tomorrow morning to arrange a time to meet the Warden and take possession of the drug.

Charles

>>> "Kernan, Scott@CDCR" <[Scott.Kernan@cacr.ca.gov](mailto:Scott.Kernan@cacr.ca.gov)> 9/29/2010 11:04 AM >>>  
Mr. Flanagan,

Sorry for delay in getting this information. Just wanted to make sure. Appears that we would need 12 grams minimum. We are going to start working now on procuring via the method you so kindly described. Thanks again for your help. Please let me know what your Director

thinks and am sure either the Secretary or even the Governor could make a call if necessary.  
Look forward to hearing from you.

Scott

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

From: McAuliffe, John@CDJR

Sent: Wednesday, September 29, 2010 10:14 AM

To: Kernan, Scott@CDJR

Subject: Re: Execution Protocol Drugs

Scott

21 grams would cover backup trays and training. Our minimum would be 12 grams.(2 trays for  
execution 2 for backup) We can use the 7 grams that expires on 1 Oct for training.

John

**From:** Kernan, Scott@CDCR  
**To:** Chaus, Anthony@CDCR  
**Subject:** Re: Execution Protocol Drugs  
**Date:** Wednesday, September 29, 2010 5:45:02 PM

---

Have them fly tonight and stage in Florence. Get me the advance stuff and I'll get staff paid. Thx

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

**From:** Chaus, Anthony@CDCR  
**To:** Kernan, Scott@CDCR  
**Sent:** Wed Sep 29 17:39:16 2010  
**Subject:** Re: FW: Execution Protocol Drugs

Scott,  
It's about 1 hour south of Phoenix. If we drive it will take about 5 hours for my nearest SoCal agent to get there. I recommend we fly to Phoenix and rent a car. If we do that tonight and my agents spend the night in Phoenix or Florence, I can have two agents there at whatever given time you want. They can also fly out in the morning and be at the prison probably within 2 - 3 hours of the notification to go. Alternately, they can drive out tonight or in the morning. No matter how we accomplish the pickup, I will have two more agents standing by to take the handoff in L.A/Bakersfield (depending on time of day) to make the remainder of the trip to SQ. I will assign one supervisor and one agent to each team. If you think it necessary, I can fly to Phoenix and accomplish the pick up and first leg of the trip. Let me know which plan you like best.  
Tony

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

**From:** Kernan, Scott@CDCR  
**To:** Chaus, Anthony@CDCR  
**Cc:** McAuliffe, John@CDCR  
**Sent:** Wed Sep 29 17:13:01 2010  
**Subject:** FW: FW: Execution Protocol Drugs

Tony,

As you can see below, this is very political and media sensitive. I need to have one or two of your SoCal agents ready to go to Florence, AZ tomorrow morning and pick up the drug and drive to SQ directly. I am having John McAuliffe contact the warden first thing in the morning and work through all the logistical chain of custody information necessary to do this legal. As soon as I get the go ahead from him I'd like to direct your agents to Florence. Can you work on getting your folks ready for this mission and advise me of how long it will take them to get to the Florence prison once we get the go ahead. Thx

Scott

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**Sent:** Wednesday, September 29, 2010 4:40 PM  
**To:** Kernan, Scott@CDCR  
**Cc:** CARSON McWILLIAMS; ROBERT PATTON  
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[REDACTED]

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I understand from you that your staff will contact him tomorrow morning to arrange a time to meet the Warden and take possession of the drug.

Charles

>>> "Kernan, Scott@CDCR" <Scott.Kernan@cdcr.ca.gov> 9/29/2010 11:04 AM >>>  
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From: McAuliffe, John@CDCR  
Sent: Wednesday, September 29, 2010 10:14 AM  
To: Kernan, Scott@CDCR  
Subject: Re: Execution Protocol Drugs

Scott

21 grams would cover backup trays and training. Our minimum would be 12 grams.(2 trays for execution 2 for backup) We can use the 7 grams that expires on 1 Oct for training.

