December 5, 2016

Senator Ernie Chambers and Senator Burke Harr
State Capitol
P. O. Box 94604
Lincoln, NE  68509

Dear Senators:

Thank you for your inquiries regarding the Nebraska Department of Correctional Services’ purchase of lethal injection substances from Chris Harris of Harris Pharma, LLP. As you are aware, some of the information and documents regarding the 2015 payments for those drugs have previously been made available to the public.

In addition to copies of the records obtained, enclosed is a summary of information provided to my office regarding the process and details of the purchase from and payments to Harris Pharma, LLP.

I hope you find this information useful in addressing your questions.

Sincerely,

Charlie Janssen
State Auditor
<table>
<thead>
<tr>
<th>Date</th>
<th>Summary</th>
<th>Amount</th>
<th>Additional Info</th>
<th>Extra Info</th>
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<tr>
<td>4/14/2015</td>
<td>Chris Harris sent an email message to Patrick Werner, a former Nebraska Department of Correctional Services (NDCS) employee, explaining that a few states had already ordered sodium thiopental and asking if Nebraska would be interested in doing the same, as he had a few thousand extra vials. Mr. Werner responded that he was no longer with NDCS and cc'd Tish (Dinisha) Loomis, who was handling his former duties. Ms. Loomis forwarded the email to Thomas Wilson in error. She then forwarded the email to John Wilson on 4/15/15.</td>
<td></td>
<td></td>
<td>Exhibit 1</td>
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<tr>
<td>4/14/2015</td>
<td>Chris Harris signed the agreement on behalf of Harris Pharma, LLP, the manufacturer and distributor of sodium thiopental, to sell the lethal injection drug to Nebraska. Scott Frakes, the Director of NDCS, signed the agreement for Nebraska. Per the agreement, Nebraska purchased 1000 one-gram vials of sodium thiopental at $25.00 each, totalling $25,000, plus $1,700 freight. Advance payment was required.</td>
<td></td>
<td>Harris Pharma Address: Level 8, RDB Boulevard, Plot K-1, Sector V, Block EP &amp; GP, Salt Lake City, Kolkata 700091, West Bengal, India; PH: +91-33-66374505; Email: <a href="mailto:chrisharris@harrispharmalp.com">chrisharris@harrispharmalp.com</a></td>
<td>Includes Invoice from Harris Pharma, dated 4/17/15 EnterpriseOne (E1) Document 31432568, Transaction Date 4/22/16, $26,700, and FedEx form signed by Inga Hookstra. FedEx cost $66.45 to send on 4/23/15.</td>
<td>Exhibit 2</td>
</tr>
<tr>
<td>4/15/2015</td>
<td>Chris Harris sent an email to Randy Kohl, stating that he had supplied Nebraska with sodium thiopental in the past and presently had a batch being manufactured for two States that had placed an order for the drug. Mr. Harris asked if Nebraska would also like to place an order for a few thousand additional vials. Scott Frakes responded (with .cc to Randy Kohl) to Chris Harris by asking for a telephone call. The phone call was scheduled for April 16, 2015, between 7:00 - 8:15 a.m. central time.</td>
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<td>Exhibit 3</td>
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<td>4/16/2015</td>
<td>Chris Harris sent email to Scott Frakes, stating that he could supply sodium thiopental one-gram vials USP @ $25 each, deliver after 60 days, $1,700 shipping and handling charges. Scott Frakes responded, &quot;Please send me an invoice for the minimum order, and shipping/handling. I will create a purchase order, and generate payment.&quot; On 4/17/15, Mr. Harris emailed the invoice, and Director Frakes responded that his staff was working on it.</td>
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<td>Exhibit 4</td>
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<td>4/20/2015</td>
<td>Chris Harris sent an email to Scott Frakes, saying that that he had left him a voicemail message. Director Frakes responded that he received the message and would confirm that the correct documents were enclosed. On 4/21/15, Director Frakes emailed Mr. Harris that everything should be in the envelope.</td>
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<td>Exhibit 5</td>
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<td>4/21/2015</td>
<td>Chris Harris emailed Scott Frakes, asking for the tracking number and the address to which the payment had been sent. Director Frakes responded that the payment had been sent to the address on the invoice, and the tracking number was #EK69033031. Mr. Harris asked whether it had been sent via FedEx and that Harris Pharma, LLP, had recently moved to a new office. He asked for the money to be sent the new address; however, Director Frakes did not receive that message. Director Frakes responded to let him know if there was an issue. Director Frakes told Mr. Harris that the payment had been sent US Postal Service 3-5 day delivery and that Chris needed to complete an IRS form. The payment was not received, so NDCS had to resend the payment FedEx, and Mr. Harris had to complete Form W-8ECI.</td>
<td>Form W-8ECI, IRS Certificate of Foreign Person's Claim That Income Is Effectively Connected With the Conduct of a Trade or Business in the United States, was sent by Chris Harris which include its foreign tax identifying number. Mr. Harris also supplied current address. Address on W-8: Level 8, RDB Boulevard, Plot K-1, Sector V, Salt Lake City, Kolkata 700091, West Bengal, India; PH: +91-33-66374505; Email: <a href="mailto:chrisharris@harrispharmalp.com">chrisharris@harrispharmalp.com</a></td>
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<td>Exhibit 6</td>
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<td>4/22/2015</td>
<td>Voucher Doc. 31432568-Batch 4012017, Payment Batch #4014165, was entered in Enterprise One (E1), the State's accounting database, to pay Harris Pharma, LLP, #1982574, GL Date 4/22/15. Warrant #22717272 cleared the bank. Business unit &amp; account number were 46020183.559100. Attached is NDCS Rule and Regulation Title 69, Chapter 11 - Execution Protocol, 009, which describes procurement and inventory of lethal substances.</td>
<td>$ 26,700.00</td>
<td>1000 one-gram vials of sodium thiopental USP@ $25.00 per vial, plus $1,700 freight and customs clearing in India. Total $26,700. No terms of delivery on invoice, required 100% advance payment. DEA number was on invoice, origin India, Deliver USA. Invoice Date 4/17/2015 HPL/Nebraska/Corrections/3, IEC No:0211010227.</td>
<td>Warrants were sent FedEx(from 4747 Old Cheney Road, Lincoln, NE 68516, 4/23/15 by Inga Hookstra) at cost of $66.45. FedEx #873690994489(See Exhibit 2 above). General Fund-Administration-Posted by Inga H.</td>
<td>Exhibit 7</td>
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<td>4/29/2015</td>
<td>Scott Frakes emailed copy of FedEx form to Chris Harris, who responded that he received it on 4/28/15.</td>
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<td>Exhibit 8</td>
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<td>5/12/2015</td>
<td>Chris Harris sent Scott Frakes an offer to sell 1000 vials of pancuronium bromide USP 2 mg/2ml Ampule at $26 per Ampule, totaling $26,000. Delivery 60 days after receiving acceptance of this offer and receipt of payment into bank account. 100% advance payment, including $1,700 freight and customs clearing in India.</td>
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<td>Exhibit 9</td>
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<tr>
<td>5/13/2015</td>
<td>Scott Frakes signed Harris Pharma's offer to sell the pancuronium bromide on 5/12/15; Mr. Harris sent the invoice dated 5/13/15. The offer was for 1000 vials of 2 mg ampule pancuronium bromide at $26 per ampule, totalling $26,000 plus $1,700 freight. Delivery 60 days after acceptance and advance payment into bank account.</td>
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<td>Exhibit 10</td>
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<td>5/14/2015</td>
<td>Voucher Document 31576543-Batch 4035279, Payment batch #4035410 entered in E1 to pay Harris Pharma LLP #1982574, GL Date 5/14/15, Warrant 22742307 cleared the bank. Business Unit &amp; Account 46020183.559100. Attached is Nebraska Department of Corrections Rule and Regulation Title 69 Chapter 11 - Execution Protocol, 009 describes procurement and inventory of lethal substances.</td>
<td>$27,700.00</td>
<td>1000-2mg/2ml Ampule Pancuronium Bromide USP@ $26.00 per vial, plus $1,700 freight and customs clearing in India. Total $27,700. No terms of delivery on invoice, required 100% advance payment. DEA number was on invoice, origin India, Deliver USA. Invoice Date 5/13/2015 HPL/Nebraska/Corrections/4, IEC No:0211010227.</td>
<td>General Fund-Administration- Posted by Inga H.</td>
<td>Exhibit 7</td>
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<td>5/26&amp;29/20</td>
<td>Scott Frakes letters to DEA</td>
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<td>Scott Frakes sent an email to Chris Harris, indicating that NDCS had sent a letter to the Drug Enforcement Administration (DEA) along with Form 236 on May 29, 2015. Director Frakes did not believe an additional letter was needed.</td>
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<tr>
<td>7/17/2015</td>
<td>Scott Frakes sent email and required paperwork to Chris Harris. Customs Bond.</td>
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<td>7/31/2015</td>
<td>Per the Lincoln Journal Star, the ACLU asked Debra Gilg, US State Attorney, to investigate Nebraska's attempt to obtain lethal injection drugs.</td>
<td></td>
<td>1000 one-gram vials of sodium thiopental at $25 per vial and 1000 ampules of 2 mg/2ml of pancuronium bromide at $26 per ample. Total $54,000</td>
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<tr>
<td>8/20/2015</td>
<td>Per the Lincoln Journal Star, a FedEx tracking form showed that three packages of sodium thiopental had shipped on August 24, 2015, and was returned by FedEx on Aug 28, 2015. Emails indicate there was incorrect information on the forms.</td>
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<td>9/18/2015</td>
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<td>9/18/2015</td>
<td>Per the Omaha World Herald, the US Food and Drug Administration said it is illegal to import foreign-made sodium thiopental. Fed Ex said improper or missing international paperwork were the reason for the return of the drug shipments.</td>
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<td>Exhibit 15</td>
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<tr>
<td>10/14/2015</td>
<td>Scott Frakes placed an order with Gulf Coast Pharmaceuticals, Ocean Springs, MS, 39564, for four boxes of pancuronium bromide at $206.45 each, for a total of $825.80. Cancelled on 10-15-15 as not available.</td>
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<td>Exhibit 16</td>
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<tr>
<td>11/5/2015</td>
<td>Special Investigative Committee hearing- Scott Frakes testified regarding drug purchase. Senators question the purchase and how it was handled.</td>
<td></td>
<td>LR 34 Hearing held Room 1113 starting at 9:00 a.m.</td>
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<td>No Link</td>
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<tr>
<td>11/19/2015</td>
<td>DEA Form 225A completed online, reference Julie Smith, NDCS Legal Counsel, and Scott Frakes.</td>
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<td>Exhibit 17</td>
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<tr>
<td>11/20/2015</td>
<td>DEA Controlled Substance Registration Certificate received for Nebraska State Penitentiary.</td>
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<td>Exhibit 18</td>
</tr>
<tr>
<td>12/11/2015</td>
<td>The purchase agreement listed six terms and conditions, including the price of the drugs, the advance payment requirement, and Chris Harris' pledge to deliver within 60 days. The agreement did not address refunding the payment for failure to provide the drugs purchased.</td>
<td></td>
<td>Per Lincoln Journal Star,- State seeking refund for lethal injections drugs.</td>
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<td>Exhibit 19</td>
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<tr>
<td>1/6/2016</td>
<td>Scott Frakes sent an email and letter to Chris Harris, requesting a refund of the sodium thiopental payment sent in April 2015 for $26,700.</td>
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<td>Exhibit 20</td>
</tr>
<tr>
<td>1/28/2016</td>
<td>Chris Harris sent a response that a refund was not possible, and the drugs were still ready to be shipped. The response stated that the failure to make the delivery was not the fault of Mr. Harris' company.</td>
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<td>Exhibit 21</td>
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</tbody>
</table>
Robin Spindler, the Deputy Director of NDCS, responded to some of the APA’s questions. She acknowledged that there was no provision in the purchase agreement for a refund. Additionally, she stated that the pancuronium bromide had not been received. According to her, the federal government was not challenging the importation of this drug; however, the shipment was placed on hold by the State pending the outcome of Referendum 426 in November.

Governor Ricketts issued the following statement on December 7, 2015: “In November 2016, Nebraska voters will determine the future of capital punishment in our state at the ballot box. To give deference to the vote of the people, my administration will wait to carry out capital punishment sentences or make additional efforts to acquire drugs until the people of our state decide this issue. Over the last several weeks, I have stepped up conversations with the Attorney General and the Corrections Director regarding a comprehensive review of the capital punishment protocols used in other states. My administration will continue to review potential protocol changes.”

The APA searched the Nebraska Secretary of State’s online corporate and business database and found no filings for Harris Pharm, LLP. The entity is listed in E1, however, as NDCS had purchased drugs from it in 2010 and 2011. The APA sent some verification questions to NDCS.

NSCS responded to the APA’s questions, verifying that NDCS used Rules and Regulations to make its drug purchase and that required pre-payment was unique in these instances.
I apologize. Thanks for letting me know.

Tish Loomis
NDCS Health Services AAII
TEL: 402-479-5636
FAX: 402-479-5634

---

Ms. Loomis,

Sorry you have selected the wrong Wilson, I am Dr. Wilson at NCCW.

Thomas M. Wilson, Psy.D.
Licensed Clinical Psychologist
NCCW Mental Health
Office: (402) 362-3317 Ext. 264
FAX: (402) 362-3464
DCS Cell Phone: (402)440-2744

Nebraska Correctional Center for Women
1107 Recharge Road
York, Nebraska, 68467

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient/s and may contain CONFIDENTIAL and PRIVILEGED INFORMATION. Any unauthorized review, use, disclosure, and/or distribution of this message's content is prohibited. If you are not the intended addressee, please contact the sender by reply e-mail and destroy all copies of the original message.
From: Loomis, Dinisha  
Sent: Tuesday, April 14, 2015 3:47 PM  
To: Wilson, Thomas  
Subject: FW: Hi  

John – I am handing this off to you to respond to Chris Harris if necessary. Thanks.

Tish Loomis  
NDCS Health Services AAII  
TEL: 402-479-5636  
FAX: 402-479-5634

From: Werner, Patrick  
Sent: Tuesday, April 14, 2015 3:07 PM  
To: 'Chris Harris'  
Cc: Loomis, Dinisha  
Subject: RE: Hi  

Hey Chris – sorry, I’m not sure where Corrections stands on this subject anymore, as I’m no longer with them. I have cc’d Tish Loomis – I’m not sure that Tish is working on this either, but she was handling everything that I was handling at the time of my departure. Tish will let you know if Nebraska is interested.

Thanks and have a good one,

Patrick Werner  
Fiscal Project Analyst  
Financial Services  
Nebraska Department of Health and Human Services  
(402)471-1585 / patrick.werner@nebraska.gov

From: Chris Harris [mailto:chris.harris@harrispharmallp.com]  
Sent: Tuesday, April 14, 2015 2:47 PM  
To: Werner, Patrick  
Subject: Hi  

Hi Patrick,
Just wanted to let you know have a few states who have already ordered sodium thiopental. Would Nebraska be interested as I will have a few thousand vials extra.

Regards,
Chris

Sent from my HTC One
Loomis, Dinisha

From: Loomis, Dinisha
Sent: Wednesday, April 15, 2015 8:50 AM
To: Wilson, John
Subject: FW: Hi

John – I am handing this off to you to respond to Chris Harris if necessary. Thanks.

Tish Loomis
NDCS Health Services AAll
TEL: 402-479-5636
FAX: 402-479-5634

From: Werner, Patrick
Sent: Tuesday, April 14, 2015 3:07 PM
To: 'Chris Harris'
Cc: Loomis, Dinisha
Subject: RE: Hi

Hey Chris – sorry, I’m not sure where Corrections stands on this subject anymore, as I’m no longer with them. I have cc’d Tish Loomis – I’m not sure that Tish is working on this either, but she was handling everything that I was handling at the time of my departure. Tish will let you know if Nebraska is interested.

Thanks and have a good one,

Patrick Werner
Fiscal Project Analyst
Financial Services
Nebraska Department of Health and Human Services
(402)471-1585 / patrick.werner@nebraska.gov

From: Chris Harris [mailto:chris.harris@harrispharmallp.com]
Sent: Tuesday, April 14, 2015 2:47 PM
To: Werner, Patrick
Subject: Hi
Hi Patrick,

Just wanted to let you know have a few states who have already ordered sodium thiopental. Would Nebraska be interested as I will have a few thousand vials extra.

Regards,
Chris

Sent from my HTC One
Wilson, John

From: Wilson, John
Sent: Wednesday, April 15, 2015 11:04 AM
To: Cave, Mark (mark.cave@nebraska.gov)
Cc: Derby, Kathy
Subject: Recall

Fyi

From: Chris Harris [mailto:chris@harrispharmallp.com]
Sent: Tuesday, April 14, 2015 2:47 PM
To: Werner, Patrick

Just wanted to let you know have a few states who have already ordered sodium thiopental. Would Nebraska be interested as I will have a few thousand vials extra.

From: Werner, Patrick
Sent: Tuesday, April 14, 2015 3:07 PM
To: 'Chris Harris'
Cc: Loomis, Dinisha
Subject: RE: Hi

Hey Chris – sorry, I’m not sure where Corrections stands on this subject anymore, as I’m no longer with them. I have cc’d Tish Loomis – I’m not sure that Tish is working on this either, but she was handling everything that I was handling at the time of my departure. Tish will let you know if Nebraska is interested.

Thanks and have a good one,

Patrick Werner

Fiscal Project Analyst
Financial Services
Nebraska Department of Health and Human Services
(402)471-1585 / patrick.werner@nebraska.gov

From: Chris Harris [mailto:chris@harrispharmallp.com]
Sent: Tuesday, April 14, 2015 2:47 PM
To: Werner, Patrick
Subject: Hi

Hi Patrick,

Just wanted to let you know have a few states who have already ordered sodium thiopental. Would Nebraska be interested as I will have a few thousand vials extra.

Regards,
Chris
Sent from my HTC One
From: Derby, Kathy
To: Wilson, John
Sent: Thursday, April 16, 2015 9:44 AM
Subject: Message Recall Failure: sodium thiopental
OFFER TO SELL AGREEMENT

To,
Scott Frakes,
Nebraska Department of Correctional Services,
Nebraska,
United States of America

14th April 2015

Re: OFFER TO SELL

Harris Pharma LLP hereby offers to sell to Nebraska Department of Correctional Services, subject to and in accordance with the terms and conditions herein contained.

1. Product: Sodium Thiopental USP 1gm Vial
2. Price: US$ 25 per Vial
3. Quantity: 1000 Vials
4. Freight and Customs Clearing in India: US$ 1700
5. Delivery: 60 days after receiving acceptance of this offer and receipt of payment into bank account.
6. Payment Terms: 100% Advance

For,
Harris Pharma LLP

Christopher Harris
CEO

RECEIVED
APR 14 2015
NDCS Director's Office

Accepted
Scott Frakes
Director
NDCS

Level 8, RDB Boulevard, Plot K-1, Sector V, Block EP & GP, Salt Lake City, Kolkata 700091, West Bengal, India.
Ph: +91-33-66374505
Email: chrisharris@harrispharmacolp.com
Exhibit 2

Invoice No & DATE: NPI/NEBRASKA/CORRECTIONS/1 17th April 2015
IEC No: 0211010227

Buyers Order No: Date: 

Other Ref: NIL

Buyer (if other than consignee): NIL

Country of Origin of Goods: INDIA
Country of Destination: UNITED STATES OF AMERICA

Pre Carriage: By Air
Place of Receipt by Pre Carrier:

Vessel/Flight No: By Air
Port of Loading: Kolkata, India

Port Of Discharge: Nebraska
Final Destination: Nebraska

Terms of Delivery and Payments: 100% Advance

Mark Sr.NO Package Description Quantity Rate Amount
1 1 Harmless Medicine Thlopenta Sodium USP 1gm Vial 1000 25 25000

Freight and Customs Clearing in India 1700

TOTAL USD 26700

TOTAL: US DOLLARS ( Twenty Six Thousand and Seven Hundred Only )

Declaration: We declare that this invoice shows the actual price of the Goods described and that all particulars are true and correct.

HARRIS PHARMA LLP
Designated Partner
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<td>477115</td>
<td>04/01/15</td>
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<td>04/02/15</td>
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<td>V</td>
<td>0413917</td>
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<th>Commodity Description</th>
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<td>Documents</td>
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Additional Information:
- Total Weight: 0.12
- Item: loose
- Commodity Code: 1532
- Commodity Description: Documents
- Hazardous Code: none
- Country of Manufacture: USA
- Value for Customs: $1,000

5 Packages:
- FedEx Envelope: Yes
- FedEx Pkg: No
- Customer: Yes
- Value: $1,000

4 Payment:
- Payment Method: Cash
- Charge: Yes
- Cash Discount: 10%
- Credit Card: Yes
- Credit Card No: 568
- Credit Card Exp: 01/20

9 Required Signature:
- Signature: Neeta K. Rana
- Signature Date: 10/28/04

For Completion Instructions, see back of fifth page.

Questions? Go to our Website at fedex.com.
4747 OLD CHENEY RD
Lincoln, NE 68516

Location: LNKK
Device ID: LNKK-POS2
Employee: 2622506
Transaction: 850126137469

INTL PRIORITY
873690994489 0.15 lb (S) 66.45

Shipment subtotal: 66.45

Total Due: 66.45
Check: 66.45
15605

H = Weight entered manually
S = Weight read from scale
T = Taxable item

Subject to additional charges. See FedEx Service Guide at fedex.com for details. All merchandise sales final.

Visit us at: fedex.com
Or call 1.800.GoFedEx
1.800.463.3339

April 23, 2015 4:06:04 PM

*********** WE LISTEN ***********
Tell us how we're doing & receive a discount on your next order!
fedex.com/welisten or 800-398-0242
Redemption Code:

*** Thank you ***
Perfect – thanks!!

From Chris Harris [mailto:chrisharris@harrispharmallp.com]
Sent: Wednesday, April 15, 2015 1:24 PM
To: Frakes, Scott
Subject: Re: Information

Great. Will call you tomorrow between 7am to 8.15am Central Time. Will call on your Cell.

Can you call between 7am and 8:15 am – Central Time? The sooner we can connect, the better. Thank you!

From Chris Harris [mailto:chrisharris@harrispharmallp.com]
Sent: Wednesday, April 15, 2015 1:15 PM
To: Frakes, Scott
Cc: Kohl, Randy
Subject: Re: Information

Hi Scott,

Will give you a call tomorrow. Let me know what time will be good for you.

Regards,
Chris Harris
CEO
Harris Pharma LLP
Level 8,
RDB Boulevard,
Plot – K 1, Sector V,
Salt Lake City,
Kolkata 700091
West Bengal, India.
Ph: +91-33-66374505
Cell: +91-7044060616
Subject: Information

Mr. Harris,
My name is Scott Frakes, I'm the Director of the Nebraska Department of Correctional Services. I would really like to connect with you as soon as possible. My office number is 402-479-5675, and my cell phone is [redacted]. Hope to talk with you soon. Thanks!
Hi Randy,

I have supplied Nebraska with Sodium Thiopental in the past. I presently have a batch being manufactured for 2 States that have placed an order.