John

**From:** McAuliffe, John@CDCR  
**To:** Kernan, Scott@CDCR  
**Subject:** Re:  
**Date:** Thursday, September 30, 2010 8:29:21 AM

---

Scott  
Talked to Tony all set. AZ is waiting for them.  
John

---

**From:** Kernan, Scott@CDCR  
**To:** McAuliffe, John@CDCR  
**Cc:** Chaus, Anthony@CDCR  
**Sent:** Thu Sep 30 08:26:01 2010  
**Subject:** FW:

Fyi

Thanks Tony. John is trying to get a hold of them now. Sure appreciate your assistance on this.

Scott

---

**From:** Chaus, Anthony@CDCR  
**Sent:** Thursday, September 30, 2010 8:25 AM  
**To:** Kernan, Scott@CDCR  
**Subject:** RE:

Scott,  
Another callback number for [REDACTED] if the first one doesn't work is [REDACTED]  
Tony

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**From:** Kernan, Scott@CDCR  
**Sent:** Thursday, September 30, 2010 7:56 AM  
**To:** Chaus, Anthony@CDCR  
**Cc:** McAuliffe, John@CDCR  
**Subject:** RE:

Great. As soon as we get a hold of warden I will have John contact agents with instructions. I would like confirmation when they get the drugs in hand and hit the road. Thanks.

Scott

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**From:** Chaus, Anthony@CDCR  
**Sent:** Thursday, September 30, 2010 7:42 AM  
**To:** Kernan, Scott@CDCR  
**Subject:** Re:

Scott,  
They are about 15 minutes from the prison. The direct number to them is [REDACTED] Telephone reception is not very good and e-mails don't work. [REDACTED] is the supervisor on site. They are ready and waiting for instructions.  
Tony

**From:** Kernan, Scott@CDCR  
**To:** Chaus, Anthony@CDCR  
**Sent:** Thu Sep 30 07:05:50 2010  
**Subject:**

---

Tony,

What time can your guys be at prison once we get green light? May need a phone number to talk directly so we can give them instructions on documenting chain of custody.

Scott

**From:** [McAuliffe, John@CDJR](mailto:McAuliffe,John@CDJR)  
**To:** [Kernan, Scott@CDJR](mailto:Kernan,Scott@CDJR)  
**Subject:** RE: ETA  
**Date:** Thursday, September 30, 2010 9:09:00 AM

---

Scott

The agents are doing inventory and transfer as we speak.....they will be leaving the prison in 30 minutes. Agents will call with ETA later.

John

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**From:** Kernan, Scott@CDJR  
**Sent:** Thursday, September 30, 2010 8:39 AM  
**To:** McAuliffe, John@CDJR  
**Subject:** RE:

Great. Just need confirmation that we have in hand and ETA to SQ.

Scott

---

**From:** McAuliffe, John@CDJR  
**Sent:** Thursday, September 30, 2010 8:29 AM  
**To:** Kernan, Scott@CDJR  
**Subject:** Re:

Scott

Talked to Tony all set. AZ is waiting for them.

John

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**From:** Kernan, Scott@CDJR  
**To:** McAuliffe, John@CDJR  
**Cc:** Chaus, Anthony@CDJR  
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Tony

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**From:** Kernan, Scott@CDJR



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**From:** Kernan, Scott@CDCR  
**To:** Chaus, Anthony@CDCR  
**Sent:** Thu Sep 30 07:05:50 2010  
**Subject:**

Tony,

What time can your guys be at prison once we get green light? May need a phone number to talk directly so we can give them instructions on documenting chain of custody.