Just wanted to know if Nebraska would like to place an order as well as I have a few thousand Vials that will be extra.

Regards,
Chris Harris
CEO
Harris Pharma LLP
Level 8,
RDB Boulevard,
Plot – K 1, Sector V,
Salt Lake City,
Kolkata 700091
West Bengal, India.
Ph: +91-33-66374505
Cell: +91-7044060616
Got your message, will confirm tomorrow that the correct documents were enclosed. If not, we will follow up immediately by specially delivery. Thanks

Sent from my Verizon Wireless 4G LTE smartphone

-------- Original message --------
From: Chris Harris <chrisharris@harrispharmallp.com>
Date: 04/20/2015 6:19 PM (GMT-06:00)
To: "Frakes, Scott" <scott.frakes@nebraska.gov>
Subject: Re: Information

Hi Scott,

Tried calling today. Got your voicemail.

Regards,
Chris

---
From: Frakes, Scott
Sent: Monday, April 20, 2015 6:51 PM
To: Chris Harris
Subject: RE: Information

---
From: Chris Harris [mailto:chrisharris@harrispharmallp.com]
Sent: Friday, April 17, 2015 8:33 AM
To: Frakes, Scott
Subject: Re: Information

Hi Scott,

Pls find attached the Invoice.

Regards,
Chris Harris
CEO
Harris Pharma LLP
Level 8,
RDB Boulevard,
Plot – K 1, Sector V,
Salt Lake City,
Kolkata 700091
West Bengal, India.
Ph: +91-33-66374505
Cell: +91-7044060616

From: Frakes, Scott
Sent: 16 April, 2015 6:29 PM
To: Chris Harris
Subject: RE: Information

Please send me an invoice for the minimum order, and shipping/handling. I will create a purchase order, and generate payment. Thank you.

---

From: Chris Harris [mailto:chrisharris@harrispadalafil.com]
Sent: Thursday, April 16, 2015 7:50 AM
To: Frakes, Scott
Subject: Re: Information

Hi Scott,

I can supply you Sodium Thiopental 1gm Vials USP @ $25 per vials. Delivery after 60 days. $1700 shipping and handling charges.

Regards,
Chris

Sent from my HTC One

--- Reply message ----
From: "Frakes, Scott" <scott.frakes@nebraska.gov>
To: "Chris Harris" <chrisharris@harrispadalafil.com>
Subject: Information
Date: Thu, Apr 16, 2015 1:01 AM

Perfect - thanks!!

From: Chris Harris [mailto:chrisharris@harrispadalafil.com]
Sent: Wednesday, April 15, 2015 1:24 PM
To: Frakes, Scott
Subject: Re: Information

Great. Will call you tomorrow between 7am to 8.15am Central Time. Will call on your Cell.

From: Frakes, Scott<mailto:scott.frakes@nebraska.gov>
Sent: 15 April, 2015 11:48 PM
To: Chris Harris<mailto:chrisharris@harrispadalafil.com>
Subject: RE: Information

Can you call between 7am and 8:15 am - Central Time? The sooner we can connect, the better. Thank you!
Hi Scott,

Will give you a call tomorrow. Let me know what time will be good for you.

Regards,
Chris Harris
CEO
Harris Pharma LLP
Level 8,
RDB Boulevard,
Plot - K 1, Sector V,
Salt Lake City,
Kolkata 700091
West Bengal, India.
Ph: +91-33-66374505
Cell: +91-7044060616

---

From: Frakes, Scott <mailto:scott.frakes@nebraska.gov>
Sent: 15 April, 2015 11:32 PM
To: chris.harris@harrispharmallp.com%3cmailto:chris.harris@harrispharmallp.com>
Cc: Kohl, Randy <mailto:Randy.Kohl@nebraska.gov>
Subject: Information

Mr. Harris,
My name is Scott Frakes, I’m the Director of the Nebraska Department of Correctional Services. I would really like to connect with you as soon as possible. My office number is 402-479-5675, and my cell phone is [Redacted]. Hope to talk with you soon. Thanks!
Everything you need should be in the envelope. Thanks again!

--- Reply message ---
From: "Frakes, Scott" <scott.frakes@nebraska.gov>
To: "Chris Harris" <chrisharris@harrispharma.com>
Subject: Information
Date: Tue, Apr 21, 2015 5:20 AM

Got your message, will confirm tomorrow that the correct documents were enclosed. If not, we will follow up immediately by specially delivery. Thanks

Sent from my Verizon Wireless 4G LTE smartphone

-------- Original message --------
From: Chris Harris <chrisharris@harrispharma.com>
Date: 04/20/2015 6:19 PM (GMT-06:00)
To: "Frakes, Scott" <scott.frakes@nebraska.gov>
Subject: Re: Information

Hi Scott,

Tried calling today. Got your voicemail.

Regards,
Chris

My staff are working on it as I write this note back to you. Thank you for your prompt response.
Sent: Friday, April 17, 2015 8:33 AM  
To: Frakes, Scott  
Subject: Re: Information

Hi Scott,

Pls find attached the Invoice.

Regards,
Chris Harris  
CEO  
Harris Pharma LLP  
Level 8,  
RDB Boulevard,  
Plot - K 1, Sector V,  
Salt Lake City,  
Kolkata 700091  
West Bengal, India.  
Ph: +91-33-66374505  
Cell: +91-7044060616

Sent: 16 April, 2015 6:29 PM  
To: Chris Harris  
Subject: RE: Information

Please send me an invoice for the minimum order, and shipping/handling. I will create a purchase order, and generate payment. Thank you.

From: Chris Harris  
Sent: Thursday, April 16, 2015 7:50 AM  
To: Frakes, Scott  
Subject: Re: Information
Hi Scott,

Just for your info. That you have sent to correct address. Can I call when your free? Need to talk. Give me a time.

Regards,
Chris

-----Original Message-----
From: Frakes, Scott
Sent: 22 April, 2015 12:25 AM
To: Chris Harris
Subject: RE: Document from Lanier LD625c

Chris,
The address on the invoice says Salt Lake City, but it doesn't have the street address, or the zip code for Salt Lake City.

-----Original Message-----
From: Chris Harris [mailto:chrisharris@harrispharmallp.com]
Sent: Tuesday, April 21, 2015 1:34 PM
To: Frakes, Scott
Subject: Re: Document from Lanier LD625c

Hi Scott,

Pls find the documents attached.

Regards,
Chris Harris
CEO
Harris Pharma LLP
Level 8,
RDB Boulevard,
Plot - K 1, Sector V,
Salt Lake City,
Kolkata 700091
West Bengal, India.
Ph: +91-33-66374505
Cell: +91-7044060616

-----Original Message-----
From: Frakes, Scott
Sent: 21 April, 2015 11:26 PM
To: Chris Harris
Subject: FW: Document from Lanier LD625c

Chris,
Here is the form. Please complete and return, along with the new invoice.
Thanks!
<table>
<thead>
<tr>
<th>Company/LLP Master Data</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Subject</strong></td>
</tr>
<tr>
<td>LLPIN</td>
</tr>
<tr>
<td>LLP Name</td>
</tr>
<tr>
<td>Number Of Partners</td>
</tr>
<tr>
<td>Number of Designated Partners</td>
</tr>
<tr>
<td>ROC Code</td>
</tr>
<tr>
<td>Date of Incorporation</td>
</tr>
<tr>
<td>Address of registered office</td>
</tr>
<tr>
<td>Email Id</td>
</tr>
<tr>
<td>Previous firm/ company details, if applicable</td>
</tr>
<tr>
<td>Total Obligation of Contribution</td>
</tr>
<tr>
<td>Main division of business activity to be carried out in India</td>
</tr>
<tr>
<td>Description of main division</td>
</tr>
<tr>
<td>Date of last financial year end date for which Statement of Accounts and Solvency filed</td>
</tr>
<tr>
<td>Date of last financial year end date for which Annual Return filed</td>
</tr>
<tr>
<td>LLP Status</td>
</tr>
</tbody>
</table>
OFFER TO SELL AGREEMENT

To,
Scott Frakes,
Nebraska Department of Correctional Services,
Nebraska,
United States of America

Re: OFFER TO SELL

Harris Pharma LLP hereby offers to sell to Nebraska Department of Correctional Services, subject to and in accordance with the terms and conditions herein contained.

1. Product: Sodium Thiopental USP 1gm Vial
2. Price: US$ 25 per Vial
3. Quantity: 1000 Vials
4. Freight and Customs Clearing in India: US$ 1700
5. Delivery: 60 days after receiving acceptance of this offer and receipt of payment into bank account.
6. Payment Terms: 100% Advance

For,

Harris Pharma LLP

Christopher Harris
CEO

14th April 2015
Can you call me right now?

-----Original Message-----
From: Chris Harris [mailto:chris.harris@harrispharmalp.com]
Sent: Tuesday, April 21, 2015 2:01 PM
To: Frakes, Scott
Subject: Re: Document from Lanier LD625c

Hi Scott,

In sector V, that is how the address is. The entire area is a commercial zone and is called salt lake city. The city is Kolkata and zip code is 700091.
I am mentioning the address below. It is the same as Invoice

Level 8,
RDB Boulevard,
Plot – K 1, Sector V,
Salt Lake City,
Kolkata 700091
West Bengal, India.

Regards,

Chris

-----Original Message-----
From: Frakes, Scott
Sent: 22 April, 2015 12:25 AM
To: Chris Harris
Subject: RE: Document from Lanier LD625c

Chris,
The address on the invoice says Salt Lake City, but it doesn’t have the street address, or the zip code for Salt Lake City.

-----Original Message-----
From: Chris Harris [mailto:chris.harris@harrispharmalp.com]
Sent: Tuesday, April 21, 2015 1:34 PM
To: Frakes, Scott
Subject: Re: Document from Lanier LD625c

Hi Scott,

Pls find the documents attached.
Regards,
Chris Harris
CEO
Harris Pharma LLP
Level 8,
RDB Boulevard,
Plot – K 1, Sector V,
Salt Lake City,
Kolkata 700091
West Bengal, India.
Ph: +91-33-66374505
Cell: +91-7044060616

-----Original Message-----
From: Frakes, Scott
Sent: 21 April, 2015 11:26 PM
To: Chris Harris
Subject: FW: Document from Lanier LD625c

Chris,
Here is the form. Please complete and return, along with the new invoice.
Thanks!
Frakes, Scott

From: Frakes, Scott
Sent: Tuesday, April 21, 2015 12:57 PM
To: 'Chris Harris'
Subject: FW: Document from Lanier LD625c
Attachments: 20150421135408750.pdf

Chris,
Here is the form. Please complete and return, along with the new invoice. Thanks!
Exhibit 6

Certificate of Foreign Person's Claim That Income Is Effectively Connected With the Conduct of a Trade or Business in the United States

Do not use this form for: Instead, use Forms:

- A beneficial owner solely claiming foreign status or treaty benefits
- A foreign government, international organization, foreign central bank of issue, foreign tax-exempt organization, foreign private foundation, or government of a U.S. possession claiming the applicability of section(s) 892, 895, or 1443(b) ..... W-8EXP

Note. These entities should use Form W-8CEI if they received effectively connected income and are not eligible to claim an exemption for chapter 3 or 4 purposes on Form W-8EXP.

- A foreign partnership or a foreign trust (unless claiming an exemption from U.S. withholding on income effectively connected with the conduct of a trade or business in the United States) ..... W-8BEN-E or W-8IMY

- A person acting as an intermediary ..... W-8IMY

Note. See instructions for additional exceptions.

Part I Identification of Beneficial Owner (see instructions.)

1 Name of individual or organization that is the beneficial owner

2 Country of incorporation or organization

3 Name of disregarded entity receiving the payments (if applicable)

4 Type of entity (check the appropriate box):
   - Partnership
   - Simple trust
   - Government
   - Grantor trust
   - Private foundation
   - International organization
   - Individual
   - Corporation
   - Complex trust
   - Estate
   - Central bank of issue
   - Tax-exempt organization

5 Permanent residence address (street, apt. or suite no., or rural route). Do not use a P.O. box or in-care-of address.

City or town, state or province. Include postal code where appropriate.

Country

6 Business address in the United States (street, apt. or suite no., or rural route). Do not use a P.O. box or in-care-of address.

City or town, state, and ZIP code

7 U.S. taxpayer identification number (required—see instructions)
   - SSN or ITIN
   - EIN

8 Foreign tax identifying number

9 Reference number(s) (see instructions)

10 Date of birth (MM-DD-YYYY)

11 Specify each item of income that is, or is expected to be, received from the payer that is effectively connected with the conduct of a trade or business in the United States. (Attach statement if necessary)

Part II Certification

Under penalties of perjury, I declare that I have examined the information on this form and to the best of my knowledge and belief it is true, correct, and complete. I further certify under penalties of perjury that:

- I am the beneficial owner (or I am authorized to sign for the beneficial owner) of all the payments to which this form relates,
- The amounts for which this certification is provided are effectively connected with the conduct of a trade or business in the United States,
- The income for which this form was provided is includible in my gross income (or the beneficial owner's gross income) for the taxable year, and
- The beneficial owner is not a U.S. person.

Furthermore, I authorize this form to be provided to any withholding agent that has control, receipt, or custody of the payments of which I am the beneficial owner or any withholding agent that can disburse or make payments of the amounts of which I am the beneficial owner.

I agree that I will submit a new form within 30 days if any certification made on this form becomes incorrect.

Signature of beneficial owner (or individual authorized to sign for the beneficial owner)  
Print name  
Date (MM-DD-YYYY)

I certify that I have the capacity to sign for the person identified on line 1 of this form.
From: Chris Harris <chrisharris@harrispshallp.com>
Sent: Tuesday, April 21, 2015 12:02 PM
To: Frakes, Scott
Subject: Re: Information

No problem. Will call in 50 min

From: Frakes, Scott
Sent: 21 April, 2015 10:26 PM
To: Chris Harris
Subject: RE: Information

Can you call 402-479-5675 at 12:45 pm (about 50 minutes from now).

I need to have my Business Manager in the room so she can explain what she needs from you. We should be able to work this out quickly, and get a new check & paperwork headed to you quickly.

From: Chris Harris [mailto:chrisharris@harrispshallp.com]
Sent: Tuesday, April 21, 2015 11:19 AM
To: Frakes, Scott
Subject: Re: Information

Hi Scott,

US postal service takes about 15 to 20 days for delivery and about 50% of the time packages never get delivered. That’s why I mentioned Fedex. Have advised all states to use Fedex. Even Nebraska would always use Fedex because the first time when sent by usps it never got delivered.

I have sold that office and taken a new one. The people I have sold it to have not moved into that office as yet. There is no one to collect it at that end.

Let me know if you need the Address on the Invoice changed to whichever city in Nebraska or if you need me to fill a form I can do that as well.

If you need to talk let me know what time to call.

Regards,

Chris

From: Frakes, Scott
Sent: 21 April, 2015 9:41 PM
To: Chris Harris
Subject: RE: Information
No – US Postal Service, 3-5 day delivery. Is there someone on that end that can send it back to you (from India) via FedEx?

If not, we will need to talk – there is a form that we will need to have you fill out since we don’t have the Utah address listed in our state purchasing system.

From: Chris Harris [mailto:chrisharris@harrispharmallp.com]
Sent: Tuesday, April 21, 2015 10:06 AM
To: Frakes, Scott
Subject: Re: Information

Was it sent FedEx?

From: Frakes, Scott
Sent: Tuesday, April 21, 2015 7:23 PM
To: Chris Harris
Subject: RE: Information

Sent to the address on the invoice (India), tracking #EK69033031

From: Chris Harris [mailto:chrisharris@harrispharmallp.com]
Sent: Tuesday, April 21, 2015 8:37 AM
To: Frakes, Scott
Subject: Re: Information

Send me the tracking number. And did you send it to the salt lake office address?

Sent from my HTC One

----- Reply message ----- 
From: "Frakes, Scott" <scott.frakes@nebraska.gov>
To: "Chris Harris" <chrisharris@harrispharmallp.com>
Subject: Information
Date: Tue, Apr 21, 2015 7:01 PM

Everything you need should be in the envelope. Thanks again!

From: Chris Harris [mailto:chrisharris@harrispharmallp.com]
Sent: Monday, April 20, 2015 7:42 PM
To: Frakes, Scott
Subject: Re: Information

Thanks

Sent from my HTC One

----- Reply message ----- 
From: "Frakes, Scott"
<mailto:scott.frakes@nebraska.gov%3Cmailto:scott.frakes@nebraska.gov>>
To: "Chris Harris"
<mailto:chrisharris@harrispharmallp.com%3Cmailto:chrisharris@harrispharmallp.com%3E>
Subject: Information
Date: Tue, Apr 21, 2015 5:20 AM
Got your message, will confirm tomorrow that the correct documents were enclosed. If not, we will follow up immediately by specially delivery. Thanks

Sent from my Verizon Wireless 4G LTE smartphone

-------- Original message --------

From: Chris Harris
<mailto:chris_harris@harrispharmallp.com@harrispharmallp.com>

Date: 04/20/2015 6:19 PM (GMT-06:00)

To: "Frakes, Scott"
<mailto:scott.frakes@nebraska.gov@nebraska.gov>

Subject: Re: Information

Hi Scott,

Tried calling today. Got your voicemail.

Regards,

Chris

From: Frakes, Scott<mailto:scott.frakes@nebraska.gov@nebraska.gov>
Sent: 17 April, 2015 10:09 PM
To: Chris Harris<mailto:chris_harris@harrispharmallp.com@harrispharmallp.com>
Subject: RE: Information

My staff are working on it as I write this note back to you. Thank you for your prompt response.

From: Chris Harris [mailto:chris_harris@harrispharmallp.com]
Sent: Friday, April 17, 2015 8:33 AM
To: Frakes, Scott

Subject: Re: Information

Hi Scott,

Pls find attached the Invoice.

Regards,

Chris Harris
CEO
Harris Pharma LLP
Level 8,
RDB Boulevard,
Plot - K 1, Sector V,
Salt Lake City,
Kolkata 700091
West Bengal, India.
Ph: +91-33-66374505
Cell: +91-7044060616

From: Frakes, Scott<mailto:scott.frakes@nebraska.gov>
Sent: 16 April, 2015 6:29 PM
To: Chris Harris<mailto:christharris@harrispharmallp.com>
Subject: RE: Information

Please send me an invoice for the minimum order, and shipping/handling. I will create a purchase order, and generate payment. Thank you.

From: Chris Harris [mailto:chrisharris@harrispharmallp.com]
Sent: Thursday, April 16, 2015 7:50 AM
To: Frakes, Scott
Subject: Re: Information
Form W-8ECI

Certificate of Foreign Person's Claim That Income Is Effectively Connected With the Conduct of a Trade or Business in the United States

Section references are to the Internal Revenue Code. Information about Form W-8ECI and its separate instructions is at www.irs.gov/formw8eci.

Section references are to the Internal Revenue Code. Information about Form W-8ECI and its separate instructions is at www.irs.gov/formw8eci.

Give this form to the withholding agent or payor. Do not send to the IRS.

Note: Persons submitting this form must file an annual U.S. Income tax return to report income claimed to be effectively connected with a U.S. trade or business (see Instructions).

Do not use this form for:

- A beneficial owner solely claiming foreign status or treaty benefits
- A foreign government, international organization, foreign central bank of issue, foreign tax-exempt organization, foreign private foundation, or government of a U.S. possession claiming the applicability of section(s) 11529, 501(c), 892, 895, or 1443(b)
- A foreign partnership or a foreign trust (unless claiming an exemption from U.S. withholding on income effectively connected with the conduct of a trade or business in the United States)
- A person acting as an intermediary

Instead, use Form:

- W-8BEN or W-8BEN-E
- W-8EXP

Note: These entities should use Form W-8ECI if they received effectively connected income and are not eligible to claim an exemption for chapter 3 or 4 purposes on Form W-8EXP.

- W-8BEN-E
- or W-8IMY

Note. See Instructions for additional exceptions.

Part I Identification of Beneficial Owner (see instructions.)

<table>
<thead>
<tr>
<th>1 Name of Individual or organization that is the beneficial owner</th>
<th>2 Country of Incorporation or organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harris Pharma LLP</td>
<td>INDIA</td>
</tr>
</tbody>
</table>

Type of entity (check the appropriate box):

- Partnership
- Simple trust
- Government
- Private foundation
- Complex trust
- Estate
- International organization
- Central bank of issue
- Tax-exempt organization

5 Permanent residence address (street, opt. or suite no., or rural route). Do not use a P.O. box or in-care-of address.

City or town, state or province. Include postal code where appropriate.

- India

6 Business address in the United States (street, opt. or suite no., or rural route). Do not use a P.O. box or in-care-of address.

- Level 8, Rdb Boulevard, Plot K4, Sector V

Kolkata, West Bengal, 700091, INDIA

City or town, state, and Zip code

7 U.S. taxpayer identification number (required – see instructions)

- SSN or ITIN
- EIN

- PAN-AACCH-H6845H

Foreign tax identifying number

9 Reference number(s) (see instructions)

10 Date of birth (MM-DD-YYYY)

11 Specify each item of income that is, or is expected to be, received from the payer that is effectively connected with the conduct of a trade or business in the United States. (attach statement if necessary)

Part II Certification

Under penalties of perjury, I declare that I have examined the information on this form and to the best of my knowledge and belief it is true, correct, and complete. I further certify under penalties of perjury that:

- I am the beneficial owner (or I am authorized to sign for the beneficial owner) of all the payments to which this form relates,
- The amounts for which this certification is provided are effectively connected with the conduct of a trade or business in the United States,
- The income for which this form was provided is includible in my gross income for the beneficial owner's gross income for the taxable year, and
- The beneficial owner is not a U.S. person.

Furthermore, I authorize this form to be provided to any withholding agent that has control, receipt, or custody of the payments of which I am the beneficial owner or any withholding agent that can disburse or make payments of the amounts of which I am the beneficial owner.

I agree that I will submit a new form within 30 days if any certification made on this form becomes incorrect.