Scott

**From:** Kernan, Scott@CDCR  
**To:** [REDACTED] Duffy, Brian@CDCR  
**Subject:** FW:  
**Date:** Thursday, September 30, 2010 9:40:14 AM

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-----  
**From:** Chaus, Anthony@CDCR  
**Sent:** Thursday, September 30, 2010 9:40:11 AM  
**To:** Kernan, Scott@CDCR  
**Subject:** RE:  
**Auto forwarded by a Rule**

Scott,  
My people have made the pick-up and are headed back now. We will change teams in Bakersfield. I will keep you updated.  
Tony

ANTHONY CHAUS  
Assistant Secretary  
Office of Correctional Safety

---

**From:** Kernan, Scott@CDCR  
**Sent:** Thursday, September 30, 2010 8:26 AM  
**To:** McAuliffe, John@CDCR  
**Cc:** Chaus, Anthony@CDCR  
**Subject:** FW:

Fyi

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Tony

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**To:** Chaus, Anthony@CDCR  
**Sent:** Thu Sep 30 07:05:50 2010  
**Subject:**

Tony,

What time can your guys be at prison once we get green light? May need a phone number to talk directly so we can give them instructions on documenting chain of custody.

Scott

**From:** Kernan, Scott@CDCR  
**To:** [REDACTED]@CDCR; Duffy, Brian@CDCR  
**Subject:** FW:  
**Date:** Thursday, September 30, 2010 1:35:10 PM

---

-----  
**From:** Cullen, Vincent@CDCR  
**Sent:** Thursday, September 30, 2010 1:34:57 PM  
**To:** Kernan, Scott@CDCR; Chaus, Anthony@CDCR  
**Cc:** McAuliffe, John@CDCR  
**Subject:** RE:  
**Auto forwarded by a Rule**

Scott/Tony,

I personally called the agent while he was at Florence and provided the information. His point of contact is the Team Administrator, [REDACTED] It will be AW [REDACTED] and the Team Leader, [REDACTED] [REDACTED] who will meet the agent at the East Gate. [REDACTED] has multiple numbers to call.

**VINCENT S. CULLEN**  
**Warden (A)**  
**San Quentin State Prison**  
[REDACTED]

---

**From:** Kernan, Scott@CDCR  
**Sent:** Thursday, September 30, 2010 1:33 PM  
**To:** Chaus, Anthony@CDCR  
**Cc:** Cullen, Vincent@CDCR; McAuliffe, John@CDCR  
**Subject:** RE:

Vince,

Can you provide information to Tony on who will be at prison to receive and store drug?

Scott

-----  
**From:** Chaus, Anthony@CDCR  
**Sent:** Thursday, September 30, 2010 12:58 PM  
**To:** Kernan, Scott@CDCR  
**Subject:** RE:

Scott,

Who will be the contact at SQ for my people to turn over the goods (probably around 2300 hrs or midnight)?

Tony

-----  
**From:** Kernan, Scott@CDCR  
**Sent:** Thursday, September 30, 2010 9:49 AM

**To:** Chaus, Anthony@CDCR  
**Subject:** RE:

Thanks.

Scott

---

**From:** Chaus, Anthony@CDCR  
**Sent:** Thursday, September 30, 2010 9:40 AM  
**To:** Kernan, Scott@CDCR  
**Subject:** RE:

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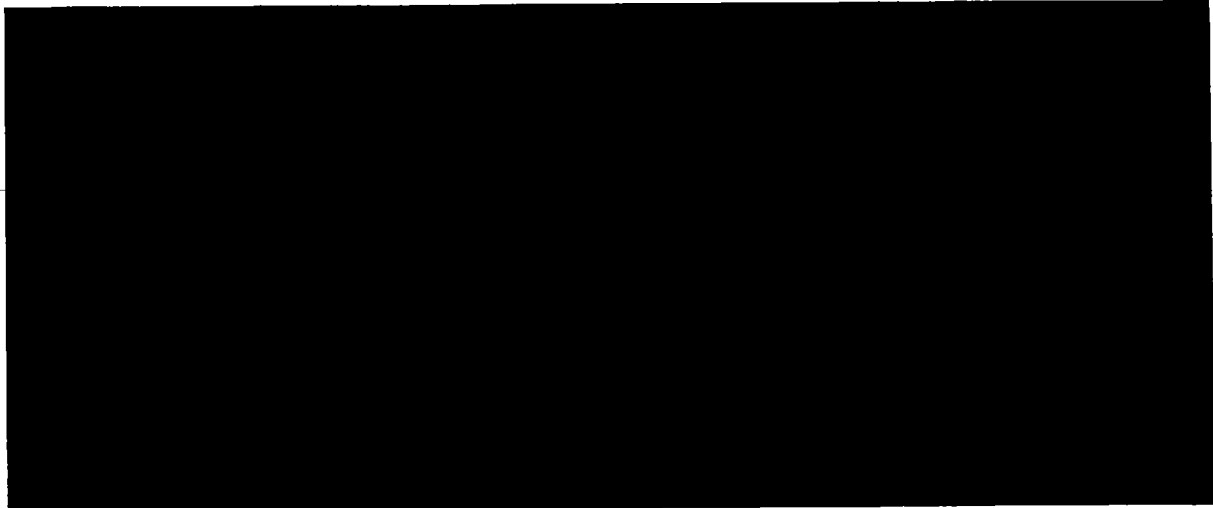
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**Subject:**

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Scott



**From:** Chaus, Anthony@CDCR  
**Sent:** Thursday, September 30, 2010 2:13 PM  
**To:** [REDACTED] CDCR  
**Subject:** FW:

[REDACTED]  
The contacts are below. Get the telephone numbers from [REDACTED]  
Tony

---

**From:** Cullen, Vincent@CDCR  
**Sent:** Thursday, September 30, 2010 1:35 PM  
**To:** Kernan, Scott@CDCR; Chaus, Anthony@CDCR  
**Cc:** McAuliffe, John@CDCR  
**Subject:** RE:

Scott/Tony,  
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**VINCENT S. CULLEN**  
**Warden (A)**  
**San Quentin State Prison**



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**Subject:** RE:

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Scott

**From:** Kernan, Scott@CDCR  
**To:** [REDACTED] Duffy, Brian@CDCR  
**Subject:** FW:  
**Date:** Thursday, September 30, 2010 5:38:15 PM

---

-----  
**From:** Chaus, Anthony@CDCR  
**Sent:** Thursday, September 30, 2010 5:38:13 PM  
**To:** Kernan, Scott@CDCR  
**Subject:** Re:  
Auto forwarded by a Rule

Scott,  
My second team just picked up the package north of the Grapevine. ETA to SQ is around 2230 hrs.  
SQ has been updated. I will let you know when they arrive.  
Tony

---

**From:** Kernan, Scott@CDCR  
**To:** Cullen, Vincent@CDCR; Chaus, Anthony@CDCR  
**Cc:** McAuliffe, John@CDCR  
**Sent:** Thu Sep 30 13:38:00 2010  
**Subject:** RE:

Great. Thanks Vince.

Scott

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**VINCENT S. CULLEN**  
**Warden (A)**  
**San Quentin State Prison**  
[REDACTED]

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**Sent:** Thursday, September 30, 2010 10:14 PM  
**To:** Chaus, Anthony@CDCR; Cate, Matt@CDCR; Rice, Benjamin@CDCR  
**Subject:** Re:

---

Thanks so much buddy. Please tell staff thanks for me.  
Scott

---

**From:** Chaus, Anthony@CDCR  
**To:** Kernan, Scott@CDCR  
**Sent:** Thu Sep 30 22:11:01 2010  
**Subject:** Re:

Scott,  
The package has been delivered to SQ.  
Tony

---

**From:** Kernan, Scott@CDCR  
**To:** Chaus, Anthony@CDCR  
**Sent:** Thu Sep 30 09:49:05 2010  
**Subject:** RE:

Thanks.