Signature of beneficial owner (or individual authorized to sign for the beneficial owner)

04-21-2015

Signature of individual authorized to sign for the beneficial owner

Print name

Date (MM-DD-YYYY)

13 of 20
**Harris Pharma**

**Level 1, RDB Boulevard, Plot - K 1, Sector V, Salt Lake City, Kolkata 700091, West Bengal, India.**

**ATTN: SCOTT FRAMES**

**Nebraska Department of Correctional Services**

**Nebraska, UNITED STATES OF AMERICA**

**DEA NUMBER: AN00353**

**PHONE NUMBER: +1-402-479-5675**

---

**Invoice No & DATE:**

HPL/NEBRASKA/Corrections/3

17th April 2015

**IEC No:** 0211010227

---

**Buyers Order No:**

**Date:**

---

**Other Ref:** NIL

**Buyer (if other than consignee):** NIL

**Country of Origin of Goods:** INDIA

**Country of Destination:** UNITED STATES OF AMERICA

---

**Pre Carriage:** By Air

**Place of Receipt by Pre Carrier:**

---

**Vessel/Flight No.:** By Air

**Port of Loading:** Kolkata, India

---

**Port Of Discharge:** Nebraska

**Final Destination:** Nebraska

---

**Mark/No. Package Description:**

<table>
<thead>
<tr>
<th>Sr. No</th>
<th>Package</th>
<th>Description</th>
<th>Quantity</th>
<th>Rate</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>Thiopenta Sodium USP 1gm Vial</td>
<td>1000</td>
<td>25</td>
<td>25000</td>
</tr>
</tbody>
</table>

**Freight and Customs Clearing in India**

| TOTAL USD | 26700 |

**TOTAL: US DOLLARS ( Twenty Six Thousand and Seven Hundred Only )**

---

**Declaration:** We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.

---

**HARRIS PHARMA LLP**

**KOLKATA**

---

14 of 20
From: Frakes, Scott
Sent: Tuesday, April 21, 2015 9:56 AM
To: 'Chris Harris'
Subject: RE: Information

Sorry – I missed that piece. Let me know if there is a problem. Thanks

From: Chris Harris [mailto:chrisharris@harrispflammllp.com]
Sent: Tuesday, April 21, 2015 9:10 AM
To: Frakes, Scott
Subject: Re: Information

I think you did not receive the mail which I sent you mentioning to send it to the address on the email signature as we just shifted to a new office. Anyways not a problem will contact FedEx and will collect directly

Sent from my HTC One

---- Reply message ----
From: "Frakes, Scott" <scott.frakes@nebraska.gov>
To: "Chris Harris" <chrisharris@harrispflammllp.com>
Subject: Information
Date: Tue, Apr 21, 2015 7:23 PM

Sent to the address on the invoice (India), tracking #EK69033031

From: Chris Harris [mailto:chrisharris@harrispflammllp.com]
Sent: Tuesday, April 21, 2015 8:37 AM
To: Frakes, Scott
Subject: Re: Information

Send me the tracking number. And did you send it to the salt lake office address?

Sent from my HTC One

---- Reply message ----
From: "Frakes, Scott" <scott.frakes@nebraska.gov<br> To: "Chris Harris" <chrisharris@harrispflammllp.com>
Subject: Information
Date: Tue, Apr 21, 2015 7:01 PM

Everything you need should be in the envelope. Thanks again!

From: Chris Harris [mailto:chris[...@harrispflammllp.com]
Sent: Monday, April 20, 2015 7:42 PM
To: Frakes, Scott  
Subject: Re: Information

Thanks

Sent from my HTC One

----- Reply message -----

From: "Frakes, Scott"
mailto:scott.frakes@nebraska.gov<mailto:scott.frakes@nebraska.gov>

To: "Chris Harris"
<chrisharris@harrispmailbox.com<mailto:chrisharris@harrispmailbox.com>

Subject: Information

Date: Tue, Apr 21, 2015 5:20 AM

Got your message, will confirm tomorrow that the correct documents were enclosed. If not, we will follow up immediately by specially delivery. Thanks

Sent from my Verizon Wireless 4G LTE smartphone

------- Original message -------
From: Chris Harris
<chrisharris@harrispharmallp.com>

Date: 04/20/2015 6:19 PM (GMT-06:00)

To: "Frakes, Scott"
<scott.frakes@nebraska.gov>

Subject: Re: Information

Hi Scott,

Tried calling today. Got your voicemail.

Regards,

Chris

Sent: 17 April, 2015 10:09 PM

To: Chris Harris
Subject: RE: Information

My staff are working on it as I write this note back to you. Thank you for your prompt response.

From: Chris Harris [mailto:chris_harris@harrispharmallp.com]

Sent: Friday, April 17, 2015 8:33 AM

To: Frakes, Scott

Subject: Re: Information

Hi Scott,

Pls find attached the Invoice.

Regards,

Chris Harris
CEO

Harris Pharma LLP

Level 8,

RDB Boulevard,

Plot - K 1, Sector V,

Salt Lake City,

Kolkata 700091

West Bengal, India.

Ph: +91-33-66374505

Cell: +91-7044060616

From: Frakes, Scott<mailto:scott.frakes@nebraska.gov>

Sent: 16 April, 2015 6:29 PM

To: Chris Harris<mailto:chrisharris@harrispharmallp.com>

Subject: RE: Information
Please send me an invoice for the minimum order, and shipping/handling. I will create a purchase order, and generate payment. Thank you.

From: Chris Harris [mailto:chrisdominique@harrispharmallp.com]

Sent: Thursday, April 16, 2015 7:50 AM

To: Frakes, Scott

Subject: Re: Information
<p>| Fund | Program | Sub-Program | Grant | Ledger Type | Business Unit | Object Account | Account Number | Sub-Ledger | Dec Number | Inv Item Number | Invoice Date | Program/Expenditure | Transaction Type | Batch Type | Batch Number | Posted Code | Month to Date |
|------|---------|-------------|-------|-------------|----------------|----------------|----------------|------------|------------|----------------|--------------|--------------------|-----------------|-----------|--------------|-------------|-------------|-------------|
| 1800 | 370     | 020         |       | AA          | 4002/163       | 55109          | 4002/163,55109 | 35128       | 40128.5   | 35128.5       | 04/17/15    | 40/1000.00      | PV              | V         | 40128.5     | P           | 26300.00     | 31/07/15    |</p>
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Freight and Custom Clearing In India: 1700 USD

TOTAL USD: 36700

TOTAL: US DOLLARS (Twenty Six Thousand and Seven Hundred Only)

Declaration: We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.

HARRIS PHARMA LLP

Designated Partner
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Ledger Type Totals:
- AA: 27,700.00
Invoice No & DATE : HPL/Nebraska/CORRECTIONS/4  13th May 2015
 Buyers Order No & Date : 528 May 2015

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<td>Port Of Discharge: Nebraska</td>
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</table>

Freight & Custom Clearing in India

TOTAL USD 22700

TOTAL: US DOLLARS (Twenty Seven Thousand Seven Hundred Only)

4602019.554100

Declaration: We declare that this invoice shows the actual price of the Goods described and that all particulars are true and correct.
008.02.05 If the coroner does not pronounce the condemned inmate dead at the conclusion of this process, the Director shall order the execution process repeated in the manner described by this protocol.

009 Procurement and inventory of lethal substances

009.01 The Director shall purchase two complete sets of the described lethal substances unless the Director determines that additional quantities should be kept in inventory.

009.02 The described lethal substances shall be purchased through the Department Pharmaceutical Supervisor or through some other appropriate source.

009.03 The purchase of the lethal substances will be treated as the purchase of high security items and their receipt and delivery are not subject to standard business delivery procedures, but will be delivered directly into the custody of the Director.

009.04 The Director shall document the order and receipt of the lethal substances and provide for their maintenance and storage.

009.05 The inventory of lethal substances will be reviewed every six months and also immediately upon receipt of an execution order from the Nebraska Supreme Court.

009.06 Expired lethal substances will be cleared from inventory and replaced.
NEBRASKA ADMINISTRATIVE CODE

Title 69 – DEPARTMENT OF CORRECTIONAL SERVICES

Chapter 11 – EXECUTION PROTOCOL

001 Authority. When the Director of the State of Nebraska Department of Correctional Services (Director) receives an order of the Nebraska Supreme Court directing the enforcement of a sentence of death, that order will be carried out pursuant to Laws 2009, L.B. 36. The Director has the authority to create and modify this protocol.

002 Location. Executions will be performed in the execution chamber at the Nebraska State Penitentiary.

003 Execution Team. The Director shall appoint and remove all members of the Execution Team at his or her discretion. The Execution Team shall consist of the following:

003.01 The Director

003.02 The Warden of the Nebraska State Penitentiary (Warden)

003.03 The Nebraska State Penitentiary Staff Communicator (Staff Communicator)

003.04 An Escort Team consisting of an Escort Team Leader and an Escort Team comprised of at least six additional individuals.

003.05 An IV Team consisting of an IV Team Leader and a single IV Team Member.

004 Execution Team Qualifications

004.01 The Director, Warden and Staff Communicator are qualified by the responsibilities of the positions they hold within the Department and the completion of any specific training required by this protocol.

004.02 Escort Team. The Escort Team shall be correctional employees with training or experience in escorting secured prisoners on behalf of the Department.

004.03 IV Team. The IV Team Leader and IV Team Member shall be individuals trained in venipuncture and catheter placement to maintain an open intravenous line; shall have successfully completed training as an emergency medical technician and training in phlebotomy; shall have successfully completed training to initiate the flow of saline solution by IV, the injection of substances into an IV line, and to select a syringe set(s) capable of accomplishing the requirements of this protocol.
005 Execution Team Duties

005.01 The Director (1) has the responsibility to obey orders of the Nebraska Supreme Court directing the enforcement of a sentence of death; (2) appoints and removes members of the Execution team at his or her discretion; (3) supervises, directs and maintains a record of the qualifications and training of the Execution Team pursuant to this protocol; (4) shall be physically present at the execution; (5) shall direct the administration of all substances to the prisoner in accordance with this protocol; (6) shall summon a coroner to pronounce the death of the condemned inmate; and (7) shall certify the death of the condemned inmate to the appropriate court.

005.02 The Warden, under the supervision of the Director, shall (1) assure that court ordered executions in Nebraska are conducted pursuant to this protocol; (2) be physically present at the execution; (3) be trained in and shall conduct the consciousness checks required by this protocol after the administration of the sodium thiopental; (4) if he or she is unable to reasonably verify that the condemned inmate is unconscious, he or she shall communicate to the Director that an additional dose of sodium thiopental should be administered; and (5) after he or she has reasonably verified that the condemned inmate is unconscious shall communicate that fact to the Director.

005.03 Nebraska State Penitentiary Staff Communicator, under the supervision of the Warden, shall (1) maintain a written record of activities related to this protocol beginning when the Escort Team delivers the condemned prisoner to the execution chamber; and (2) serve as the Director’s communication liaison with representatives of the Nebraska Department of Justice.

005.04 The Escort Team shall (1) assume custody of the condemned inmate at the Nebraska State Penitentiary Hospital; (2) secure the condemned inmate; (3) escort or otherwise deliver the condemned inmate from the Nebraska State Penitentiary Hospital to the execution chamber; (4) place the condemned inmate on the table in the execution chamber; (5) secure the condemned inmate to the table in the execution chamber; (6) exit the execution chamber; and (7) remain outside the execution chamber to respond to any inmate control issues that may arise until dismissed by the Director.

005.05 The IV Team Leader shall (1) obtain and maintain appropriate materials and equipment to accomplish his or her responsibilities under this protocol; (2) at least 48 hours before the scheduled execution date examine the condemned inmate to determine appropriate locations for intravenous catheter placement and report the results of that examination to the Director; (3) on the date of the execution, obtain, prepare and deliver to the execution chamber the substances identified by this protocol for injection into the condemned inmate; (4) once the condemned inmate is secured by the Escort Team on the table in the execution chamber, establish a functioning intravenous line capable of administering the lethal substances identified by this protocol into a vein of the condemned inmate; (5) attach a heart monitor to the
condemned inmate; (6) exit the execution chamber; (7) be prepared to correct any issues with respect to the intravenous line or condemned inmate’s vascular system that might prevent or impede the injection of the lethal substances; (8) at the order of the Director, administer to the condemned inmate through the established intravenous line the lethal substances identified by this protocol in the order described by this protocol; (9) remain at his or her post until dismissed by the Director; (10) dispose of any substances or equipment employed in meeting the requirements of this protocol.

005.06 The IV Team shall assist the IV Team Leader as directed and be prepared to assume the responsibilities of the IV Team Leader should the IV Team Leader become unable to perform his or her responsibilities.

006 Execution Team Training

006.01 Training schedule.

006.01.01 When no execution date has been set by the Nebraska Supreme Court, the members of the Execution Team shall train at least once every six months at a time established by the Director. The Escort Team and the IV Team may train independently of the other members of the Execution Team.

006.01.02 When an execution date has been set by the Nebraska Supreme Court the Execution Team will train at least weekly at times established by the Director.

006.02 Training required. In addition to the qualifications noted in this protocol, the Execution Team shall train as follows.

006.02.01 Execution Team as a whole. When the training schedule requires weekly training, all members of the Execution Team shall participate in training as a unit, review this protocol, and engage in one or more drills in which all members enact their individual responsibilities (with the exception of intravenous catheter placement and use of saline and lethal substances) as established by this protocol.

006.02.02 Warden. The Warden will be trained in performing the consciousness checks required by this protocol. The Warden will be trained by the IV Team Leader or other individual(s) familiar with the consciousness check techniques required by this protocol in order to reasonably verify whether the condemned inmate is unconscious.

006.03 Training documentation. All training of the members of the Execution Team will be documented noting the date and duration of the training, who supervised the training, and the activities undertaken.
007 Consciousness Checks

007.01 As used in this protocol the consciousness checks to be performed on the condemned inmate shall consist of the following.

007.01.01 Brushing the eye lashes of one eye of the condemned inmate with the fingers of a hand, observing any involuntary muscular response; and

007.01.02 Opening one eye of the condemned inmate and passing over it a light source observing the pupil’s reaction to the light.

008 Lethal Substances

008.01 Identification. Executions shall be accomplished by the intravenous injection of the following substances into the condemned inmate by the method described in this protocol.

008.01.01 Sodium thiopental

008.01.02 Pancuronium bromide

008.01.03 Potassium chloride

008.02 Administration of the lethal substances. The lethal substances shall be administered to the condemned inmate by the mechanism described in this protocol. They shall be administered in the following order and dosages.

008.02.01 Sodium thiopental will initially be administered in one 3 gram dose. There will be a waiting period of at least one minute between the administration of the sodium thiopental and conducting the consciousness checks. If unconsciousness is not verified by the Warden after the administration of the initial dose, additional 3 gram doses will be administered and consciousness checks conducted after the administration of each dose until unconsciousness is verified.

008.02.02 Once unconsciousness is verified, pancuronium bromide will be administered in one dose of 50 mg/100 ml.

008.02.03 Once the pancuronium bromide has been administered, potassium chloride will be the third lethal substance administered in one dose of 240 Meq.

008.02.04 A 50cc saline flush will be administered following each injection of a lethal substance.
008.02.05 If the coroner does not pronounce the condemned inmate dead at the conclusion of this process, the Director shall order the execution process repeated in the manner described by this protocol.

009 Procurement and inventory of lethal substances

009.01 The Director shall purchase two complete sets of the described lethal substances unless the Director determines that additional quantities should be kept in inventory.

009.02 The described lethal substances shall be purchased through the Department Pharmaceutical Supervisor or through some other appropriate source.

009.03 The purchase of the lethal substances will be treated as the purchase of high security items and their receipt and delivery are not subject to standard business delivery procedures, but will be delivered directly into the custody of the Director.

009.04 The Director shall document the order and receipt of the lethal substances and provide for their maintenance and storage.

009.05 The inventory of lethal substances will be reviewed every six months and also immediately upon receipt of an execution order from the Nebraska Supreme Court.

009.06 Expired lethal substances will be cleared from inventory and replaced.
From: Chris Harris <chrisharris@harrispharmallp.com>
Sent: Tuesday, April 28, 2015 2:29 PM
To: Frakes, Scott
Subject: Re: Information

Great....That will work just fine

From: Frakes, Scott
Sent: Wednesday, April 29, 2015 12:50 AM
To: Chris Harris
Subject: RE: Information

See attached. Thank you

From: Chris Harris [mailto:chrisharris@harrispharmallp.com]
Sent: Tuesday, April 28, 2015 1:59 PM
To: Frakes, Scott
Subject: Re: Information

Hi Scott,

Pls find attached the offer to sell. Kindly sign & stamp and send back to me.

Regards,
Chris

From: Frakes, Scott
Sent: Thursday, April 23, 2015 9:09 PM
To: Chris Harris
Subject: RE: Information

I'm trying to get that right now – as soon as I have it, I'll e-mail you.

From: Chris Harris [mailto:chrisharris@harrispharmallp.com]
Sent: Thursday, April 23, 2015 10:35 AM
To: Frakes, Scott
Subject: Re: Information

Hi Scott,

Don't forget to send me the tracking number.

Regards,
Chris

Sent from my HTC One
----- Reply message -----  
From: "Frakes, Scott" <scott.frakes@nebraska.gov>  
To: "Chris Harris" <chrisharris@harrispamllp.com>  
Subject: Information  
Date: Tue, Apr 21, 2015 10:26 PM

Can you call 402-479-5675 at 12:45 pm (about 50 minutes from now).

I need to have my Business Manager in the room so she can explain what she needs from you. We should be able to work this out quickly, and get a new check & paperwork headed to you quickly.

From: Chris Harris [mailto:chrisharris@harrispamllp.com]  
Sent: Tuesday, April 21, 2015 11:19 AM  
To: Frakes, Scott  
Subject: Re: Information

Hi Scott,

US postal service takes about 15 to 20 days for delivery and about 50% of the time packages never get delivered. That's why I mentioned Fedex. Have advised all states to use Fedex. Even Nebraska would always use Fedex because the first time when sent by usps it never got delivered.

I have sold that office and taken a new one. The people I have sold it to have not moved into that office as yet. There is no one to collect it at that end.

Let me know if you need the Address on the Invoice changed to whichever city in Nebraska or if you need me to fill a form I can do that as well.

If you need to talk let me know what time to call.

Regards,  
Chris

From: Frakes, Scott<mailto:scott.frakes@nebraska.gov>  
Sent: 21 April, 2015 9:41 PM  
To: Chris Harris<mailto:chrisharris@harrispamllp.com>  
Subject: RE: Information

No - US Postal Service, 3-5 day delivery. Is there someone on that end that can send it back to you (from India) via Fed-ex?

If not, we will need to talk - there is a form that we will need to have you fill out since we don't have the Utah address listed in our state purchasing system.

From: Chris Harris [mailto:chrisharris@harrispamllp.com]  
Sent: Tuesday, April 21, 2015 10:06 AM  
To: Frakes, Scott  
Subject: Re: Information

Was it sent Fedex?

From: Frakes, Scott<mailto:scott.frakes@nebraska.gov>  
Sent: 21 April, 2015 7:23 PM  
To: Chris Harris<mailto:chrisharris@harrispamllp.com>  
Subject: RE: Information
Sent to the address on the invoice (India), tracking #EK69033031

From: Chris Harris [mailto:chrisharris@harrispharmallp.com]
Sent: Tuesday, April 21, 2015 8:37 AM
To: Frakes, Scott
Subject: Re: Information

Send me the tracking number. And did you send it to the salt lake office address?

Sent from my HTC One

----- Reply message -----  
From: "Frakes, Scott"
<mailto:scott.frakes@nebraska.gov%3cmailto:scott.frakes@nebraska.gov>>
To: "Chris Harris"
<mailto:chrisharris@harrispharmallp.com%3cmailto:chrisharris@harrispharmallp.com>>
Subject: Information
Date: Tue, Apr 21, 2015 7:01 PM

Everything you need should be in the envelope. Thanks again!

From: Chris Harris [mailto:chrisharris@harrispharmallp.com]
Sent: Monday, April 20, 2015 7:42 PM
To: Frakes, Scott
Subject: Re: Information

Thanks

Sent from my HTC One

----- Reply message -----  
From: "Frakes, Scott"
<mailto:scott.frakes@nebraska.gov%3cmailto:scott.frakes@nebraska.gov>>
To: "Chris Harris"
<mailto:chrisharris@harrispharmallp.com%3cmailto:chrisharris@harrispharmallp.com>>
Subject: Information
Date: Tue, Apr 21, 2015 5:20 AM
Got your message, will confirm tomorrow that the correct documents were enclosed. If not, we will follow up immediately by specially delivery. Thanks

Sent from my Verizon Wireless 4G LTE smartphone

-------- Original message --------

From: Chris Harris
<mailto:chrisharris@harrischallp.com%3cmailto:chrisharris@harrischallp.com%3cmailto:chrisharris@harrischallp.com>

Date: 04/20/2015 6:19 PM (GMT-06:00)

To: "Frakes, Scott" <mailto:scott.frakes@nebraska.gov%3cmailto:scott.frakes@nebraska.gov%3cmailto:scott.frakes@nebras
## Exhibit 8

**International Air Waybill**

### From
- **Name:** Scott Frakes
- **Phone:** 402-479-5710
- **Company:** NE Dept. of Correctional Services
- **Address:** P.O. Box 99461

### To
- **Name:** Chris Harris
- **Company:** Harris Pharma
- **Address:** Level 18, RDB Boulevard, Plot K1, Sec IV

### Shipment Information

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### Payment
- **Bill handling charges to:**
  - Enter FedEx Acct. No. or Credit Card No. below.
  - **Credit Card No.:**
  - **Credit Card Type:**
  - **Cash/Check/Chiroque:**
  - **FedEx Use Only:**

### Required Signature
- **Signature:**
- **For Completion Instructions, see back of fifth page.**

### Questions?
- **Go to our Web site at fedex.com.**
- **Or in the U.S., call 1.800.GofedEx 1.800.463.3339.**

---

**For Internal Use:**
- **Date:** 9/23/15
- **Sender's FedEx Account Number:**
- **Recipient's FedEx Account Number:**
- **Recipient's Acct. No. in Section I will be billed:**
- **Recipient's Acct. No. in Section II will be billed:**
- **FedEx Tracking Number:**
- **Fax ID No.:** 0402

---

**Packaging**
- **FedEx Envelope**
- **FedEx Pak**
- **FedEx Box**
- **FedEx Tube**
- **Other**
- **FedEx 10kg Box**
- **FedEx 25kg Box**

---

**Required Warranty**
- **These unique breeze takers with special pricing are provided by FedEx for FedEx International Air Waybill.**
- **Not available to all destinations.**
- **Dangerous goods cannot be shipped using this Air Waybill.**
From: Chris Harris <chrisharris@harrispharmallp.com>
Sent: Tuesday, May 12, 2015 12:59 PM
To: Frakes, Scott
Subject: Re: Information

once you issue a warrant for payment / pls send me a mail with final destination and DEA registration number so I can I issue an Invoice

From: Frakes, Scott
Sent: Tuesday, May 12, 2015 11:05 PM
To: Chris Harris
Subject: RE: Information

Thank you

From: Chris Harris <chrisharris@harrispharmallp.com>
Sent: Tuesday, May 12, 2015 9:47 AM
To: Frakes, Scott
Subject: Re: Information

Hi Scott,

Pls find attached the Offer to Sell.

Regards,
Chris

From: Frakes, Scott
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To: Chris Harris
Subject: RE: Information

See attached. Thank you

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Sent from my HTC One

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I need to have my Business Manager in the room so she can explain what she needs from you. We should be able to work this out quickly, and get a new check & paperwork headed to you quickly.

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I have sold that office and taken a new one. The people I have sold it to have not moved into that office as yet. There is no one to collect it at that end.

Let me know if you need the Address on the Invoice changed to whichever city in Nebraska or if you need me to fill a form I can do that as well.

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Sent: Tuesday, April 21, 2015 10:06 AM
To: Frakes, Scott
Subject: Re: Information

Was it sent Fedex?

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Sent: 21 April, 2015 7:23 PM
To: Chris Harris<mailto:chrisharris@harrispharmallp.com>
Subject: RE: Information

Sent to the address on the invoice (India), tracking #EK69033031

From: Chris Harris [mailto:chrisharris@harrispharmallp.com]
Sent: Tuesday, April 21, 2015 8:37 AM
To: Frakes, Scott
Subject: Re: Information

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Sent from my HTC One

----- Reply message -----
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<mailto:scott.frakes@nebraska.gov%3cmailto:scott.frakes@nebraska.gov>>
To: "Chris Harris"
<mailto:chrisharris@harrispharmallp.com%3cmailto:chrisharris@harrispharmallp.com>>
Subject: Information
Date: Tue, Apr 21, 2015 7:01 PM

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Sent: Monday, April 20, 2015 7:42 PM
To: Frakes, Scott
Subject: Re: Information

Thanks
----- Reply message ----- 

From: "Frakes, Scott" 
<mailto:scott.frakes@nebraska.gov%3cmailto:scott.frakes@nebraska.gov>>

To: "Chris Harris" 
<mailto:chrisharris@harrispollm.com%3cmailto:chrisharris@harrispollm.com>>

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Got your message, will confirm tomorrow that the correct documents were enclosed. If not, we will follow up immediately by specially delivery. Thanks

Sent from my Verizon Wireless 4G LTE smartphone

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<mailto:chrisharris@harrispollm.com%3cmailto:chrisharris@harrispollm.com>>

Date: 04/20/2015 6:19 PM (GMT-06:00)

To: "Frakes, Scott" <mailto:scott.frakes@nebraska.gov%3cmailto:scott.frakes@nebras
OFFER TO SELL AGREEMENT

To,
Scott Frakes,
Nebraska Department of Correctional Services,
Nebraska,
United States of America

12th May 2015

Re: OFFER TO SELL

Harris Pharma LLP hereby offers to sell to Nebraska Department of Correctional Services, subject to and in accordance with the terms and conditions herein contained.

1. Product: Pancuronium Bromide USP 2mg/2ml Ampule
2. Price: US$ 26 per Ampule
3. Quantity: 1000 Vials
4. Freight and Customs Clearing in India: US$ 1700
5. Delivery: 60 days after receiving acceptance of this offer and receipt of payment into bank account.
6. Payment Terms: 100% Advance

For,

Harris Pharma LLP

Christopher Harris
CEO

Level 8, RDB Boulevard, Plot K-1, Sector V, Block EP & GP, Salt Lake City, Kolkata 700091, West Bengal, India.
Ph: +91-33-66374506
OFFER TO SELL AGREEMENT

MAY 12, 2015

NDCS Director's Office
12th May 2015

To,
Scott Frakes,
Nebraska Department of Correctional Services,
Nebraska,
United States of America

Re: OFFER TO SELL

Harris Pharma LLP hereby offers to sell to Nebraska Department of Correctional Services, subject to and in accordance with the terms and conditions herein contained.

1. Product: Pancuronium Bromide USP 2mg/2ml Ampule
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<table>
<thead>
<tr>
<th>Sr. No</th>
<th>Description</th>
<th>Quantity</th>
<th>Rate</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Pancuronium Bromide USP 2mg/2ml Amp</td>
<td>1000</td>
<td>26</td>
<td>26000</td>
</tr>
</tbody>
</table>

Freight & Custom Clearing In India: 1700 USD

TOTAL USD: 27700 USD

TOTAL: US DOLLARS ( Twenty Seven Thousand Seven Hundred Only )

Declaration: We declare that this invoice shows the actual price of the Goods described and that all particulars are true and correct.
<table>
<thead>
<tr>
<th>Document Ty</th>
<th>G/L</th>
<th>R</th>
<th>Fund</th>
<th>Account Number</th>
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<th>Tag Number</th>
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<td>27,700.00-</td>
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<td></td>
<td></td>
<td></td>
<td>Offset By Document PV 31576543</td>
<td>AE 1.0</td>
</tr>
</tbody>
</table>
International Air Waybill

From: Scott Fraikes
Phone: 402-479-5710
Company: NE Dept. of Correctional Services
Address: P.O. Box 94661
City: Lincoln
State: NE
Country: United States
Recipient: Chris Harris
Phone: 
Company: Harris Pharma
Address: Level 18, RDB Boulevard, Plot K-1, Sec V
City: Salt Lake City
State: Kolkota
Country: West Bengal, India

Express Package Service
- FedEx Intl. Priority
- FedEx Exp. Priority
- FedEx Intl. Economy
- FedEx Priority
- FedEx Pak
- FedEx Box
- FedEx Tube
- FedEx 10 lb Box
- FedEx 25 lb Box

Packaging:
- FedEx Envelope
- FedEx Pkg
- FedEx Box
- FedEx Tube
- FedEx 10 lb Box
- FedEx 25 lb Box

Special Handling:
- HOLD at FedEx Location
- SATURDAY Delivery
- MTN
- COD
- Signature
- DHL
- UPS
- USPS
- Other

Payment:
- Cash
- Check/Cheque
- Credit Card
- Electronic Funds Transfer

Bill Transportation charges to:
- Sender
- Recipient
- Third Party
- Credit Card

Required Billing Reference:
- OPEN
- CLOSED
- OPTICAL

Required Signature:

For Completion Instructions, see back of fifth page.
FedEx Office

4747 OLD CHENEY RD
Lincoln, NE 68516

Location: LNNK
Device ID: LNNK-POS2
Employee: 2264429
Transaction: 850128035964

INTL PRIORITY
807295038749 0.15 lb (S) 65.81

Shipment subtotal: 65.81

Total Due: 65.81

Check: 65.81
15625

M = Weight entered manually
S = Weight read from scale
T = Taxable item

Subject to additional charges. See FedEx Service Guide at fedex.com for details. All merchandise sales final.

Visit us at: fedex.com
Or call 1.800.GoFedEx
1.800.463.3339

May 14, 2015 10:41:37 AM

********** WE LISTEN **********
Tell us how we're doing
& receive a discount on your next order!
fedex.com/welisten or 800-398-0242
Redemption Code: ____________

*** Thank you ***
Frakes, Scott

From: Chris Harris <chrisharris@harrispharmallp.com>
Sent: Tuesday, May 12, 2015 1:21 PM
To: Frakes, Scott
Subject: Re: Information

Thanks...will have the Invoice sent tomorrow.

From: Frakes, Scott
Sent: Tuesday, May 12, 2015 11:47 PM
To: Chris Harris
Subject: RE: Information

I need an invoice to issue the payment warrant. Final destination and DEA number:

Attn: Scott Frakes
Nebraska Department of Correctional Services
PO Box 94661
Lincoln, NE 68509

DEA Number: AN5903453

From: Chris Harris [mailto:chrisharris@harrispharmallp.com]
Sent: Tuesday, May 12, 2015 12:59 PM
To: Frakes, Scott
Subject: Re: Information

once you issue a warrant for payment / pls send me a mail with final destination and DEA registration number so I can I issue an invoice

From: Frakes, Scott
Sent: Tuesday, May 12, 2015 11:05 PM
To: Chris Harris
Subject: RE: Information

Thank you

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To: Frakes, Scott
Subject: Re: Information

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Regards,
Chris

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Sent: Wednesday, April 29, 2015 1:00 AM  
To: Chris Harris  
Subject: RE: Information

See attached. Thank you

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From: Chris Harris [mailto:chrisharris@harrispfamallp.com]  
Sent: Tuesday, April 28, 2015 1:59 PM  
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From: Frakes, Scott  
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Regards,
Chris

Sent from my HTC One

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To: Chris Harris<mailto:chris.harris@harrispharmallp.com>
Subject: RE: Information

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To: Frakes, Scott
Subject: Re: Information

Was it sent Fedex?

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Sent: 21 April, 2015 7:23 PM
To: Chris Harris<mailto:chris.harris@harrispharmallp.com>
Subject: RE: Information

Sent to the address on the invoice (India), tracking #EK69033031

From: Chris Harris [mailto:chris.harris@harrispharmallp.com]
Sent: Tuesday, April 21, 2015 8:37 AM
To: Frakes, Scott
Subject: Re: Information

Send me the tracking number. And did you send it to the salt lake office address?

Sent from my HTC One

----- Reply message -----
From: "Frakes, Scott"
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To: "Chris Harris"
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Subject: Information  
Date: Tue, Apr 21, 2015 7:01 PM

Everything you need should be in the envelope. Thanks again!

From: Chris Harris  
Sent: Monday, April 20, 2015 7:42 PM  
To: Frakes, Scott  
Subject: Re: Information

Thanks

Sent from my HTC One

----- Reply message -----

From: "Frakes, Scott"  
<mailto:scott.frakes@nebraska.gov>  
To: "Chris Harris"  
<mailto:chrisharris@harrispill.com>  
Subject: Information  
Date: Tue, Apr 21, 2015 5:20 AM

Got your message, will confirm tomorrow that the correct documents were enclosed. If not, we will follow up immediately by specially delivery. Thanks

Sent from my Verizon Wireless 4G LTE smartphone
-------- Original message --------

From: Chris Harris
<mailto:chrisharris@harrispharmallp.com>  chrisharris@harrispharmallp.com>

Date: 04/20/2015 6:19 PM (GMT-06:00)

To: "Frakes, Scott" <mailto:scott.frakes@nebraska.gov>

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To: Chris Harris
Subject: RE: Information

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To: Frakes, Scott
Subject: Re: Information

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<mailto:scott.frakes@nebraska.gov@nebraska.gov>
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Date: 04/20/2015 6:19 PM (GMT-06:00)

To: "Frakes, Scott" <mailto:scott.frakes@nebraska.gov>
**Harris Pharma**

Manufacturer and Distribution Services

Level 8, KDB Boulevard, Plot K1, Sector V, Salt Lake City, KOLKATA 700091, WEST BENGAL, INDIA

ATTN: Scott Frakes
Nebraska Department of Correctional Services
PO Box 94561
Lincoln
Nebraska 68509,
UNITED STATES OF AMERICA
DEA NUMBER : N19534535
PHONE NUMBER : +1-402-479-5678

Pre Carriage: By Air
Place of Receipt by Pre Carrier:

Vessel/Flight No.: By Air
Port of Loading: Kolkata, India

Port Of Discharge: Nebraska
Final Destination: Nebraska

---

### Invoice Details

- **Invoice No & Date:** HPI/Nebraska/Corrections/4 13th May 2015
- **Buyers Order No & Date:** 12th May 2015
- **Other Ref:** NIL
- **Buyer (if other then consignee):** NIL
- **Country of Origin of Goods:** INDIA
- **Country of Destination:** UNITED STATES OF AMERICA
- **Terms of Delivery and Payment:** 100% ADVANCE

---

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<tr>
<th>Sr. No</th>
<th>Package</th>
<th>Description</th>
<th>Quantity</th>
<th>Rate</th>
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<td>1000</td>
<td>26</td>
<td>26000</td>
</tr>
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**Freight & Custom Clearing in India**

1700

**TOTAL USD**

27700

---

**Total:** US DOLLARS (Twenty Seven Thousand Seven Hundred Only)

---

**Declaration:** We declare that this invoice shows the actual price of the Goods described and that all particulars are true and correct.

---

Signed:

**Designated Partner**
Frakes, Scott

From: chrisharris@harrispharmallp.com
Sent: Wednesday, May 13, 2015 5:04 AM
To: Frakes, Scott
Subject: Re: Information

No problem.

Sent from my HTC One

----- Reply message -----
From: "Frakes, Scott" <scott.frakes@nebraska.gov>
To: "Chris Harris" <chrisharris@harrispharmallp.com>
Subject: Information
Date: Wed, May 13, 2015 3:15 PM

Thank you Chris. I’m dealing with a situation at a facility – it might take a little longer to get this processed. I will confirm with you when the paperwork I sent out. Thanks again.

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<mailto:chris.harris@harrispharmallp.com%3cmailto:chris.harris@harrispharmallp.com>>

Date: 04/20/2015 6:19 PM (GMT-06:00)

To: "Frakes, Scott" <mailto:scott.frakes@nebraska.gov%3cmailto:scott.frakes@nebras
U.S. Department of Justice / Drug Enforcement Administration

CONTROLLED SUBSTANCES IMPORT / EXPORT DECLARATION
(Read Instructions on reverse before completing)

1. CHECK ONE

[ ] IMPORT DECLARATION
[ ] EXPORT DECLARATION

Nonnarcotic Substances in Schedules III, IV, V
Nonnarcotic Substances in Schedules III, and IV and all substances in Schedule V

IMPORTER/EXPORTER (Name and Address)
Nebraska State Penitentiary
4201 14th South Street
Lincoln, NE 68502

BROKER OR FORWARDING AGENT, IF USED (Name and Address)
Not Applicable

DEA REGISTRATION NO. 0414184

2. CONTROLLED SUBSTANCES TO BE IMPORTED OR EXPORTED

2a. NAME AND QUANTITY OF DRUG OR PREPARATION

(Enter names as shown on labels; numbers and sizes of packages; strength of tablets, capsules, etc., CSA Drug Code and NDC Number)

Sodium Thiopental 1gm Vial

Quantity: 1,000 Vials

CSA Drug Code: 2100

NDC Number: G2100-0300-**

2b. CONTROLLED SUBSTANCE CONTENT OF DRUG OR PREPARATION expressed as acid, base or alkaloid. (Enter names of controlled substances contained in the drug, compound, or preparation)

Sodium Thiopental

1,000 Vials multiplied by 1 gram Sodium Thiopental = 1,000 grams Sodium Thiopental

No Conversion Factor Applies to Sodium Thiopental per DEA Instruction.

2c. DATE IMPORTED/EXPORTED AND ACTUAL QUANTITY

(Completed by registrant at time of transaction)

3a. [ ] FOREIGN (for U.S. import) [ ] DOMESTIC (for U.S. export) PORT OF EXPORTATION AND APPROX. DEPARTURE DATE

Kolkata, India June 15, 2015 (Approximate)

3b. [ ] FOREIGN (for U.S. export) [ ] DOMESTIC (for U.S. import) PORT OF IMPORTATION AND APPROX. ARRIVAL DATE

Omaha, NE June 18, 2015 (Approximate)

4a. MODE OF TRANSPORT; NAME OF VESSEL / CARRIER (if known)

Fedex

4b. NAME OF ALL INTERMEDIATE CARRIERS

N/A

5. NAME AND ADDRESS OF FOREIGN CONSIGNEE/CONSIGNOR

Harris Pharma LLP
145 B Bosepukur Road
Kolkata700039, West Bengal, India

I hereby certify that the substance(s) listed in Section 2 are to be

[ ] Imported (conform to 21 U.S.C. § 952(b)) [ ] Exported (conform to 21 U.S.C. § 953(e)) and are intended for

[ ] Medical, [ ] Scientific, or [ ] Other legitimate uses (attach explanation for other legitimate use).

The above named substances are to be Re-Exported (Attach documentation per Title 21, CFR 1312.27) to (list countries):

SIGNATURE OF AUTHORIZED INDIVIDUAL OF IMPORTER / EXPORTER; BROKER OR FORWARDING AGENT

Print Name: Scott Frakes

DATE 5/26/2015

NAME OF FIRM AND TELEPHONE NUMBER
State of Nebraska Department of Corrections
(402) 479-5630
E-mail: scott.frakes@nebraska.gov

DEA FORM-236 COPY 4

1 of 8
May 26, 2015

Drug Enforcement Agency
Attention: ODGI Import/Export Unit (Ms. Kara Sweeney)
8701 Morrissette Drive
Springfield, Virginia 22152

RE: Form 236 Legitimate Use Declaration

To Whom It May Concern

I, Scott R. Frakes, as Director of the Nebraska Department of Correctional Services do hereby notify the United States Drug Enforcement Agency that I have sought the importation of Sodium Thiopental pursuant to DEA Form 236. The shipment of 1,000 vials containing one gram each of Sodium Thiopental will solely be used for the legitimate purpose of the Nebraska Department of Correctional Services carrying out lethal injections for those persons sentenced to death in the State of Nebraska.

Sincerely

Scott R. Frakes, Director
Nebraska Department of Correctional Services

XC: File
**U.S. Department of Justice / Drug Enforcement Administration**

**CONTROLLED SUBSTANCES IMPORT / EXPORT DECLARATION**

*(Read Instructions on reverse before completing)*

<table>
<thead>
<tr>
<th>1. CHECK ONE</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>✚ IMPORT DECLARATION</td>
<td>Nonnarcotic Substances in Schedules III, IV, V</td>
<td>Nonnarcotic Substances in Schedules III, and IV and all substances in Schedule V</td>
<td></td>
</tr>
<tr>
<td>❑ EXPORT DECLARATION</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**IMPORTER/EXPORTER (Name and Address)**
Nebraska State Penitentiary
4201 14th South Street
Lincoln, NE 68502

**DEA REGISTRATION NO. 04414184**

<table>
<thead>
<tr>
<th>2. CONTROLLED SUBSTANCES TO BE IMPORTED OR EXPORTED</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2a. NAME AND QUANTITY OF DRUG OR PREPARATION (Enter names as shown on labels; numbers and sizes of packages; strength of tablets, capsules, etc., CSA Drug Code and NDC Number)</td>
<td>Sodium Thiopental</td>
<td>Sodium Thiopental</td>
</tr>
<tr>
<td>Quantity: 1,000 vials</td>
<td>1,000 Vials multiplied by 1 gram Sodium Thiopental = 1,000 grams Sodium Thiopental</td>
<td></td>
</tr>
<tr>
<td>CSA Drug Code: 2100</td>
<td>No Conversion Factor Applies to Sodium Thiopental per DEA instruction.</td>
<td></td>
</tr>
<tr>
<td>NDC Number: G2100-0300-**</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3a. ✚ FOREIGN (for U.S. import) ❑ DOMESTIC (for U.S. export) PORT OF EXPORTATION AND APPROX. DEPARTURE DATE</th>
<th>3b. ❑ FOREIGN (for U.S. export) ✚ DOMESTIC (for U.S. import) PORT OF IMPORTATION AND APPROX. ARRIVAL DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kolkata, India June 18, 2015 (Approximate)</td>
<td>Omaha, NE June 21, 2015 (Approximate)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4a. MODE OF TRANSPORT; NAME OF VESSEL / CARRIER (if known)</th>
<th>4b. NAME OF ALL INTERMEDIATE CARRIERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>FedEx</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5. NAME AND ADDRESS OF FOREIGN CONSIGNEE/CONSIGNOR</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Harris Pharma LLP</td>
<td></td>
</tr>
<tr>
<td>Level 8, RDB Boulevard, Plot K1, Sector V, Salt Lake City</td>
<td></td>
</tr>
<tr>
<td>Kolkata 700091, West Bengal, India</td>
<td></td>
</tr>
</tbody>
</table>

I hereby certify that the substance(s) listed in Section 2 are to be ✚ Imported (conform to 21 U.S.C. § 952(b)) ❑ Exported (conform to 21 U.S.C. § 953(e)) and are intended for ☐ Medical, ☐ Scientific, or ✚ Other legitimate uses (attach explanation for other legitimate use).

☐ The above named substances are to be Re-Exported (Attach documentation per Title 21, CFR 1312.27) to (list countries):

---

**SIGNATURE OF AUTHORIZED INDIVIDUAL OF IMPORTER / EXPORTER, BROKER OR FORWARDING AGENT**

[Signature]

**DATE**
5/29/2015

**NAME OF FIRM AND TELEPHONE NUMBER**
State of Nebraska Department of Corrections
(402) 479-5630
E-mail: scott.frakes@nebraska.gov

DEA FORM–236
COPY 4

3 of 8
May 29, 2015

Drug Enforcement Agency
Attention: ODGI Import/Export Unit (Ms. Kara Sweeney)
8701 Morrisette Drive
Springfield, Virginia 22152

RE: Form 236 Legitimate Use Declaration

To Whom It May Concern,

I, Scott R. Frakes, as Director of the Nebraska Department of Correctional Services do hereby notify the United States Drug Enforcement Agency that I have sought the importation of Sodium Thiopental pursuant to DEA Form 236. The shipment of 1,000 vials containing 1 gram each of Sodium Thiopental will solely be used for the legitimate purpose of the Nebraska Department of Correctional Services carrying out lethal injections for those persons sentenced to death in the State of Nebraska.

Sincerely,

Scott R. Frakes, Director
Nebraska Department of Correctional Services
U.S. Department of Justice / Drug Enforcement Administration

CONTROLLED SUBSTANCES IMPORT / EXPORT DECLARATION
(Read Instructions on reverse before completing)

1. CHECK ONE  
   □ IMPORT DECLARATION  
   □ EXPORT DECLARATION  

Nonnarcotic Substances in Schedules III, IV, V  
Nonnarcotic Substances in Schedules III, and IV and all substances in Schedule V

IMPORTER/EXPORTER (Name and Address)  
Nebraska State Penitentiary  
4201 14th South Street  
Lincoln, NE 68502

BROKER OR FORWARDING AGENT, IF USED (Name and Address)  
Not Applicable

Date of Departure/Arrival  
Date of Certification  
Signature of Customs Official

DEA REGISTRATION NO. RNo414124  
DEA Transaction ID

2. CONTROLLED SUBSTANCES TO BE IMPORTED OR EXPORTED

2a. NAME AND QUANTITY OF DRUG OR PREPARATION  
(Enter names as shown on labels; numbers and sizes of packages; strength of tablets, capsules, etc., CSA Drug Code and NDC Number)

<table>
<thead>
<tr>
<th>Substance</th>
<th>Quantity</th>
<th>CSA Drug Code</th>
<th>NDC Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sodium Thiopental</td>
<td>1 gram Vial</td>
<td>2100</td>
<td>G2100-0300**</td>
</tr>
</tbody>
</table>

2b. CONTROLLED SUBSTANCE CONTENT OF DRUG OR PREPARATION expressed as acid, base or alkali, (Enter names of controlled substances contained in the drug, compound, or preparation)

<table>
<thead>
<tr>
<th>Substance</th>
<th>Content Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sodium Thiopental</td>
<td>1,000 Vials multiplied by 1 gram Sodium Thiopental = 1,000 grams Sodium Thiopental</td>
</tr>
</tbody>
</table>
No Conversion Factor Applies to Sodium Thiopental per DEA Instruction.