Scott

---

**From:** Chaus, Anthony@CDCR  
**Sent:** Thursday, September 30, 2010 9:40 AM  
**To:** Kernan, Scott@CDCR  
**Subject:** RE:

Scott,  
My people have made the pick-up and are headed back now. We will change teams in Bakersfield. I will keep you updated.  
Tony

ANTHONY CHAUS  
Assistant Secretary  
Office of Correctional Safety

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**From:** Kernan, Scott@CDCR  
**Sent:** Thursday, September 30, 2010 8:26 AM  
**To:** McAuliffe, John@CDCR  
**Cc:** Chaus, Anthony@CDCR  
**Subject:** FW:

Fyi

Thanks Tony. John is trying to get a hold of them now. Sure appreciate your assistance on this.

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Scott

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**From:** Chaus, Anthony@CDCR  
**Sent:** Thursday, September 30, 2010 8:25 AM  
**To:** Kernan, Scott@CDCR  
**Subject:** RE:

Scott,  
Another callback number for [REDACTED] if the first one doesn't work is [REDACTED]  
Tony

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**From:** Kernan, Scott@CDCR  
**Sent:** Thursday, September 30, 2010 7:56 AM  
**To:** Chaus, Anthony@CDCR  
**Cc:** McAuliffe, John@CDCR  
**Subject:** RE:

Great. As soon as we get a hold of warden I will have John contact agents with instructions. I would like confirmation when they get the drugs in hand and hit the road. Thanks.

Scott

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**From:** Chaus, Anthony@CDCR  
**Sent:** Thursday, September 30, 2010 7:42 AM  
**To:** Kernan, Scott@CDCR  
**Subject:** Re:

Scott,  
They are about 15 minutes from the prison. The direct number to them is [REDACTED]. Telephone reception is not very good and e-mails don't work. [REDACTED] is the supervisor on site. They are ready and waiting for instructions.  
Tony

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**From:** Kernan, Scott@CDCR  
**To:** Chaus, Anthony@CDCR  
**Sent:** Thu Sep 30 07:05:50 2010  
**Subject:**

Tony,

What time can your guys be at prison once we get green light? May need a phone number to talk directly so we can give them instructions on documenting chain of custody.

Scott

**From:** [REDACTED]@CDCR  
**To:** [REDACTED] CDCR  
**Subject:** RE: Chain of Custody documents  
**Date:** Monday, October 04, 2010 11:18:02 AM

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You're the best! Just ask [REDACTED] and [REDACTED]!!!

**From:** [REDACTED] CDCR  
**Sent:** Monday, October 04, 2010 10:51 AM  
**To:** [REDACTED]@CDCR  
**Subject:** RE: Chain of Custody documents

My back is starting to hurt from carrying you.

**From:** [REDACTED]@CDCR  
**Sent:** Monday, October 04, 2010 10:48 AM  
**To:** [REDACTED] CDCR  
**Subject:** RE: Chain of Custody documents

Dude send me the memo! Make it easy.

**From:** [REDACTED] CDCR

**Sent:** Friday, October 01, 2010 3:55 PM  
**To:** [REDACTED]@CDCR  
**Subject:** FW: Chain of Custody documents

[REDACTED], this is what I sent to Tony.



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**From:** [REDACTED] CDCR  
**Sent:** Friday, October 01, 2010 3:53 PM  
**To:** Chaus, Anthony@CDCR  
**Subject:** Chain of Custody documents

Tony,

I prepared this memo to clearly document the chain of custody of the items we picked up in Arizona yesterday. I am sending the original out to you today. It [REDACTED] needs to go to John McAuliffe.





**Chaus, Anthony@CDCR**

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**From:** [REDACTED] CDCR  
**Sent:** Monday, October 04, 2010 11:32 AM  
**To:** Chaus, Anthony@CDCR  
**Cc:** Dunkin, John@CDCR  
**Subject:** FW: Scanned Image from AR-M455U  
**Attachments:** AR-M455U\_20101004\_116222.pdf

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Tony,

Here is my chain of custody memo regarding the special transport last week to CSP-SQ.