2c. DATE IMPORTED/EXPORTED AND ACTUAL QUANTITY  
(Completed by registrant at time of transaction)

3a. □ FOREIGN (for U.S. import) □ DOMESTIC (for U.S. export) PORT OF EXPORTATION AND APPROX. DEPARTURE DATE  
Kolkata, India  
June 18, 2015 (Approximate)

3b. □ FOREIGN (for U.S. export) □ DOMESTIC (for U.S. import) PORT OF IMPORTATION AND APPROX. ARRIVAL DATE  
Omaha, NE  
June 21, 2015 (Approximate)

4a. MODE OF TRANSPORT; NAME OF VESSEL / CARRIER (If known)  
Fedex

4b. NAME OF ALL INTERMEDIATE CARRIERS  
N/A

5. NAME AND ADDRESS OF FOREIGN CONSIGNEE/CONSIGNOR  
Harris Pharma LLP  
Level 8, RDB Boulevard, Plot K1, Sector V, Salt Lake City  
Kolkata 700091, West Bengal, India

I hereby certify that the substance(s) listed in Section 2 are to be □ Imported (conform to 21 U.S.C. § 952(b)) □ Exported (conform to 21 U.S.C. § 953(e)) and are intended for □ Medical, □ Scientific, or □ Other legitimate uses (attach explanation for other legitimate use).

□ The above named substances are to be Re-Exported (Attach documentation per Title 21, CFR 1312.27) to (list countries):

If the form is being used as an "Export Declaration", attach documentation that the consignee is authorized under the laws and regulations of the country of destination to receive the controlled substances. If the controlled substances are being re-exported from the first country to second countries, attach documentation that the consignee in the country of ultimate destination is authorized under the laws and regulations of that country to receive the controlled substances.

SIGNATURE OF AUTHORIZED INDIVIDUAL OF IMPORTER / EXPORTER, BROKER OR FORWARDING AGENT  
Scott Frakes

DATE  
5/29/2015

NAME OF FIRM AND TELEPHONE NUMBER  
State of Nebraska Department of Corrections  
(402) 479-5630  
E-mail: scott.frakes@nebraska.gov
May 29, 2015

Drug Enforcement Agency
Attention: ODGI Import/Export Unit (Ms. Kara Sweeney)
8701 Morrisette Drive
Springfield, Virginia 22152

RE: Form 236 Legitimate Use Declaration

To Whom It May Concern,

I, Scott R. Frakes, as Director of the Nebraska Department of Correctional Services do hereby notify the United States Drug Enforcement Agency that I have sought the importation of Sodium Thiopental pursuant to DEA Form 236. The shipment of 1,000 vials containing 1 gram each of Sodium Thiopental will solely be used for the legitimate purpose of the Nebraska Department of Correctional Services carrying out lethal injections for those persons sentenced to death in the State of Nebraska.

Sincerely,

Scott R. Frakes, Director
Nebraska Department of Correctional Services
From: Frakes, Scott
Sent: Friday, May 29, 2015 4:56 PM
To: chrisharris@harrispharmallp.com
Subject: Information
Attachments: cook v. FDA.pdf

Please give me a call when you have time to discuss.
Hi Scott,

Will give you a call tomorrow as I don't have network coverage here. Will be back tomorrow.

Regards,
Chris

----- Reply message -----  
From: "Frakes, Scott" <scott.frakes@nebraska.gov>  
To: "chrisharris@harrispharmallp.com" <chrisharris@harrispharmallp.com>  
Subject: Information  
Date: Sat, May 30, 2015 3:25 AM

Please give me a call when you have time to discuss.
Hello Chris,

Here is the letter that we already sent to the DEA on May 29th, along with the original (DEA copy) of the form 236. I will be sending you 3 signed copies of this letter, and copies 1,2,3 of the DEA 236 form. I don't believe we need to do an additional letter.

Hi Scott,

Pls see the attached document. Kindly print on letter head and stamp and sign and send back with DEA 236. Will need 3 copies.

Regards,
Chris

Hi Scott,

Will give you a call tomorrow as I don't have network coverage here. Will be back tomorrow.

Regards,
Chris
Subject: Information
Date: Sat, May 30, 2015 3:25 AM

Please give me a call when you have time to discuss.
STATE OF NEBRASKA

DEPARTMENT OF CORRECTIONAL SERVICES
Scott R. Frakes
Director

May 29, 2015.

Drug Enforcement Agency
Attention: ODGE Import/Export Unit (Ms. Kara Sweeney)
6701 Morrisette Drive
Springfield, Virginia 22152

RE: Form 236 Legitimate Use Declaration

To Whom It May Concern,

I, Scott R. Frakes, as Director of the Nebraska Department of Correctional Services do hereby notify the United States Drug Enforcement Agency that I have sought the importation of Sodium Thiopental pursuant to DEA Form 236. The shipment of 1,000 vials containing 1 gram each of Sodium Thiopental will solely be used for the legitimate purpose of the Nebraska Department of Correctional Services carrying out lethal injections for those persons sentenced to death in the State of Nebraska.

Sincerely,

Scott R. Frakes, Director
Nebraska Department of Correctional Services
CONFIDENTIAL COMMUNICATION

July 17, 2015

Via Facsimile: 402-479-5622

Dear Tracey:

Attached is our invoice for the second piece of work related to your matter.

Thank you very much.

Warmly,

Anna

Ms. Anna Simonton
Paralegal
FDAImports.com | Benjamin L. England & Associates, LLC
810 Landmark Drive, Suite 126
Glen Burnie, MD 21061
phone: (410) 220-2800 | fax: (443) 583-1464
www.fdimports.com | benjaminlengland.com

NOTICE: This message may contain information that is privileged or otherwise confidential. It is intended solely for the holder of the e-mail address to which it has been intended, and should not be disseminated, distributed, copied or forwarded to any other persons. It is not intended for transmission to, or receipt by, any other person. If you have received this e-mail in error, please delete it without copying or forwarding it, and notify us of the error by reply e-mail so that our address records can be corrected.

IRS CIRCULAR 230 DISCLOSURE: To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein. Please do not hesitate to contact me, however, if you have any questions regarding this matter.
INVOICE

Invoice #: 8488
Date: 07/16/2015
Due Upon Receipt

Benjamin L. England & Associates, LLC
810 Landmark Drive, Suite 126
Glen Burnie, MD 21061
Phone: (410) 220-2800
Email: Invoices@fdainports.com

Nebraska Department of Correctional Services
Scott Frakes, Director
Box 94661
Lincoln, NE 68509

04143 - Nebraska Department of Correctional Services
Legal Counsel

<table>
<thead>
<tr>
<th>Type</th>
<th>Attorney</th>
<th>Date</th>
<th>Description</th>
<th>Quantity</th>
<th>Rate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service</td>
<td>AES</td>
<td>07/16/2015</td>
<td>Flat Fee: Drug Product Listing</td>
<td>1.00</td>
<td>$399.00</td>
<td>$399.00</td>
</tr>
</tbody>
</table>

Subtotal: $399.00
Total: $399.00

Please make all amounts payable to: Benjamin L. England & Associates, LLC

- Payment is due upon receipt.
Remittance Advice

Checking Information

Remit checks to: Benjamin L. England & Associates, LLC 810 Landmark Drive, Suite 128, Glen Burnie, MD 21061 (410)
220-2800 (Office)

Wire Transfer Information

Bank Name/Address: Bank of America 9200 Old Annapolis Road Columbia, MD 21045

Bank ABA/Routing #: Domestic ABA Routing [redacted]

Name/Account #: Benjamin L. England & Associates, LLC Account No. [redacted]

SWIFT: [redacted]

Please include the Invoice Number 8488 as an additional reference so we may accurately identify and apply your payment. Please provide adequate payment to cover the wire fees assessed by your financial institution.
Chris,
The required paperwork is with FedEx, delivery to you is expected to be Tuesday morning. FedEx tracking number is 8736-9099-4607.

The packet will include copies of our Customs Bond, please provide this information to FedEx as part of the shipping process.

Thank you.
Thanks. Will keep you posted

Sent from my HTC One

----- Reply message ----- 
From: "Frakes, Scott" <scott.frakes@nebraska.gov>
To: "chrisharris@harrispharmallp.com" <chrisharris@harrispharmallp.com>
Subject: Information
Date: Fri, Jul 31, 2015 9:56 PM

Chris,
The required paperwork is with FedEx, delivery to you is expected to be Tuesday morning.
FedEx tracking number is 8736-9099-4607.

The packet will include copies of our Customs Bond, please provide this information to
FedEx as part of the shipping process.

Thank you.
Exhibit 14

From: Please print and sign your name.
Date: 3/8/15
Sender's Name: Scott Fraley
Address: PO Box 9466

To: Recipient's Name: Chris Harris
Company: Harris Pharma
Address: Level 8, RDB Boulevard, plot K1, sector

City: Salt Lake City
State: West Bengal, India
Country: India
ZIP: 700091
Postal Code: 68509

Express Package Service:
FedEx Int'l Priority
FedEx Int'l Mail
FedEx Int'l Economy
Optional Service Fee Available

Packaging:
FedEx Envelope
FedEx Pak
FedEx Box
FedEx Tube
FedEx Other
FedEx 10kg Box
FedEx 20kg Box

Special Handling:
■ HOLD at FedEx Location
■ SATURDAY Delivery

Payment:
Customer pickup or delivery fee applies to this shipment. Contact FedEx for details.

Your Internal Billing Reference:

Required Signatures:

For completion instructions, see back of this page.

8736 9099 4607

Questions? Go to our Web site at fedex.com.
Or in the U.S., call 1.800.463.3333. Outside the U.S., call your local FedEx office.
Aon Surety- Specialty Customs Bond Application

Entity Requesting Bond: Nebraska Department of Correctional Services  
Date: 07/28/2015

Legal Name: Nebraska Department of Correctional Services  
State of Inc.:  
Address: P. O. Box 94661  
Import & FEIN: 47-0491233
City: Lincoln  
State: NE  
Zip: 68509  
Customs Assigned #: DEA-RNO414184

<table>
<thead>
<tr>
<th>Activity 1-Importer</th>
<th>Activity 1A-Drawback</th>
<th>Activity 2-Custodian of Bonded Merchandise</th>
</tr>
</thead>
<tbody>
<tr>
<td>Activity 3-International Carrier</td>
<td>Activity 3A-Instruments of International Traffic</td>
<td></td>
</tr>
<tr>
<td>Activity 4-Foreign Trade Zone</td>
<td>Other - Activity</td>
<td></td>
</tr>
</tbody>
</table>

Requested Bond Amount: 50,000  
Imported Commodity (Activity 1 Only): Apparel & accessories

Are goods are subject to anti-dumping or countervailing duty? Y N  
Is there a current bond in force? Y N

Type of Business

| X | Importer | Warehousemen | Trucking/Common Carrier | Ocean Common Carrier | Air Carrier | Other |

Co-Principals  
U.S. Customs permits the inclusion of more than one legal entity (co-principals) on the bond. These entities must be of the same legal status and must be legally related (i.e. subsidiaries). Please be aware that co-principals are jointly liable to U.S. Customs for all obligations secured under the bond. To avoid joint liability, separate bonds should be filed. (Additional names may be listed separately).

Co-Principal's Name | IRS | Type of Organization (Corp, LLC, Partnership, ect.) | How Related (Subsidiary, etc.)

Tradenames and Unincorporated Divisions  
Tradenames, divisions, other names under which you import, or different locations may be listed as additional users on the bond. Users are identified by using their corporate IRS number with separate suffixes. Suffixes can be any two numbers or letters other than I, O, Z, or 00. (Additional names may be listed separately).

Name | IRS # with Suffix | How Related (Subsidiary, etc.)

Insurance Broker Information

Name: Aon Risk Services Central, Inc.- Specialty  
Address: 200 E. Randolph Street  
City: Chicago  
State: IL  
Zip: 60601
Broker Name: (circle one) Marcia Cesafsky, Chris Troha, Ann Mullins
Telephone:  
E-mail: 

Contact Information for Bond & Premium Invoice:

Name: Scott Frakes  
Address: P. O. Box 94661, Lincoln, NE 68509  
Phone: 402-479-5710  
Fax: 402-479-5623  
E-mail: Scott.frakes@nebraska.gov

Currently participating in Customs Periodic Monthly Statement Program? (Premium Surcharge Applies) YES X NO
Is a reconciliation rider needed? YES X NO

List all anti-dumping and countervailing duty entries, along with the dollar value:  
Estimated annual import values:  
Estimated annual duties paid:
DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection  
CUSTOMS BOND  
18 CFR Part 113  

Broker Filer Code: N/A  
Surety Reference Number: 14738192  

In order to secure payment of any duty, tax or charge and compliance with law or regulation as a result of activity covered by any condition referenced below, we, the below named principal(s) and surety(ies), bind ourselves to the United States in the amount or amounts, as set forth below.  

Execution Date: 07/30/2015  

SECTION I - Select Single Transaction OR Continuous Bond (not both) and fill in the applicable blank spaces.  

<table>
<thead>
<tr>
<th>Transaction Code</th>
<th>Identification of transaction secured by this bond (e.g., entry number, seizure number, etc.)</th>
<th>Transaction Date</th>
<th>Port Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>S</td>
<td>Effect date of this bond. This bond remains in force for one year beginning with the effective date and for each succeeding annual period, or until terminated. This bond constitutes a separate bond for each period in the amounts listed below for liabilities that occur in each period. The intention to terminate this bond must be conveyed within the period and manner prescribed in the CBP Regulations.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C</td>
<td>Effect date of this bond. This bond remains in force for one year beginning with the effective date and for each succeeding annual period, or until terminated. This bond constitutes a separate bond for each period in the amounts listed below for liabilities that occur in each period. The intention to terminate this bond must be conveyed within the period and manner prescribed in the CBP Regulations.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

SECTION II - This bond includes the following agreements. Check one box only. (Except 3a may be checked independently or with 3.)  

<table>
<thead>
<tr>
<th>Activity Code</th>
<th>Activity Name and CBP Regulations in which conditions codified</th>
<th>Limit of Liability</th>
<th>Activity Code</th>
<th>Activity Name and CBP Regulations in which conditions codified</th>
<th>Limit of Liability</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Importer or broker .................................................. §113.62</td>
<td>$50,000</td>
<td>4</td>
<td>Declaration of Copyrighted Material ................................... §113.70</td>
<td></td>
</tr>
<tr>
<td>1a</td>
<td>Drawback Payments Refunds ........................................... §113.65</td>
<td></td>
<td></td>
<td>Neutrality ........................................................................... §113.74</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Custodial of Bonded Merchandise §113.63 (includes bonded carriers, freight forwarders, cartmen and lightermen, all classes of warehouse, container station operators) (Continuous Bond Only)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>International Carrier ................................................... §113.04</td>
<td></td>
<td></td>
<td>Single Transaction Only.........................................................</td>
<td></td>
</tr>
<tr>
<td>3a</td>
<td>Instruments of International Traffic ................................... §113.56</td>
<td></td>
<td></td>
<td>Single Transaction Only.........................................................</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Foreign Trade Zone ...................................................... §113.58</td>
<td></td>
<td></td>
<td>Single Transaction Only.........................................................</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Public Seizure .......................................................... §113.62</td>
<td></td>
<td></td>
<td>Single Transaction Only.........................................................</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Bond &amp; Surety Deposits ................................................. §113.64</td>
<td></td>
<td></td>
<td>Single Transaction Only.........................................................</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Bill of Lading ............................................................ §113.65</td>
<td></td>
<td></td>
<td>Single Transaction Only.........................................................</td>
<td></td>
</tr>
</tbody>
</table>

PRINCIPAL

Name and Physical Address (including legal description and state of incorporation)
NEBRASKA DEPT OF CORRECTIONAL SERVICES
A State/Local Government Entity
FOLSOM AND WEST PROSPECTOR PLACE
4201 14TH SOUTH STREET
LINCOLN, NE 68502

By checking the box you agree that you have a seal in accordance with 19 CFR 113.25

AFFIX SEAL or Check Box

CBP Identification Number: 47-049123300

Signature
Electronically submitted to CBP on 07/30/2015

Check Box

Mailing Address Requested by the Surety
American Alternative Insurance Corporation
d/o Roanoke Group
1476 E. Woodfield Road, Suite 600
 Schaumburg, IL 60173

SURETY

Name and Physical Address (including legal description and state of incorporation)
American Alternative Insurance Corporation
(A DELAWARE CORPORATION)
555 COLLEGE ROAD EAST
PRINCETON, NJ 08540-6616

Signature
Electronically submitted to CBP on 07/30/2015

Check Box
Your packages have been delivered

Master tracking # 803672561734

Ship date: Pending  Delivery date: Fri, 9/4/15 3:46 pm

Delivered

Shipment Facts
Our records indicate that the following packages have been delivered.

Master tracking number: 803672561734

Tracking number: 805968128317
805968128328

Status: Delivered: Signed for By: R.ROHIT

Signed for by: R.ROHIT

Delivered to: Receptionist/Front Desk

Service type: FedEx International Priority

Packaging type: Your Packaging

Number of pieces: 3

Total shipment weight: 23.80 lb.

Special handling/Services: Deliver Weekday

(1) Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 5:33 AM CST on 09/04/2015.

To learn more about FedEx Express, please go to fedex.com.

All weights are estimated.
**Exhibit 14**

**FedEx® Tracking**

<table>
<thead>
<tr>
<th>Tracking number</th>
<th>803672561734</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ship date:</strong></td>
<td>Mon 6/31/2015</td>
</tr>
<tr>
<td><strong>Actual delivery:</strong></td>
<td>Fri 9/4/2015 3:48 pm</td>
</tr>
<tr>
<td><strong>Delivered</strong></td>
<td>Signed for by: R. ROHIT</td>
</tr>
</tbody>
</table>

### Travel History

<table>
<thead>
<tr>
<th>Date/Time</th>
<th>Activity</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>3:46 pm</td>
<td>Delivered</td>
<td></td>
</tr>
<tr>
<td>9/3/2015 - Thrusday</td>
<td>10:16 pm Departed FedEx location</td>
<td>NEW YORK, NY</td>
</tr>
<tr>
<td>6:12 am</td>
<td>In transit</td>
<td>NEW YORK, NY</td>
</tr>
<tr>
<td>3:14 am</td>
<td>In transit</td>
<td>NEW YORK, NY</td>
</tr>
<tr>
<td>9/2/2015 - Wednesday</td>
<td>9:46 pm Returning package to shipper.</td>
<td>NEW YORK, NY</td>
</tr>
<tr>
<td>1:51 pm</td>
<td>At local FedEx facility</td>
<td>NEW YORK, NY</td>
</tr>
<tr>
<td>9/1/2015 - Tuesday</td>
<td>6:37 pm Shipment exception.</td>
<td>NEW YORK, NY</td>
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<tr>
<td>2:59 pm</td>
<td>At local FedEx facility</td>
<td>NEW YORK, NY</td>
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<tr>
<td>8/31/2015 - Monday</td>
<td>5:54 pm Shipment exception.</td>
<td>NEW YORK, NY</td>
</tr>
<tr>
<td>2:10 pm</td>
<td>At local FedEx facility</td>
<td>NEW YORK, NY</td>
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<tr>
<td>8/30/2015 - Sunday</td>
<td>5:00 pm At local FedEx facility</td>
<td>NEW YORK, NY</td>
</tr>
<tr>
<td>8/29/2015 - Saturday</td>
<td>9:14 pm Shipment exception.</td>
<td>NEW YORK, NY</td>
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<tr>
<td>8:46 am</td>
<td>At local FedEx facility</td>
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</tr>
<tr>
<td>7:45 pm</td>
<td>Picked up</td>
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</table>

### Shipment Facts

- **Tracking number**: 803672561734
- **Master tracking number**: 803672561734
- **Total pieces**: 3
- **Special handling section**: Deliver Weekday

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*From well site*

**FPMEDO 9-16-15**

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7 of 8
The ACLU of Nebraska has asked U.S. Attorney Deborah Gilg to open an investigation into Nebraska’s ongoing efforts to obtain lethal injection drugs from a "sketchy" foreign source.
In a letter from ACLU of Nebraska, Legal Director Amy Miller said communications between the state and the U.S. Drug Enforcement Administration demonstrate a months-long effort by the Nebraska Department of Correctional Services "to obtain illegal drugs despite clear and unequivocal notice that their conduct was prohibited by federal law."

In May, the department ordered 1,000 one-gram vials of sodium thiopental at a cost of $25 per vial and 1,000 ampules of 2 mg/2 ml of pancuronium bromide at $26 per ampule. Total cost was $54,000.

The order was placed with Chris Harris of Harris Pharma, a company in India that has sold sodium thiopental in the past.

The Corrections Department already owns the third drug used in the state's execution protocol, potassium chloride.

According to documents obtained by the ACLU through open records requests, Miller said, federal authorities clearly informed Nebraska officials that federal law prohibits import of the drugs.

Her letter quotes correspondence from the Food and Drug Administration telling state officials there is no FDA-approved application for sodium thiopental and from a DEA official in July saying Customs and Border Protection was notified of the potential illegal importation of the drug.

Nebraska officials paid the $54,000 in taxpayer funds to Harris Pharma for the drugs that have yet to be produced and are now months past initial assurances of their delivery date.

Taylor Gage, speaking on behalf of Gov. Pete Ricketts, said Thursday afternoon the state is working with the DEA to lawfully obtain the drugs required under Nebraska's death penalty protocol.
"The ACLU is clearly aligned with the side of the ballot initiative that does not want to give the voters of Nebraska a say on the death penalty -- their letter should be viewed in that light," Gage said.

The Nebraska Legislature in May repealed the death penalty after overriding Ricketts' veto of the bill (LB268) on a 30-19 vote. Soon after the session ended, a group called Nebraskans for the Death Penalty started a petition drive to allow voters to attempt to reinstate it in 2016. Those petitions are due to the Secretary of State's office next week.

According to the ACLU letter, the state sent customs forms to Harris Pharma on July 31.
“The ACLU is committed to holding state officials accountable for their ongoing efforts to secure lethal injection drugs in violation of federal rules,” said ACLU of Nebraska Executive Director Danielle Conrad.

The documents provided show state officials have been told repeatedly by federal authorities that there is no legal way to import the drugs yet they continue to repeat a suspect claim that they are "working with federal officials to secure the drugs," Conrad said.

Nebraska taxpayers deserve a straight answer, she said.

"It is time to end this charade," Conrad said. "Nebraska officials should request an immediate refund of over $50,000 of taxpayer funds they committed to this sketchy foreign source without doing any due diligence and should cease and desist from all future attempts to skirt federal rules."

Miller said rather than wait for illegal drugs to enter the country, Gilg should assure the state complies with federal law and stop all efforts to "flout" FDA provisions.

Jan Sharp, the U.S. attorney's criminal division chief in Omaha, said Gilg's office is looking over the documents and should decide by next week whether to act.

"Like any correspondence that comes in, we take it seriously," Sharp told The Associated Press. "... We don't disregard anything that gets sent to us. Whether or not we pick up and run with it is left to a prosecutor's discretion."

Reach the writer at 402-473-7228 or jyoung@journalstar.com. On Twitter @LJSLegislature.
ACLU's letter to the U.S. attorney
Aug 20, 2015
http://journalstar.com/legislature/lethal-injection-drugs-continue-to-be-held-up-in-india/article_f0a848ae-7800-5624-81a9-622767255efc.html

Lethal injection drugs continue to be held up in India

By JoANNE YOUNG / Lincoln Journal Star  Sep 18, 2015

ERIC GREGORY/Lincoln Journal Star
The execution chamber at the Nebraska State Penitentiary.
Execution drugs from a distributor in India bound for Nebraska were shipped last month but returned to the sender before leaving the country, according to forms provided by the state Department of Correctional Services.

A Sept. 14 email from Corrections Department Director Scott Frakes said the drugs were returned to Chris Harris of the Indian distributor HarrisPharma for further international review.

A FedEx tracking form showed the sodium thiopental shipped on Aug. 24 from OC Logistic, which was handling the shipping, was returned by FedEx on Aug. 28. It apparently contained three packages of the drug.

Emails sent back and forth from the Department of Correctional Services and the federal Drug Enforcement Administration indicate there was incorrect information on the forms.

Corrections Department spokesman James Foster said Thursday the department "will continue to work with all entities involved for the legal importation of the substances."

In August, the ACLU of Nebraska asked U.S. Attorney Deborah Gilg to open an investigation into Nebraska's months-long effort to obtain lethal injection drugs from a foreign source.

Legal Director Amy Miller said the Department of Correctional Services was trying "to obtain illegal drugs despite clear and unequivocal notice that their conduct was prohibited by federal law."

In May, the department ordered 1,000 one-gram vials of sodium thiopental at a cost of $25 per vial and 1,000 ampules of 2 mg/2 ml of pancuronium bromide at $26 per ampule. Total cost was $54,000.

According to the ACLU, the state sent customs forms to HarrisPharma on July 31.
The ACLU has said Nebraska officials should request an immediate refund of the taxpayer funds used to pay for the shipment and should stop "all future attempts to skirt federal rules."

An Aug. 25 letter from Gilg said the U.S. attorney's office was unable to determine from the materials sent by the ACLU whether any federal criminal or civil statutes were implicated. So Gilg forwarded the materials to the FDA's inspector general for further review.

"Based upon what that agency reports back to us, we will determine whether further action by this office is warranted," she said.

ACLU executive director Danielle Conrad said the ACLU has been clear in its position that there is no way to fix Nebraska’s broken death penalty.

"We are glad the state's ongoing and misguided attempts to secure these lethal injection drugs have been thwarted by federal government officials who are committed to enforcing the rule of law," she said.

"Nebraska has no way to carry out the now-repealed death penalty and further attempts to secure these drugs amounts to nothing more than false promises."

A group of death penalty supporters is waiting for verification of an adequate number of referendum petition signatures that were gathered this summer to stop repeal of the death penalty in Nebraska until a vote can be taken in November 2016.

Reach the writer at 402-473-7228 or jyoung@journalstar.com. On Twitter @LJSLegislature.
State foiled by improper paperwork in attempt to acquire execution drug

By Joe Duggan / World-Herald bureau  Sep 18, 2015
State foiled by improper paperwork in attempt to acquire execution drug | Nebraska | oma...

LINCOLN — Improper paperwork thwarted an effort by Nebraska prison officials to import a disputed shipment of lethal injection drugs earlier this month.

Despite warnings from the U.S. Food and Drug Administration that it is illegal to import foreign-made sodium thiopental, the state proceeded with plans to obtain the drug from a pharmaceutical broker in India. However, “improper or missing international paperwork” filed by the drug exporter prompted FedEx to return the shipment before it left India, Jim McCluskey, a spokesman for FedEx, said Thursday.

The company sends information about all imported drugs to the FDA and U.S. Customs officials in advance of their delivery, McCluskey said. “If the shipment is authorized, we will deliver it to the recipient,” he said. “If it is not, we will return it to the foreign shipper.”

According to FedEx tracking records, the shipment was picked up by the company Aug. 28 but returned to the exporter Sept. 4.

James Foster, spokesman for the Nebraska Department of Correctional Services, said Thursday that state officials “will continue to work with all entities involved for the legal importation of the substances.”

Earlier this year, Nebraska Corrections officials paid $54,400 to purchase the sodium thiopental and another drug called pancuronium bromide from a supplier in India. The substances, two of three required under the state’s lethal injection protocol, had expired.

Gov. Pete Ricketts has said he remains confident that Nebraska will obtain the drugs, but the FDA says the sodium thiopental is no longer approved for use in the United States. The domestic manufacturer of the anesthetic stopped making it several years ago under pressure from death penalty opponents.
The FDA’s position that the drug will not be allowed delivery to Nebraska or any other state remains unchanged, Jeff Ventura, the agency’s spokesman, said in an email Thursday.

In support of its ban on the importation of the drug, the FDA has referred to a 2013 federal appeals court ruling in Washington, D.C.

Nebraska Attorney General Doug Peterson has hinted that the state may legally challenge the FDA’s blockade of the drug. Nebraska was not a party to the case that led to the appeals court decision, and Peterson has said the FDA has staked out a position that goes beyond what the court required.

Meanwhile, the ACLU of Nebraska has prodded federal prosecutors to investigate the continuing efforts by Nebraska officials to import a drug classified as illegal by the FDA. In response, U.S. Attorney Deborah Gilg said her office was unable to determine whether criminal or civil laws were broken, prompting her to seek further guidance from the Office of the Inspector General for the FDA.

Jan Sharp, chief of the general crimes unit at the U.S. Attorney's Office in Omaha, said Friday he was awaiting the FDA’s response.

The governor announced the purchase of the drugs last spring while the Legislature was debating a bill to repeal the death penalty in Nebraska. Ricketts wanted to counter arguments that the state would be unable to obtain the drugs needed to carry out an
execution. Lawmakers voted to repeal the death penalty over the governor's veto. Death penalty supporters, however, apparently succeeded to obtaining enough petition signatures to put capital punishment on the ballot in 2016.

Nebraska last executed an inmate in 1997, when the method of execution was the electric chair. Some death penalty supporters have argued that the state should seek a change in protocol and use different drugs for lethal injection.

Also read: Death penalty opponents file lawsuit saying petition drive should be invalidated
Nebraska Department of Correctional Services  
MATERIAL REQUEST FOR PURCHASE

VENDOR NAME: Gulf Coast Pharmaceuticals  
VENDOR ADDRESS: Ocean Springs, MS 39564  
CONTACT NAME/PHONE:  

SHIP TO: Nebraska State Penitentiary  
4201 S. 14th Street  
Lincoln, NE 68502  
NIS A/B#: 557820  

BILL TO: NDCS Central Warehouse  
5001 Pioneers Blvd  
Lincoln, NE 68502  
NIS A/B#: 557820  


gulfcoastpharmaceuticals.com  
Ocean Springs, MS 39564  

CONTACT NAME/PHONE:  

CONTRACT#:

1. Item: Pancuronium Bromide  
   Qty: 4  
   Unit: BX  
   Unit Cost: 206.45  
   Total: 825.80  

SUBTOTAL: 825.80  

TOTAL FROM ADDITIONAL PAGE(S):  

MERCHANDISE RECEIVED  
 □ PARTIAL ORDER  
 □ COMPLETE ORDER  
☑ CANCELLED  
   ORDER: 10/15/15

DATE RECEIVED:  
BY:  

MERCHANDISE RETURNED  
ITEM # RETURNED:  
DATE RETURNED:  
REASON:  
BY:  

Sole Source:  
Justification/Comments:  

IS FREIGHT INCLUDED IN PRICE?  
☑ N  

ACCOUNT CODING - INTERNAL USE ONLY

DEBIT  CREDIT  

ORIGINATOR/SUPERVISOR APPROVAL  
BUSINESS MANAGER/ADMINISTRATOR APPROVAL  

PRIORITY

EXHIBIT 16  
1 of 1
# APPLICATION FOR REGISTRATION UNDER CONTROLLED SUBSTANCES ACT OF 1970

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<tr>
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<td>470491233</td>
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<td>Address</td>
<td>4201 South 14th Street, Lincoln, NE 68502</td>
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<tr>
<td>Business Phone Number</td>
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<tr>
<td>Business Activity</td>
<td>Importer</td>
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</table>

**Regulatory Notes:**
- The Drug Enforcement Administration (DEA) requires that you furnish your Federal Taxpayer Identification Number to DEA. This number is provided for debt collection purposes. If you do not have a Federal Taxpayer Identification Number, use your Social Security Number.
- All Applicants must answer the following questions:
  1. Has the applicant ever been convicted of a crime in connection with controlled substance(s) under state or federal law, or been excluded or directed to be excluded from participation in a Medicare or Medicaid reimbursement program, or any similar action pending?
  2. Has the applicant ever been suspended or had a state or federal registration revoked, suspended, restricted, or placed on probation, or any similar action pending?
  3. Has the applicant ever been convicted of a federal or state crime involving the sale, distribution, dispensing, or handling of a controlled substance, or any similar action pending?
  4. If the applicant is a corporation, has any officer, partner, shareholder, or proprietor been convicted of a crime in connection with controlled substances under state or federal law, or any similar action pending?
Drug Codes
2100 2138

6. Payment Method: N/A

7. Certification for Fee Exemption
Certifying Official's Name: Julia Smith
Certifying Official's Title: Chief Legal Counsel
Certifying Official's Phone: 402-479-5735

Application Certification:

WARNING: 21 USC 843(d), states that any person who knowingly or intentionally furnishes false or fraudulent information in the application is subject to a term of imprisonment of not more than 4 years, and a fine under Title 18 of not more than $250,000, or both.

By typing my full name in the space below, I hereby certify that the foregoing information furnished on these application/DEA forms pages is true and correct and understand that this constitutes an electronic signature for purposes of these applications/DEA forms only.

* Name of Applicant (For individual registrants, the registrant themselves MUST complete this E-Signature) or name of Officer of the Corporation/Company
e-Signature: Scott Frakes

This electronic application/DEA form must be certified by the applicant/registrant, if an individual; by a partner of the applicant, if a partnership; or by an officer of the applicant, if a corporation, corporate division, association, trust, or other entity. See 21 C.F.R § 1301.1301 for more information on who can certify this application.
ADDITIONAL INFORMATION

1. No registration will be issued unless a completed application form has been received (21 CFR 1301.13).

2. In accordance with the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number. The OMB number for this collection is (See Above). Public reporting burden for this collection of information is estimated to average (See Above) per response. Including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information.

3. The Debt Collection Improvements Act of 1996 (31 U.S.C. §7701) requires that you furnish your Taxpayer Identification Number (TIN) or Social Security Number (SSN) on this application. This number is required for debt collection procedures if your fee is not collectible.

4. PRIVACY ACT NOTICE:
Providing information other than your SSN or TIN is voluntary; however, failure to furnish it will preclude processing of the application. The authorities for collection of this information are §§302 and 303 of the Controlled Substances Act (CSA) (21 U.S.C. §§822 and 823). The principle purpose for which the information will be used is to register applicants pursuant to the CSA. The information may be disclosed to other Federal law enforcement and regulatory agencies for law enforcement and regulatory purposes, State and local law enforcement and regulatory agencies for law enforcement and regulatory purposes, and person registered under the CSA for the purpose of verifying registration. For further guidance regarding how your information may be used or disclosed, and a complete list of the routine uses of this collection, please see the DEA System of Records Notice “Controlled Substances Act Registration Records” (DEA-005), 52 FR 47208, December 11, 1987, as modified.

DEA OFFICE OF DIVERSION CONTROL PRIVACY POLICY
<table>
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<td>10-31-2016</td>
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<th>BUSINESS ACTIVITY</th>
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<td>3N,4,</td>
<td>IMPORTER</td>
<td>11-20-2015</td>
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</table>

Sections 304 and 1008 (21 USC 824 and 858) of the Controlled Substances Act of 1970, as amended, provide that the Attorney General may revoke or suspend a registration to manufacture, distribute, dispense, import or export a controlled substance.

THIS CERTIFICATE IS NOT TRANSFERABLE ON CHANGE OF OWNERSHIP, CONTROL, LOCATION, OR BUSINESS ACTIVITY, AND IT IS NOT VALID AFTER THE EXPIRATION DATE.
Exhibit 18

DEA REGISTRATION NUMBER: RN0414184
Exhibit 18

This registration expires: 10-31-2016

FEE PAID

FEE EXEMPT

SCHEDULE
3N.4.

BUSINESS ACTIVITY
IMPORTER

ISSUE DATE
11-20-2015

NEBRASKA STATE PENITENTIARY
SCOTT FRAKES
4201 SOUTH 14TH STREET
LINCOLN, NE 68502-0000

CONTROLLED SUBSTANCE/REGULATED CHEMICAL REGISTRATION CERTIFICATE
UNITED STATES DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION
WASHINGTON D.C. 20537

Sections 304 and 1008 (21 USC 824 and 858) of the Controlled Substances Act of 1970, as amended, provide that the Attorney General may revoke or suspend a registration to manufacture, distribute, dispense, import or export a controlled substance.

THIS CERTIFICATE IS NOT TRANSFERABLE ON CHANGE OF OWNERSHIP, CONTROL, LOCATION, OR BUSINESS ACTIVITY, AND IT IS NOT VALID AFTER THE EXPIRATION DATE.

REQUESTING MODIFICATIONS TO YOUR REGISTRATION CERTIFICATE

To request a change to your registered name, address, the drug schedule or the drug codes you handle, please:

1. visit our web site at deadiversion.usdoj.gov - or
2. call our customer Service Center at 1-(800) 882-6539 - or
3. submit your change(s) in writing to:
   Drug Enforcement Administration
   P.O. Box 20009
   Washington, DC 20803

See Title 21 Code of Federal Regulations, Section 1301.51
for complete instructions.

You have been registered to handle the following chemical/drug codes:

2100.2138
Out $54,400 for lethal injection drugs, Nebraska wants its money back

By Joe Duggan / World-Herald bureau  Dec 11, 2015

Nebraska Gov. Pete Ricketts

LINCOLN — Nebraska prison officials are exploring whether they can recoup funds for lethal injection drugs they never received from a foreign broker, although a written sales agreement says nothing about a possible refund.

Gov. Pete Ricketts said last week that his administration will halt efforts to obtain lethal substances until after next year’s referendum vote on the fate of the death penalty. The announcement prompted the question about whether state can recover the $54,400 paid to Chris Harris, a broker in India who had sold and delivered drugs to Nebraska in the past.

This time, however, Harris has not made good on his pledge to ship the drugs within 60 days of cashing two checks the state sent him. The Governor’s Office has directed the Corrections Department to review the purchase agreement, said Taylor Gage, the governor’s spokesman.

“It is unclear what recourse the state has, if any, to recover the funds at this time,” Gage said this week.

In response to previous public records requests, state officials had released an “offer to sell agreement” for 1,000 vials of sodium thiopental drafted by Harris and signed April 14 by Corrections Director Scott Frakes. The director signed a similar agreement for a second lethal drug, pancuronium bromide, on May 12.

The agreements list six terms and conditions, including the price of the drugs, the advance payment requirement and Harris’ pledge to deliver within 60 days. The agreements do not address the possibility of returning the funds in the event Harris is unable to supply the drugs.

On Thursday, Corrections spokeswoman Dawn-Renee Smith said the department is still reviewing the purchase agreement and “relevant supporting documentation” as requested by the governor.
State Treasurer Don Stenberg said the state should make an effort to recoup public funds when goods and services are not received, said Jana Langemach, the treasurer’s spokeswoman. That responsibility falls to the agency that makes the lost expenditure, Stenberg added.

It appears that state officials did not anticipate running into difficulties with importing the drugs, which it bought to replace two lethal substances that had expired. Within weeks of the purchase, however, the U.S. Food and Drug Administration said it would not allow importation of sodium thiopental, an anesthetic no longer manufactured or approved for general use in this country.

Late last week, Nebraska’s U.S. Attorney Deborah Gilg also said it would be illegal for the state to import sodium thiopental, the first of three drugs prison officials would administer in an execution.

Hours after Gilg’s statement, the governor announced that the state would stop attempts to obtain the drugs until after the November 2016 referendum vote. The announcement effectively put a one-year moratorium on executions in Nebraska, where 10 men wait on death row.

Ricketts also said that for the past several weeks, his administration has been reviewing the procedures used by other states that have lethal injection. Work on possible changes to Nebraska’s lethal injection protocol will continue, the governor indicated.

The governor’s announcement represented a shift in his efforts to restore the state’s ability to carry out an execution. Nebraska last used the death penalty in 1997, when the method was the electric chair.

Since May, Ricketts had been steadfast in saying state officials were trying to work with federal officials to get the drugs imported.

On May 14, Ricketts announced that the Department of Correctional Services had purchased the two death penalty drugs from Harris.
Then on May 27, the Legislature voted to abolish capital punishment over the governor’s veto, making Nebraska the first politically conservative state to do so in more than four decades. Doubts about the state’s ability to obtain lethal injection drugs factored prominently into the vote.

But death penalty supporters easily put the repeal on hold by gathering nearly 143,500 verified signatures so voters could decide the issue next year.

Harris has twice sold sodium thiopental to Nebraska in the past.

Federal authorities destroyed the first batch delivered by Harris in 2010 after learning that the Corrections Department lacked the proper importer’s license. The second supply expired after legal challenges emerged in response to claims by the drug’s Swiss manufacturer, which said Harris obtained the drug under false pretenses.

The manufacturer, which opposed executions, said Harris told them he was trying to develop a market for the anesthetic in Africa.

Harris did not respond to emails seeking comment for this story.

Contact the writer: 402-473-9587, joe.duggan@owh.com
Please see the attached request for reimbursement of funds. Thank you.
STATE OF NEBRASKA

DEPARTMENT OF CORRECTIONAL SERVICES
Scott R. Frakes
Director

January 6, 2016

Mr. Chris Harris
Harris Pharma LLP
Level 8, RDB Boulevard, Plot K1, Sector V Salt Lake City
Kolkata 700091, West Bengal, India

RE: Reimbursement of Funds

Dear Mr. Harris,

In April 2015 the Nebraska Department of Correctional Services accepted your April 14, 2015 Offer to Sell Agreement regarding a purchase of 1,000 vials of Sodium Thiopental. I have attached a copy of your Offer to Sell Agreement to this correspondence. In April 2015 you were provided $26,700 in Nebraska state funds in return for your stated agreement to deliver 1,000 (1gm) vials of Sodium Thiopental within 60 days after receiving acceptance of your Offer to Sell Agreement and receipt of payment as outlined in your April 14, 2015 Offer to Sell Agreement.

As of January 2016, despite your receipt of $26,700 in Nebraska state funds, Harris Pharma has failed to deliver the 1,000 vials of Sodium Thiopental as outlined in the terms of the Offer to Sell Agreement from April 14, 2015. This failure on the part of Harris Pharma to deliver the Sodium Thiopental as outlined in the terms of the attached Offer to Sell Agreement is unacceptable and is a breach of the representations and promised delivery date made by Harris Pharma in April 2015.

The Nebraska Department of Correctional Services has acted in reliance upon representations made by Harris Pharma and must now request Harris Pharma for full repayment of the $26,700 that was paid to Harris Pharma in April 2015 for a product that has yet to be delivered in January of 2016. There is no question at this juncture that Harris Pharma has failed to comply with the terms outlined in the attached April 14, 2015 Offer to Sell Agreement that Harris Pharma generated to obtain business with the Nebraska Department of Correctional Services. Please provide full reimbursement immediately in hopes that this matter may be resolved amicably and without the necessity of further proceedings.

Sincerely,

Scott Frakes
Director Nebraska Department of Correctional Services
Hi Scott,

Pls find attached my response.

Regards,

Chris Harris

Please see the attached request for reimbursement of funds. Thank you.
To,

Mr. Scott Frakes,

Department of Correctional Services,

Nebraska, USA.

RE: Reimbursement of funds

28 Jan, 2016

Dear Mr. Frakes,

In response to your document requesting reimbursement of funds paid to my company for the purchase of 1000 Vials of Sodium Thiopental, I am sorry to state that refund of the payment is not possible as there has been no fault of my company. We have tried many times to ship using the shipping company you have requested but the shipping company could not ship it. After repeated discussions with them and you we had agreed to ship using the company I had suggested. We were informed to keep the shipment on hold as your import licence had to be renewed at that time. Once your import licence was renewed I was to be informed and ship out the package. The package is still ready to be shipped as and when you provide the renewed import licence copy.

Hope this issue does not spoil the relationship between our organisations and we are able to do business in the future.