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

**From:** [REDACTED]  
**Sent:** Monday, October 04, 2010 4:52 AM  
**To:** [REDACTED] CDCR  
**Subject:** Scanned image from [REDACTED]

DEVICE NAME:  
DEVICE MODEL: [REDACTED]  
LOCATION:

FILE FORMAT: PDF MMR(G4)  
RESOLUTION: 300dpi x 300dpi

Attached file is scanned image in PDF format.  
This file can be read by Adobe Acrobat Reader.  
The reader can be downloaded from the following URL:

<http://www.adobe.com/>

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ACLU000079

ACLU PRA 001016

LI000884

# Memorandum

Date : October 1, 2010

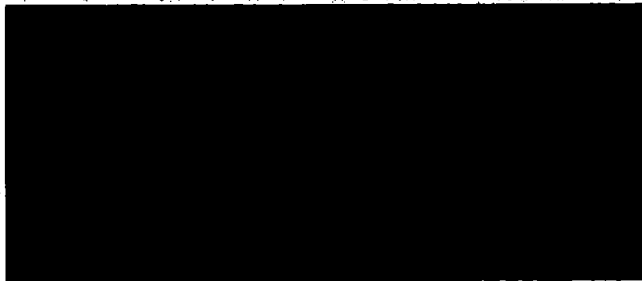
To : Anthony Chaus  
Assistant Secretary  
Office of Correctional Safety

Subject: CHAIN OF CUSTODY – THIOPENTAL SODIUM

On Thursday, September 30, 2010, I traveled to the Arizona State Prison Complex located at 1306 E. Butte Avenue, Florence, Arizona, to pick up Thiopental Sodium being provided by the Arizona Department of Corrections to the California Department of Corrections and Rehabilitation.

I met with Warden Carson McWilliams who relinquished to me twenty four (24) vials of Thiopental Sodium. I visually inspected each vial and confirmed they contained 500 mg of Thiopental Sodium BP. I also confirmed the expiration date to be 05/2014 and the lot number to be [REDACTED] on each vial as listed on the item transfer sheet. I signed for receipt of the items at 0900 hours and departed the facility.

I maintained custody and control of the items until I met with [REDACTED] in Gorman, CA. On September 30, 2010, at 1720 hours I relinquished custody and control of the items to [REDACTED] for delivery to San Quentin State Prison.



9-24-10 - Registered



Pharmaceutical Product Info.

Product Thiopental Injection BP  
Strength \_\_\_\_\_  
NDC # \_\_\_\_\_  
Lot # \_\_\_\_\_  
Expiration 05-2014  
Quantity 24 - 500mg Vials  
Date Received/Shipped 9-30-10

9-30-10  
Received by



Dept of Corrections of Rhode Island  
9/30/2010 0900

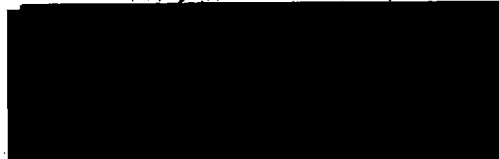
Product \_\_\_\_\_  
Strength \_\_\_\_\_  
NDC # \_\_\_\_\_  
Lot # \_\_\_\_\_  
Expiration \_\_\_\_\_  
Quantity \_\_\_\_\_  
Date Received/Shipped \_\_\_\_\_

Relinquished



Dept of Corrections of Rhode Island  
9/30/2010 1720

Product \_\_\_\_\_  
Strength \_\_\_\_\_  
NDC # \_\_\_\_\_  
Lot # \_\_\_\_\_  
Expiration \_\_\_\_\_  
Quantity \_\_\_\_\_  
Date Received/Shipped \_\_\_\_\_



Dept of Corrections of Rhode Island  
9/30/10 1720 hrs

Product \_\_\_\_\_  
Strength \_\_\_\_\_  
NDC # \_\_\_\_\_  
Lot # \_\_\_\_\_  
Expiration \_\_\_\_\_  
Quantity \_\_\_\_\_  
Date Received/Shipped \_\_\_\_\_