For,

Harris Pharma LLP

HARRIS PHARMA LLP

Designated Partner

Christopher Harris

Level 8, RDB Boulevard, Plot K-1, Sector V, Block EP & GP, Salt Lake City, Kolkata 700091, West Bengal, India.
Ph: +91-33-66374505
Email: chrisharris@harrispharmalp.com
<table>
<thead>
<tr>
<th>Sodium Thiopental</th>
<th>Who Ordered</th>
<th>When Ordered</th>
<th>From Whom</th>
<th>Where Stored</th>
<th>Disposition</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Steve Urosevich, COO Health Services</td>
<td>2010</td>
<td>Chris Harris d/b/a Kayem Pharmaceuticals</td>
<td>Nebraska State Penitentiary (NSP)</td>
<td>DEA took possession 11/7/2011</td>
<td>$2,056.15</td>
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<tr>
<td></td>
<td>Steve Urosevich, COO Health Services</td>
<td>2011</td>
<td>Chris Harris d/b/a Harris Pharma</td>
<td>Nebraska State Penitentiary (NSP)</td>
<td>Expired</td>
<td>$5,411.00</td>
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<tr>
<td></td>
<td>Scott Frakes, Director</td>
<td>2015</td>
<td>Chris Harris d/b/a Harris Pharma</td>
<td>Nebrasaki State Penitentiary (NSP)</td>
<td>Expired</td>
<td>$26,700.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Pancuronium Bromide</th>
<th>Who Ordered</th>
<th>When Ordered</th>
<th>From Whom</th>
<th>Where Stored</th>
<th>Disposition</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Diane Booker, NDCS Pharmacist</td>
<td>2010</td>
<td>Hospira</td>
<td>Nebraska State Penitentiary (NSP)</td>
<td>Expired</td>
<td>$118.36</td>
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<tr>
<td></td>
<td>Diane Booker, NDCS Pharmacist</td>
<td>2010</td>
<td>Hospira</td>
<td>Nebraska State Penitentiary (NSP)</td>
<td>Expired</td>
<td>$120.53</td>
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<tr>
<td></td>
<td>Kathy Deprez, Pharmacy</td>
<td>2011</td>
<td>Cardinal</td>
<td>Nebraska State Penitentiary (NSP)</td>
<td>Expired</td>
<td>$252.70</td>
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<tr>
<td></td>
<td>Scott Frakes, Director</td>
<td>2015</td>
<td>Chris Harris</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td>$27,700.00</td>
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</tbody>
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<table>
<thead>
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<th>Potassium Chloride</th>
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<th>When Ordered</th>
<th>From Whom</th>
<th>Where Stored</th>
<th>Disposition</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Diane Booker, NDCS Pharmacist</td>
<td>2010</td>
<td>Hospira</td>
<td>NDCS Pharmacy</td>
<td>Expired</td>
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<tr>
<td></td>
<td>Steve Urosevich, COO Health Services</td>
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<td>NDCS Pharmacy</td>
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<td></td>
<td>Mark Cave, NDCS Pharmacist</td>
<td>2015</td>
<td>Cardinal Health</td>
<td>NDCS Pharmacy until 10/14/2015 when moved to NSP</td>
<td>Remains at NSP</td>
<td>$262.30</td>
</tr>
</tbody>
</table>
## INVOICE

**Exhibit 22**

### Prepared by NDCS

**KAYEM Pharmaceutical Pvt. Ltd.**

2, Green Field CHS. Ltd., Laxman Mhatre Road, Marian Colony, Borivali (W) Mumbai - 400 103, Maharashtra, India

Mr. Steve Urosevich
Chief Operating Officer
Pharmacy Administrator
Nebraska Department of Corrections, Nebraska, United States of America
DEA Number ANS903453
Phone +402-875-1708

---

**Invoice No. & Date:**
1/Nebraska/Correction/Steve - 01 Dt.
December 8th, 2010

**Buyer’s Order No. & Date:**

**Email & Telephone:** November 11, 2010

**Other Reference:** Nil

**Buyer (If other than Consignee):** Nil

**Country Of Origin Of Goods:** India

**Country Of Destination:** Nebraska-Lincon Airport

**Pre-Carrigae by:** AIR

**Place of Receipt by Pre Carrier:**

**Vessel/Flight No. By Air:**

**Port of Loading:** SAHAR CARGO, Mumbai Airport

**Port of Discharge:** Nebraska-Lincon Airport

**Final Destination:** Nebraska-Lincon Airport

**Terms of Delivery & Payment:** 100% Advance

---

### Description Of Goods

<table>
<thead>
<tr>
<th>Sr. No</th>
<th>Package</th>
<th>Description Of Goods</th>
<th>Quantity</th>
<th>Rate</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>Thioptone Injection IP 1 Gm &quot;Thiosol Sodium&quot;</td>
<td>500</td>
<td>3.44</td>
<td>1,720.00</td>
</tr>
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</table>

**Goods of Indian Origin**

**Manufactured by:** Neon Laboratories Ltd, Mumbai, India

**Mfg Lic No:** 752

**Freight**

**Total (USD) C&F**

---

**Gr. Wt.:** 20.365 KG

**Net Wt.:** 18.5 KG

**Drug License No:** 218 Z-7/103/2135

**Declaration:** We declare that this invoice shows the actual price of the Goods described and that all particulars are true and correct.

---

**Gr. Wt. 20kgs**

---

**Prepared by NDCS**
INVOICE

HarrisPharma
manufacturer and distribution services

145B Bosepukur Road
Kolkata - 700 039, West Bengal, India. Ph 91-33-40614353

Prepared by NDCS

Invoice No. & Date : HP/Nebraska/DOC-01 Dt. August 25th, 2011
IEC No. 0211010227

Buyer's Order No. & Date : August 25th, 2011

Other Reference: Nil

Buyer/Payer (If other than Consignee) : N/A

Country Of Origin Of Goods : India
Country Of Destination: Nebraska USA

Pre-Carrilage by : FEDEX
Place of Recp by Pre Carrier

Vessel/Flight No. FEDEX
Port of Loading : Kolkata

Port of Discharge : Nebraska
Final Destination : Lincoln, Nebraska

Sr. No | Package | Description Of Goods | Quantity | Rate | Amount
--- | --- | --- | --- | --- | ---
1 | 1 | Thiopental Sodium 1 Gm IP for Injection brand" Thiosol Sodium" | 500 | 10 | 5,000.00

Goods of Indian Origin

Freight

Total (USD) C&F

Total : C& F US DOLLAR FIVE THOUSAND FOUR HUNDRED ELEVEN ONLY

Gr. Wt. : 20.5 KG
Net Wt. : 18.5 KG

Harmless Medicine

Declaration : We declare that this invoice shows the actual price of the Goods described and that all particulars are true and correct.

HARRIS PHARMA LLP
Designated Partner

Prepared by NDCS

3 of 16
OFFER TO SELL AGREEMENT

14th April 2015

To,
Scott Frakes,
Nebraska Department of Correctional Services,
Nebraska,
United States of America

Re: OFFER TO SELL

Harris Pharma LLP hereby offers to sell to Nebraska Department of Correctional Services, subject to
and in accordance with the terms and conditions herein contained.

1. Product: Sodium Thiopental USP 1gm Vial
2. Price: US$ 25 per Vial
3. Quantity: 1000 Vials
4. Freight and Customs Clearing in India: US$ 1700
5. Delivery: 60 days after receiving acceptance of this offer and receipt of payment into bank account.
6. Payment Terms: 100% Advance

For,

Harris Pharma LLP

Christopher Harris
CEO

RECEIVED
APR 14 2015

NDCS Director's Office

Accepted

Scott Frakes
Director
NDCS
<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Quantity</th>
<th>Rate</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>3000</td>
<td>25</td>
<td>25000</td>
</tr>
</tbody>
</table>

Freight and Customs Clearing in India: 3,700

Total: US Dollars (Twenty Six Thousand and Seven Hundred Only)

Declaration: We declare that this invoice shows the actual price of the goods described and that all particulars are true and correct.

HARRIS PHARMA LLP

Designated Partner

Prepared by NDCS
To: 4024795921  From: Hospira  Fax: Hospira

BILL TO
NE DEPT CORRECTIONAL SVC
PO Box 94661
LINCOLN NE 68509

Thank you for your order

<table>
<thead>
<tr>
<th>LINE</th>
<th>LOC</th>
<th>QUANTITY</th>
<th>SIZE DESC</th>
<th>NDICIN/NC LIST TUC</th>
<th>NV</th>
<th>PRODUCT DESCRIPTION</th>
<th>CONTRACT DEAL NO.</th>
<th>TX</th>
<th>UNIT PRICE</th>
<th>M</th>
<th>EXTENSIONS</th>
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<tbody>
<tr>
<td>1</td>
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</tbody>
</table>

THE PRICE STATED HERIN MAY CONSTITUTE A DISCOUNT WITHIN THE MEANING OF 42 U.S.C. SEC. 1320a-7(b)(2)(A) OF THE SOCIAL SECURITY ACT AND ANY SIMILAR APPLICABLE STATE LAW AND YOU MAY HAVE AN OBLIGATION TO PROPERLY DISCLOSE AND ACCURATELY REFLECT SUCH DISCOUNT TO ANY STATE OR FEDERAL PROGRAM WHICH PROVIDES DUES OR CHARGE BASED REMUNERATION TO YOU FOR THE ITEMS TO WHICH THIS DISCOUNT APPLIES. YOU SHOULD RETAIN THIS INVOICE AND ANY OTHER PRICE DOCUMENTATION AND MAKE THEM AVAILABLE TO FEDERAL AND STATE OFFICIALS UPON REQUEST.

|      |    |          |           |                     |    |                     |                    |    |            |   |            |

|      |    |          |           |                     |    |                     |                    |    |            |   |            |

Shipped Via: FEDEX

Ship-to DEA License Number: AN5903453, expiration date: 10/31/2012 Customer Number: 54176026

Prepared by NDCS
FEDERAL I.D. NO: 20-0843328
SHIPPER DEA NO: RH0314271

Hospira Worldwide, Inc.
Stone Mountain GA 30083

INVOICE
INVOICE NO: 915047759

INVOICE DATE: 08/09/2010
P.O.NUMBER: 070110

SHIPPED TO
NE DEPT CORRECTIONAL SVC
2620 WEST VAN DORN ST
LINCOLN NE 68522

Thank you for your order

<table>
<thead>
<tr>
<th>CUSTOMER NO</th>
<th>DEPRES NO</th>
<th>CLASS</th>
<th>PLEASE USE YOUR CUSTOMER NUMBER WHEN REORDERING</th>
<th>CUSTOMER NO</th>
<th>DEPRES NO</th>
<th>CLASS</th>
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<tbody>
<tr>
<td>54176026</td>
<td></td>
<td>TP25</td>
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<td>54176027</td>
<td>AN5003453</td>
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<th>ISSUE DATE</th>
<th>SHIP LOCATION</th>
<th>T&amp;C CODE</th>
<th>TERMS</th>
<th>ORDER DATE</th>
<th>ORDR NO</th>
<th>ORDDT</th>
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<tbody>
<tr>
<td>08/09/2010</td>
<td>5100</td>
<td>718080221</td>
<td>05</td>
<td>07/01/2010</td>
<td>5201</td>
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<th>ITEMS CODED # SUBJECT TO DRUG ABUSE CONTROL</th>
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</thead>
<tbody>
<tr>
<td>LINE</td>
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<tr>
<td>------</td>
</tr>
<tr>
<td>1C</td>
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<tr>
<td>B</td>
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Shipped Via: FEDS

Shipped via License Number: AN5003453, expiration date: 10/31/2012 Customer Number: 54176027

Prepared by NDCS
<table>
<thead>
<tr>
<th>ITEM NUMBER</th>
<th>NDC/UPC</th>
<th>QTY ORDERED</th>
<th>QTY RECEIVED</th>
<th>GTIN</th>
<th>DESCRIPTION</th>
<th>SIZE</th>
<th>FORM</th>
<th>REF</th>
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<tbody>
<tr>
<td>1736933</td>
<td>00409-4446-01</td>
<td>10</td>
<td></td>
<td>0</td>
<td>PANCURONIUM 1 MG/ML 25X10ML</td>
<td>25MD</td>
<td>47.58</td>
<td></td>
<td>25.27</td>
<td>25270</td>
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This item is split: 3 In Tote 8 3 In Tote 9 3 In Tote 10 1 In Tote 1

<table>
<thead>
<tr>
<th>PIECES SHIPPED</th>
<th>TOTAL PIECES SHIPPED</th>
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<tbody>
<tr>
<td>10</td>
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</tbody>
</table>

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**SUMMARY**

<table>
<thead>
<tr>
<th>RX</th>
<th>REF</th>
<th>NET AMOUNT</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>25270</td>
<td>252.70</td>
</tr>
</tbody>
</table>

**INVOICE SHIP DATE:** 5/19/2011

**REMIT TO:** CARDINAL HEALTH 110, INC

**C/O Bank of America Lockbox**

**5042 Collections Center Drive**

**Chicago, IL 60693**

**DUE DATE:** 6/03/11
OFFER TO SELL AGREEMENT

May 12, 2015

NDCS Director's Office

12th May 2015

To,
Scott Frakes,
Nebraska Department of Correctional Services,
Nebraska,
United States of America

Re: OFFER TO SELL

Harris Pharma LLP hereby offers to sell to Nebraska Department of Correctional Services, subject to and in accordance with the terms and conditions herein contained.

1. Product: Pancuronium Bromide USP 2mg/2ml Ampule
2. Price: US$ 26 per Ampule
3. Quantity: 1000 Vials
4. Freight and Customs Clearing in India: US$ 1700
5. Delivery: 60 days after receiving acceptance of this offer and receipt of payment into bank account.
6. Payment Terms: 100% Advance

For,

Harris Pharma LLP

Christopher Harris
CEO

Level 8, RDB Boulevard, Plot K-1, Sector V, Block EP & GP, Salt Lake City, Kolkata 700091, West Bengal, India.
Ph: +91-33-66374505
Email: chrisfrakes@harrisp.com
<table>
<thead>
<tr>
<th>Mark</th>
<th>Sr.No</th>
<th>Package</th>
<th>Description</th>
<th>Quantity</th>
<th>Rate</th>
<th>Amount</th>
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<td>Penciclovir Brmide USP 2mg/2ml Ampoule</td>
<td></td>
<td>1000</td>
<td>276</td>
<td>276000</td>
</tr>
</tbody>
</table>

Freight & Custom Clearing In India: 17200 USD

TOTAL: US DOLLARS ( Twenty Seven Thousand Seven Hundred Only )

Declaration: We declare that the invoice shows the correct price of the Goods described and that all particulars are true and correct.

Prepared by NDCS

Exhibit 22
Thank you for your order

<table>
<thead>
<tr>
<th>ITEM</th>
<th>QUANTITY</th>
<th>SIZE DESC</th>
<th>PRODUCT DESCRIPTION</th>
<th>UNIT PRICE</th>
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<td>4</td>
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<td>BPA POT CHL ZUMI FLIP (BX/)</td>
<td>16.75 x 67.00</td>
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<tr>
<td></td>
<td>4</td>
<td>86458DX</td>
<td></td>
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Subtotal: 67.00
Shipping Charge: 7.49
Total: 74.49

Shipped Via: SRPS
Ship to DEA License Number: AN5903453, expiration date: 10/31/2012
Ship: 06/21
Order placed by diana hook, telephone number: 402 471 7053, date: 06/21/2010
<table>
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<tbody>
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<td>63323-0967-30</td>
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<td>1</td>
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<td>25MD</td>
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<td></td>
<td>23.32</td>
<td>2332CT</td>
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<td>3660339</td>
<td>00338-0049-04</td>
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<td>1</td>
<td>CS</td>
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<td>4</td>
<td>CT</td>
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<td>25SD</td>
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**TOTAL PIECES SHIPPED**

**TOTAL SUMMARY**

<table>
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<tr>
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**NET AMOUNT**

<table>
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<tr>
<th>78.34</th>
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</thead>
</table>

**INVOICE SHIP DATE:** 7/02/2010

**DUE DATE:** 7/17/10

**REMIT TO:** CARDINAL HEALTH 110, INC
C/O BANK OF AMERICA LOCKBOX
5042 COLLECTIONS CENTER DRIVE
CHICAGO, IL 60693

7/02/10

Signature:

Remit To: Cardinal Health 110, Inc
C/O Bank of America Lockbox
5042 Collections Center Drive
Chicago, IL 60693

SOON TO BE USED

CERTIFICATION: This invoice reflects any discounted prices, credits, or rebates or if price reductions are subsequently agreed to and paid with respect to the merchandise/services described herein. If so, federal law may require disclosure of the price reduction on your claim or cost report for Medicare or Medicaid reimbursement under 42 U.S.C. 1320a-7b(b).

Customer is subject to prices that are not and will not redistribute prescription pharmaceuticals into the secondary market.
<table>
<thead>
<tr>
<th>ITEM NUMBER</th>
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<td>4068987</td>
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<td>PAROXETINE HCL 20MG 1000 CPLT</td>
<td>1000TB</td>
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<tr>
<td></td>
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<td></td>
<td></td>
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<td>see message(s):</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>4971800</td>
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<td>1</td>
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<tr>
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<td>63323-0967-30</td>
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<td>5</td>
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<td>7</td>
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Note Codes:
- T: Taxable
- SN: Special Net
- OV: Source Override
- SP: Special Pricing
- CT: Contract

Omit Codes:
- 6: Dropship
- 2: DC Out
- 3: Mfr Out
- 4: Not Stocked
- 7: Drug Recall
- 8: New Form/Unavail.
- 9: Restricted Item

List: Chemical Designations
- D: Euphoria
- P: Phenylpropionamine
- S: Pseudoephedrine
- L: Other List Chemical

The prices shown on this invoice are net of dollars provided at the time of purchase. Some of the products listed on this invoice may be subject to additional discounts or rebates. Please refer to your contract for any specific additional discounts or rebates that may apply to these purchases. You may have an obligation pursuant to 42 USC §1320a-7b to report discounts and rebates to Medicare, Medicaid or other governmental health care programs.

Effective January 1, 2015, DSCSA Transaction Data for qualified prescription drugs can be accessed via your usual ordering platform, such as OASIS.
## CARDINAL HEALTH

7601 N E GARDNER AVENUE  
KANSAS CITY, MO 64120

### DEA RW-0191926 FED ID 68-0158739

### NEBRASKA DEPT OF CORR SRV PRM  
FKA NEBRASKA STATE PENITENTIARY  
2620 WEST VANDORN STREET  
LINCOLN, NE 68522

### SHIP TO

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INVOICE SHIP DATE: 7/02/2010

REMIT TO: CARDINAL HEALTH 110, INC  
C/O BANK OF AMERICA LOCKBOX  
5042 COLLECTIONS CENTER DRIVE  
CHICAGO, IL 60693

Note Codes:
- T Taxable
- G Generic Sub
- SW Special Net
- PP Pharm/Pak Discount

Omit Codes:
- CT Contract
- 4 Not stocked
- 5 Mfg. disc.
- 6 Wt. out
- 7 Drug recall
- 8 New item/stock unavailable
- 9 Restricted item

This invoice reflects any discounted prices, credits, or rebates or if price reductions are subsequently earned and paid with respect to the merchandise/services described herein, then federal law may require disclosure on the price reduction on your claim or cost reports for Medicare or Medicaid reimbursement under 42 U.S.C. 1320(a)(7).

Remit To: Cardinal Health 110, Inc  
C/O Bank of America Lockbox  
5042 Collections Center Drive  
Chicago, IL 60693

7/17/10  
DUE DATE: 7836

Prepared by NDCS  
(800) 255-6940
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Thank you for your order

ITEMS CODED # SUBJECT TO DRUG ABUSE CONTROL

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Shipped Via: SNPS
Ship-to DEA: License Number: ANS903463, expiration date: 10/31/2012
Order placed by diane booker, telephone number 402 471 7855, date 06/21/2010
Any questions please contact Hospira Customer Care at 1-877-946-7747 (212-877-9909)
Internet: https://e.hospira.com

10125564
BILL OF LADING: 44125081720779

*** End of Document ***
Cindy, see the below information you requested. I am sorry for the delay.

1. Was there a provision for a refund in any of the documentation obtained?

   No.

2. In January 2016, there was a letter requesting the reimbursement of funds for the Sodium Thiopental, an amount of $26,700. The seller responded that same month that they would not be providing a refund. What further actions have been taken by DCS to obtain the amounts paid, for which no goods were received.

   NDCS requested the amount. Mr. Harris’ response is attached.

3. Was the Pancuronium Bromide received? If not, has DCS requested a reimbursement of those funds, an amount totaling $27,700?

   The pancuronium bromide has not been received. The federal government is not challenging the importation of this drug, however, shipment was placed on hold by the state pending the outcome of November’s election. Governor Ricketts issued the following statement on December 7, 2015:

   “In November 2016, Nebraska voters will determine the future of capital punishment in our state at the ballot box. To give deference to the vote of the people, my administration will wait to carry out capital punishment sentences or make additional efforts to acquire drugs until the people of our state decide this issue.

   Over the last several weeks, I have stepped up conversations with the Attorney General and the Corrections Director regarding a comprehensive review of the capital punishment protocols used in other states. My administration will continue to review potential protocol changes.”
Robin Spindler  
Deputy Director, Administrative Services  
402.479.5711 (o)  
402.479.5623 (fax)  

If you need immediate assistance, please feel free to contact Katina Farritor at 402.479.5712 or Dial ‘0’.  

From: Janssen, Cindy  
Sent: Monday, September 26, 2016 12:05 PM  
To: Spindler, Robin  
Cc: Avery, Mary; Smith, Dawn Renee; Hookstra, Inga  
Subject: RE: Request for documentation

Hello. I was just following up on this request from two weeks ago. I did receive information in the mail for the Prairie Gold Homes questions, but I have not received a response to the initial questions on the lethal injection drugs. Could you let me know when I can expect a response?

Thanks.

Cindy Janssen  
Audit Manager  
NE Auditor of Public Accounts  
(402) 326-3047  
Cindy.Janssen@nebraska.gov

This message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message. Any disclosure, copying, or distribution of this message, or the taking of any action based on it, is strictly prohibited.
Thank you for the information you sent to our office. After looking through the information provided, I do have a couple of other questions:

It appears there were two agreements to sell the drugs to DCS. One Offer to Sell was for Sodium Thiopental and was dated April 14, 2015, for $26,700. Then on May 12, 2015, a second Offer to Sell was provided for Pancuronium Bromide for $27,700. Neither Offer to Sell, or any other information you provided, contains provisions for the refund of the payment made in advance in the event the State of Nebraska does not receive the drugs.

1) Was there a provision for a refund in any of the documentation obtained?
2) In January 2016, there was a letter requesting the reimbursement of funds for the Sodium Thiopental, an amount of $26,700. The seller responded that same month that they would not be providing a refund. What further actions have been taken by DCS to obtain the amounts paid, for which no goods were received?
3) Was the Pancuronium Bromide received? If not, has DCS requested a reimbursement of those funds, an amount totaling $27,700?

Please provide any other information that pertains to the reimbursement of these funds.

Thanks again for your assistance with these inquiries.

Cindy Janssen
Audit Manager
NE Auditor of Public Accounts
(402) 326-3047
Cindy.Janssen@nebraska.gov

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From: Spindler, Robin  
Sent: Friday, September 02, 2016 1:37 PM  
To: Janssen, Cindy  
Cc: Avery, Mary; Smith, Dawn Renee; Hookstra, Inga  
Subject: RE: Request for documentation

Cindy,

We have the documentation of all purchase orders, invoices, receipts, approvals and any other documentation, including email correspondence regarding payment and purchase to Harris Pharmacy and will have someone deliver this to your office Tuesday. I apologize for the delay in getting you this documentation.

Feel free to call me if you need anything else.

Thank you,

Robin

Robin Spindler  
Deputy Director, Administrative Services  
402.479.5711 (o)  
402.479.5623 (fax)

If you need immediate assistance, please feel free to contact Katina Farritor at 402.479.5712 or Dial ‘0’.

From: Janssen, Cindy  
Sent: Friday, September 02, 2016 10:43 AM  
To: Spindler, Robin; Smith, Dawn Renee; Hookstra, Inga  
Cc: Avery, Mary  
Subject: RE: Request for documentation

Good morning. I am following up on this request for information regarding the lethal injection drug purchase. In addition to Robin’s email below, I also received a voice message from Dawn Renee Smith indicating that I would receive this information on Monday. I did not get the information this week. Please let me know when I can expect the additional information regarding the drug purchase.
Thank you for your assistance. If you have questions, please let me know.

Cindy Janssen  
Audit Manager  
NE Auditor of Public Accounts  
(402) 326-3047  

Cindy.Janssen@nebraska.gov  

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From: Spindler, Robin  
Sent: Thursday, August 25, 2016 3:33 PM  
To: Janssen, Cindy  
Cc: Hookstra, Inga  
Subject: RE: Request for documentation  

Cindy,  

Inga is on vacation today and tomorrow. She will be back in the office Monday and we will get back with you as soon as possible on her return.

Thank you,

Robin Spindler  
Deputy Director, Administrative Services  
402.479.5711 (o)  
402.479.5623 (fax)
If you need immediate assistance, please feel free to contact Katina Farritor at 402.479.5712 or Dial ‘0’.

---

From: Janssen, Cindy  
Sent: Thursday, August 25, 2016 3:22 PM  
To: Hookstra, Inga; Spindler, Robin  
Cc: Avery, Mary  
Subject: RE: Request for documentation

Inga, I have tried calling you both today and yesterday with no luck. The invoices you provided only contain the name of Director Frakes. I want to clarify whether he is the one that made the actual purchase of the drugs.

As indicated below, I am also trying to clarify whether there are any purchase orders, email correspondence or anything else related to this drug purchase or is this it in its entirety?

I would appreciate a response as soon as possible.

Thanks.

Cindy Janssen  
Audit Manager  
NE Auditor of Public Accounts  
(402) 326-3047  
Cindy.Janssen@nebraska.gov

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---

From: Janssen, Cindy  
Sent: Monday, August 22, 2016 7:38 AM  
To: Hookstra, Inga; Spindler, Robin  
Cc: Avery, Mary  
Subject: RE: Request for documentation

To clarify, the documentation provided includes provided all purchase orders, invoices, receipts, approvals, and any other documentation, including email correspondence, as requested, below?
Thanks.

Cindy Janssen  
Audit Manager  
NE Auditor of Public Accounts  
(402) 326-3047  
Cindy.Janssen@nebraska.gov

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From: Hookstra, Inga  
Sent: Friday, August 19, 2016 6:13 PM  
To: Janssen, Cindy; Spindler, Robin  
Cc: Avery, Mary  
Subject: RE: Request for documentation

Attached are the documents request and the rules for obtaining the substances.

Inga Hookstra, Controller  
Nebraska Department of Correctional Services  
Inga.hookstra@nebraska.gov  
Phone: 402-479-5756  
Fax: 402-479-5821

From: Janssen, Cindy  
Sent: Thursday, August 18, 2016 1:59 PM  
To: Spindler, Robin; Hookstra, Inga  
Cc: Avery, Mary  
Subject: RE: Request for documentation

I have not received a response to this request for information so I was wondering if you could let me know when I can expect to receive the documentation requested?
Good morning. As you probably know, we have received numerous questions and concerns regarding the Department’s attempt to purchase drugs from Harris Pharma LLP. In order to respond appropriately, we would appreciate it if you would provide all purchase orders, invoices, receipts, approvals, and any other documentation, including email correspondence, regarding the payment to Harris Pharma under the following EnterpriseOne documents:

Voucher Document number 31432568, GL date 4/22/2015 for $26,700. Invoice 4/17/15 referenced in EnterpriseOne. The payment was made on warrant 22717272 on 7/1/2015.

Voucher Document number 31576543, GL date 5/14/2015 for $27,700. Invoice 0211010227 referenced in EnterpriseOne. The payment was made on warrant 22742307 on 7/1/2015.

We would appreciate if you would provide the documentation as soon as possible.

Thanks.
This message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message. Any disclosure, copying, or distribution of this message, or the taking of any action based on it, is strictly prohibited.
Hi Scott,

Pls find attached my response.

Regards,
Chris Harris

From: Frakes, Scott
Sent: Thursday, January 07, 2016 5:20 AM
To: chrisharris@harrispfarmallp.com
Subject: See attached

Please see the attached request for reimbursement of funds. Thank you.
To,

Mr. Scott Frakes,

Department of Correctional Services,

Nebraska, USA.

RE: Reimbursement of funds

28 Jan, 2016

Dear Mr. Frakes,

In response to your document requesting reimbursement of funds paid to my company for the purchase of 1000 Vials of Sodium Thiopental, I am sorry to state that refund of the payment is not possible as there has been no fault of my company. We have tried many times to ship using the shipping company you have requested but the shipping company could not ship it. After repeated discussions with them and you we had agreed to ship using the company I had suggested. We were informed to keep the shipment on hold as your import licence had to be renewed at that time. Once your import licence was renewed I was to be informed and ship out the package. The package is still ready to be shipped as and when you provide the renewed import licence copy.

Hope this issue does not spoil the relationship between our organisations and we are able to do business in the future.

For,

Harris Pharma LLP

Designated Partner

Christopher Harris

Level 8, RDB Boulevard, Plot K-1, Sector V, Block EP & GP, Salt Lake City, Kolkata 700091, West Bengal, India.
Ph: +91-33-56374505
Email: christharris@harrispharma.lip.com
Cindy,

Please see the below responses.

Thank you,

Robin Spindler
Nebraska Department of Correctional Services
Deputy Director, Administrative Services
402.479.5711 (o)
402.479.5623 (fax)

From: Janssen, Cindy
Sent: Wednesday, October 12, 2016 3:22 PM
To: Spindler, Robin
Cc: Avery, Mary; Smith, Dawn Renee
Subject: RE: Request for documentation

Thanks for the information received, we have some additional questions.

1.) For both of the purchases of drugs, since they dollar amount was over the unrestricted open market purchase authority, did NDOC get approval from DAS Material for these purchases? If so, please provide that approval. If not, please explain why and how this vendor was chosen. Were any other vendors requested to submit proposals or amounts?

As previously provided, the protocol (Title 69, Chapter 11 of the Nebraska Administrative Code) does not require DAS approval. The Nebraska Department of Correctional Services has specific authority under Neb. Rev. Stat. §83-965 and §83-966 to create its own process for obtaining the necessary lethal substances, including obtaining them without a prescription upon a written request from the NDCS Director. This was enacted separately from the statutes regarding the Material Division of Administrative Services with the recognition that the obtaining of lethal injection drugs was unique. NDCS did, in fact, promulgate its execution protocol, including the procurement of the necessary lethal substances, under 69 Neb. Admin. Code, Chapter 11, §9.02 and §9.03 In those sections, there are no competitive bidding requirements or requirements for obtaining approval under Neb. Rev. Stat. § 81-161.03. Again, obtaining lethal injection drugs is a unique process, and the legislature specifically authorized NDCS to come up with its own procedure; therefore, the requirement of obtaining permission from DAS Material does not apply.

NDCS had previously worked with Chris Harris to obtain these drugs. NDCS was not aware of any other vendors providing sodium thiopental and pancuronium bromide.

2.) There appears to be a large price variance over the years, did anyone ask why or compare to other vendors to ensure Nebraska was getting the best price?

As noted above, NDCS was not aware of any other vendors providing this drug.

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</table>

3.) While the DAS accounting manual recognized that prepayments occasionally occur, did anyone at NDOC discuss the
prepayment process with DAS-Accounting? If so, when and with whom.

No. The purchase of these drugs did not fall under the pre-payment provisions of the DAS Accounting Manual. The Agency was also cognizant of complying with §81-2406 of the Nebraska Prompt Payment Act.

4. Prepayments

Prepayments - Occasionally, there are situations that arise where prepayment is necessitated due to federal requirements, State Statutes, contracts or, normal business practices. Though prepayments are not illegal, per se, they are in conflict with the normal claims process since the State has given up assets in anticipation of goods or services being rendered at a later date. (There is no enforceable claim against the State until goods or services are received.) Since the potential for loss to the State is greater under prepayment situations, extreme care should be exercised and a conscious effort should be undertaken to minimize prepayments at the agency level. State Accounting reserves the right to review all prepayment requests. Three prepayment requests are discussed below.

- Conference Registration - State policy permits the prepayment of training session and conference registration fees by the agency on behalf of State employees.
- Federal Government and Affiliates - The Superintendent of Documents and the Postmaster require prepayment for publications and postage, respectively. In these two cases, warrants will be drawn for payment in advance. All other transactions with the federal government should be reviewed to determine if prepayment is mandatory and can be made.
- Routinely Recurring Expenses - Normal business practice necessitates the prepayment of expenses such as magazine subscriptions, local telephone service, rent expense, etc.

4.) Per the emails received, it appears there was a payment sent via US mail which was not received by the vendor. Was a warrant cancelled and reissued, then sent via FedEx? If so, did you ever get the first warrant back or was it just cancelled/voided and reissued?

The warrant was cancelled; it did not come back.

5.) Did anyone at NDOC verify the vendor was registered to conduct business in Nebraska? Even with the purchases made in 2010 or 2011?

No. The Agency is not aware of any state law requirement of business vendor registration. The vendor is in the DAS vendor address book (#1982574). The Agency verified that the vendor was a registered DEA importer.

6.) Did you receive any official documentation for vendor showing that the drugs were shipped? Any documentation that the drugs were stopped by DEA? If so, please provide the documentation.

Please see the attached documentation.

7.) Why did NDOC make the 2nd drug purchase prior to receiving the first one?

NDCS did not have pancuronium bromide on hand, and NDCS had an obligation to have the drugs on hand to carry out the law if necessary.

Thanks for the information.

Cindy Janssen
Audit Manager
NE Auditor of Public Accounts
(402) 326-3047
Cindy.Janssen@nebraska.gov

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Cindy, see the below information you requested. I am sorry for the delay.

1. Was there a provision for a refund in any of the documentation obtained?

    No.

2. In January 2016, there was a letter requesting the reimbursement of funds for the Sodium Thiopental, an amount of $26,700. The seller responded that same month that they would not be providing a refund. What further actions have been taken by DCS to obtain the amounts paid, for which no goods were received.

    NDCS requested the amount. Mr. Harris’ response is attached.

3. Was the Pancuronium Bromide received? If not, has DCS requested a reimbursement of those funds, an amount totaling $27,700?

    The pancuronium bromide has not been received. The federal government is not challenging the importation of this drug, however, shipment was placed on hold by the state pending the outcome of November’s election. Governor Ricketts issued the following statement on December 7, 2015:

    “In November 2016, Nebraska voters will determine the future of capital punishment in our state at the ballot box. To give deference to the vote of the people, my administration will wait to carry out capital punishment sentences or make additional efforts to acquire drugs until the people of our state decide this issue.

    Over the last several weeks, I have stepped up conversations with the Attorney General and the Corrections Director regarding a comprehensive review of the capital punishment protocols used in other states. My administration will continue to review potential protocol changes.”

Robin Spindler
Deputy Director, Administrative Services
402.479.5711 (o)
402.479.5623 (fax)

If you need immediate assistance, please feel free to contact Katina Farritor at 402.479.5712 or Dial ’0’.

From: Janssen, Cindy
Sent: Monday, September 26, 2016 12:05 PM
To: Spindler, Robin
Cc: Avery, Mary; Smith, Dawn Renee; Hookstra, Inga
Subject: RE: Request for documentation

Hello. I was just following up on this request from two weeks ago. I have not received a response to the initial questions on the lethal injection drugs. Could you let me know when I can expect a response?

Thanks.

Cindy Janssen
Audit Manager
NE Auditor of Public Accounts
(402) 326-3047
Cindy.Janssen@nebraska.gov

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Thank you for the information you sent to our office. After looking through the information provided, I do have a couple of other questions:

It appears there were two agreements to sell the drugs to DCS. One Offer to Sell was for Sodium Thiopental and was dated April 14, 2015, for $26,700. Then on May 12, 2015, a second Offer to Sell was provided for Pancuronium Bromide for $27,700. Neither Offer to Sell, or any other information you provided, contains provisions for the refund of the payment made in advance in the event the State of Nebraska does not receive the drugs.

1) Was there a provision for a refund in any of the documentation obtained?
2) In January 2016, there was a letter requesting the reimbursement of funds for the Sodium Thiopental, an amount of $26,700. The seller responded that same month that they would not be providing a refund. What further actions have been taken by DCS to obtain the amounts paid, for which no goods were received?
3) Was the Pancuronium Bromide received? If not, has DCS requested a reimbursement of those funds, an amount totaling $27,700?

Please provide any other information that pertains to the reimbursement of these funds.

Thanks again for your assistance with these inquiries.

Cindy Janssen
Audit Manager
NE Auditor of Public Accounts
(402) 326-3047
Cindy.Janssen@nebraska.gov

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From: Spindler, Robin
Sent: Friday, September 02, 2016 1:37 PM
To: Janssen, Cindy
Cc: Avery, Mary; Smith, Dawn Renee; Hookstra, Inga
Subject: RE: Request for documentation

Cindy,

We have the documentation of all purchase orders, invoices, receipts, approvals and any other documentation, including email correspondence regarding payment and purchase to Harris Pharmacy and will have someone deliver this to your office Tuesday. I apologize for the delay in getting you this documentation.

Regarding your additional request about the Prairie Gold Homes grant, we will get you that information shortly.

Feel free to call me if you need anything else.

Thank you,

Robin

Robin Spindler
Deputy Director, Administrative Services
If you need immediate assistance, please feel free to contact Katina Farritor at 402.479.5712 or Dial ‘0’.

From: Janssen, Cindy
Sent: Friday, September 02, 2016 10:43 AM
To: Spindler, Robin; Smith, Dawn Renee; Hookstra, Inga
Cc: Avery, Mary
Subject: RE: Request for documentation

Good morning. I am following up on this request for information regarding the lethal injection drug purchase. In addition to Robin’s email below, I also received a voice message from Dawn Renee Smith indicating that I would receive this information on Monday. I did not get the information this week. Please let me know when I can expect the additional information regarding the drug purchase.

Thank you for your assistance. If you have questions, please let me know.

Cindy Janssen
Audit Manager
NE Auditor of Public Accounts
(402) 326-3047
Cindy.Janssen@nebraska.gov

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From: Spindler, Robin
Sent: Thursday, August 25, 2016 3:33 PM
To: Janssen, Cindy
Cc: Hookstra, Inga
Subject: RE: Request for documentation

Cindy,

Inga is on vacation today and tomorrow. She will be back in the office Monday and we will get back with you as soon as possible on her return.

Thank you,

Robin Spindler
Deputy Director, Administrative Services
402.479.5711 (o)
402.479.5623 (fax)

If you need immediate assistance, please feel free to contact Katina Farritor at 402.479.5712 or Dial ‘0’.

From: Janssen, Cindy
Sent: Thursday, August 25, 2016 3:22 PM
To: Janssen, Cindy
Cc: Hookstra, Inga
Subject: RE: Request for documentation

Inga, I have tried calling you both today and yesterday with no luck. The invoices you provided only contain the name of Director Frakes. I want to clarify whether he is the one that made the actual purchase of the drugs.

As indicated below, I am also trying to clarify whether there are any purchase orders, email correspondence or anything else related to this
drug purchase or is this it in its entirety?

I would appreciate a response as soon as possible.

Thanks.
Cindy Janssen
Audit Manager
NE Auditor of Public Accounts
(402) 326-3047
Cindy.Janssen@nebraska.gov

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From: Janssen, Cindy
Sent: Monday, August 22, 2016 7:38 AM
To: Hookstra, Inga; Spindler, Robin
Cc: Avery, Mary
Subject: RE: Request for documentation

To clarify, the documentation provided includes provided all purchase orders, invoices, receipts, approvals, and any other documentation, including email correspondence, as requested, below?

Thanks.
Cindy Janssen
Audit Manager
NE Auditor of Public Accounts
(402) 326-3047
Cindy.Janssen@nebraska.gov

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From: Hookstra, Inga
Sent: Friday, August 19, 2016 6:13 PM
To: Janssen, Cindy; Spindler, Robin
Cc: Avery, Mary
Subject: RE: Request for documentation

Attached are the documents request and the rules for obtaining the substances.

Inga Hookstra, Controller
Nebraska Department of Correctional Services
Inga.hookstra@nebraska.gov
Phone: 402-479-5756
Fax: 402-479-5821

From: Janssen, Cindy
Sent: Thursday, August 18, 2016 1:59 PM
To: Spindler, Robin; Hookstra, Inga
Cc: Avery, Mary
Subject: RE: Request for documentation

I have not received a response to this request for information so I was wondering if you could let me know when I can expect to receive the documentation requested?

Thanks!
Cindy Janssen
Audit Manager
NE Auditor of Public Accounts
(402) 326-3047
Cindy.Janssen@nebraska.gov

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Good morning. As you probably know, we have received numerous questions and concerns regarding the Department’s attempt to purchase drugs from Harris Pharma LLP. In order to respond appropriately, we would appreciate it if you would provide all purchase orders, invoices, receipts, approvals, and any other documentation, including email correspondence, regarding the payment to Harris Pharma under the following EnterpriseOne documents:

- Voucher Document number 31432568, GL date 4/22/2015 for $26,700. Invoice 4/17/15 referenced in EnterpriseOne. The payment was made on warrant 22717272 on 7/1/2015.
- Voucher Document number 31576543, GL date 5/14/2015 for $27,700. Invoice 0211010227 referenced in EnterpriseOne. The payment was made on warrant 22742307 on 7/1/2015.

We would appreciate if you would provide the documentation as soon as possible.

Thanks.

Cindy Janssen  
Audit Manager  
NE Auditor of Public Accounts  
(402) 326-3047  
Cindy.Janssen@nebraska.gov

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Good Morning Scott,

In talking with another state on the same issue, I have been informed that correct NDC # is 69860-001-01. You are using the same manufacturer in India. I am in discussion with my upper management. Until totally resolved, if product is shipped CBP has been alerted to detain and not seize the product. I am hopeful to resolve this issue today. I am not in the office and do not have your counsels’ names with me. Please forward my e-mail.

Thanks,
Cathy

Cathy Gallagher, Chief
Regulatory Section

Scott,

I have to deny the declaration since the product is not FDA approved. I will be notifying CBP to not allow the shipment into the U.S. The NDC # G2100-0300-** is not valid and cannot be used. This number should not have been provided by DEA. I just spoke to your counsel, Mark Boyer and Kathy Blum and explained the issue.

Thanks,
Cathy

Cathy Gallagher, Chief
Regulatory Section
Clarification: Is the product manufactured in an FDA-Approved facility?

From: Gallagher, Cathy A.
Sent: Thursday, June 18, 2015 8:58 AM
To: 'scott.frakes@nebraska.gov'
Cc: Gallagher, Cathy A.
Subject: DEA - Import Declaration

Good Morning Scott,

In regard to state of Nebraska’s Dept. of Correction’s Import Declaration 5159973, can you please verify that the Thiopental being imported is approved in the finished form by the FDA? The product should have an FDA approved NDC #. The one on the application G2100-3000-** is not a correct #. Has the substance be imported yet?

Please call me at 202-307-7194 or on my BB at 202-373-8643.

Thanks,
Cathy Gallagher

Cathy Gallagher, Chief
Regulatory Section
Office of Diversion Control
Your packages have been delivered

Master tracking # 803672561734

Ship date: Pending
Delivery date: Fri, 9/4/15 3:46 pm

Shipment Facts
Our records indicate that the following packages have been delivered.

Master tracking number: 803672561734

Tracking number: 805666128317
805666128328

Status: Delivered; Signed for
By: R.ROHIT

Signed for by: R.ROHIT

Delivered to: Receptionist/Front Desk

Service type: FedEx International Priority

Packaging type: Your Packaging

Number of pieces: 3

Total shipment weight: 23.80 lb.

Special handling/Services: Deliver Weekday
Exhibit 24

FedEx ® Tracking

<table>
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<th>Tracking number</th>
<th>803672561734</th>
</tr>
</thead>
<tbody>
<tr>
<td>Master tracking number</td>
<td>003672561734</td>
</tr>
<tr>
<td>Total pieces</td>
<td>3</td>
</tr>
</tbody>
</table>

**3 Piece shipment**

**Travel History**

- **Ship date:** Mon 8/31/2015
- **Actual delivery:** Fri 9/4/2015 3:48 pm

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<th>Location</th>
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<td>Delivered</td>
<td></td>
</tr>
<tr>
<td>8/31/2015, 9:30 pm</td>
<td>Departed FedEx facility</td>
<td>8/31/2015, 9:30 pm</td>
</tr>
<tr>
<td>8/31/2015, 11:15 pm</td>
<td>At local FedEx facility</td>
<td>8/31/2015, 11:15 pm</td>
</tr>
<tr>
<td>9/1/2015, 9:30 am</td>
<td>Shipment exception</td>
<td>9/1/2015, 9:30 am</td>
</tr>
<tr>
<td>9/1/2015, 11:15 am</td>
<td>Im proper or missing international paperwork, contact Customer Service</td>
<td>9/1/2015, 11:15 am</td>
</tr>
<tr>
<td>9/1/2015, 11:30 am</td>
<td>At local FedEx facility</td>
<td>9/1/2015, 11:30 am</td>
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<tr>
<td>9/2/2015, 6:45 am</td>
<td>Shipment exception</td>
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<tr>
<td>9/2/2015, 8:45 am</td>
<td>Im proper or missing international paperwork, contact Customer Service</td>
<td>9/2/2015, 8:45 am</td>
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<td>9/2/2015, 9:15 am</td>
<td>At local FedEx facility</td>
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<td>9/3/2015, 12:00 pm</td>
<td>Picked up</td>
<td>9/3/2015, 12:00 pm</td>
</tr>
</tbody>
</table>

**Shipment Facts**

- **Tracking number:** 803672561734
- **Master tracking number:** 003672561734
- **Special handling section:** Deliver Weekday

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Additional notes:

- Printed 9/16/15
- From Web Site

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Exhibit 24

Page 1 of 2
Hi Scott,

Pls find attached my response.

Regards,
Chris Harris

Please see the attached request for reimbursement of funds. Thank you.
To,

Mr. Scott Frakes,

Department of Correctional Services,

Nebraska, USA.

RE: Reimbursement of funds

28 Jan, 2016

Dear Mr. Frakes,

In response to your document requesting reimbursement of funds paid to my company for the purchase of 1000 Vials of Sodium Thiopental, I am sorry to state that refund of the payment is not possible as there has been no fault of my company. We have tried many times to ship using the shipping company you have requested but the shipping company could not ship it. After repeated discussions with them and you we had agreed to ship using the company I had suggested. We were informed to keep the shipment on hold as your import licence had to be renewed at that time. Once your import licence was renewed I was to be informed and ship out the package. The package is still ready to be shipped as and when you provide the renewed import licence copy.

Hope this issue does not spoil the relationship between our organisations and we are able to do business in the future.

For,

Harris Pharma LLP

HARRIS PHARMA LLP

Designated Partner

Christopher Harris

Level 8, RDB Boulevard, Plot K-1, Sector V, Block EP & GP, Salt Lake City, Kolkata 700091, West Bengal, India.
Ph: +91-33-68374508
Email: chris@harrispapharma.com