



## NEBRASKA AUDITOR OF PUBLIC ACCOUNTS

Charlie Janssen  
State Auditor

Charlie.Janssen@nebraska.gov  
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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

**Nebraska Department of Corrections Drug Purchase Summary**  
**Prepared by APA**

Date	Summary	Amount	Additional Info	Extra Info	Reference
4/14/2015	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.				<b>Exhibit 1</b>
4/14/2015	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.		Harris Pharma Address: 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	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.	<b>Exhibit 2</b>
4/15/2015	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.				<b>Exhibit 3</b>

**Nebraska Department of Corrections Drug Purchase Summary**  
**Prepared by APA**

Date	Summary	Amount	Additional Info	Extra Info	Reference
4/16/2015	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, "Please send me an invoice for the minimum order, and shipping/handling. I will create a purchase order, and generate payment." On 4/17/15, Mr. Harris emailed the invoice, and Director Frakes responded that his staff was working on it.				Exhibit 4
4/20/2015	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.				Exhibit 5
4/21/2015	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.		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: chrisharris@harrispharmalp.com		Exhibit 6

**Nebraska Department of Corrections Drug Purchase Summary**  
**Prepared by APA**

Date	Summary	Amount	Additional Info	Extra Info	Reference
4/22/2015	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 & 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.	\$ 26,700.00	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.	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.	<b>Exhibit 7</b>
4/29/2015	Scott Frakes emailed copy of FedEx form to Chris Harris, who responded that he received it on 4/28/15.				<b>Exhibit 8</b>
5/12/2015	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.				<b>Exhibit 9</b>
5/13/2015	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.				<b>Exhibit 10</b>



**Nebraska Department of Corrections Drug Purchase Summary**  
**Prepared by APA**

Date	Summary	Amount	Additional Info	Extra Info	Reference
5/14/2015	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 & 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.	\$ 27,700.00	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.	General Fund-Administration- Posted by Inga H.	<b>Exhibit 7</b>
5/26&29/20	Scott Frakes letters to DEA				<b>Exhibit 11</b>
7/15/2015	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.				<b>Exhibit 12</b>
7/17/2015	Scott Frakes approved making a \$399 payment to Benjamin L. England & Associates, LLC, for Drug Product Listing Services.				<b>Exhibit 13</b>
7/31/2015	Scott Frakes sent email and required paperwork to Chris Harris. Customs Bond.				<b>Exhibit 14</b>
8/20/2015	Per the Lincoln Journal Star, the ACLU asked Debra Gilg, US State Attorney, to investigate Nebraska's attempt to obtain lethal injection drugs.		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		<b>Exhibit 15</b>
9/18/2015	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.				<b>Exhibit 15</b>

**Nebraska Department of Corrections Drug Purchase Summary**  
**Prepared by APA**

Date	Summary	Amount	Additional Info	Extra Info	Reference
9/18/2015	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.				<b>Exhibit 15</b>
10/14/2015	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.				<b>Exhibit 16</b>
11/5/2015	Special Investigative Committee hearing- Scott Frakes testified regarding drug purchase. Senators question the purchase and how it was handled.		LR 34 Hearing held Room 1113 starting at 9:00 a.m.		No Link Transcript on online.
11/19/2015	DEA Form 225A completed online, reference Julie Smith, NDCS Legal Counsel, and Scott Frakes.				<b>Exhibit 17</b>
11/20/2015	DEA Controlled Substance Registration Certificate received for Nebraska State Penitentiary.				<b>Exhibit 18</b>
12/11/2015	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.		Per Lincoln Journal Star,- State seeking refund for lethal injections drugs.		<b>Exhibit 19</b>
1/6/2016	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.				<b>Exhibit 20</b>
1/28/2016	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.				<b>Exhibit 21</b>

**Nebraska Department of Corrections Drug Purchase Summary**  
**Prepared by APA**

Date	Summary	Amount	Additional Info	Extra Info	Reference																																
9/6/2016	Summary of NDCS-LethalDrugPurchases as prepared by NDCS.				Exhibit 22																																
10/4/2016	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.”		Exhibit 23																																
10/12/2016	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.		<table><tr><th>Year</th><th>Description</th><th>Size</th><th>Quantity</th><th>Per Vial</th><th>Sub-Total</th><th>Freight /Shipping</th><th>Total</th></tr><tr><td>2015</td><td>Sodium Thiopental 1gr Vials</td><td>1GR</td><td>1000</td><td>\$ 25.00</td><td>\$ 25,000.00</td><td>\$ 1,700.00</td><td>\$ 26,700.00</td></tr><tr><td>2011</td><td>Sodium Thiopental 1gr Vials</td><td>1GR</td><td>500</td><td>\$ 10.00</td><td>\$ 5,000.00</td><td>\$ 411.00</td><td>\$ 5,411.00</td></tr><tr><td>2010</td><td>Sodium Thiopental 1gr Vials</td><td>1GR</td><td>500</td><td>\$ 3.44</td><td>\$ 1,720.00</td><td>\$ 336.15</td><td>\$ 2,056.15</td></tr></table>	Year	Description	Size	Quantity	Per Vial	Sub-Total	Freight /Shipping	Total	2015	Sodium Thiopental 1gr Vials	1GR	1000	\$ 25.00	\$ 25,000.00	\$ 1,700.00	\$ 26,700.00	2011	Sodium Thiopental 1gr Vials	1GR	500	\$ 10.00	\$ 5,000.00	\$ 411.00	\$ 5,411.00	2010	Sodium Thiopental 1gr Vials	1GR	500	\$ 3.44	\$ 1,720.00	\$ 336.15	\$ 2,056.15		
Year	Description	Size	Quantity	Per Vial	Sub-Total	Freight /Shipping	Total																														
2015	Sodium Thiopental 1gr Vials	1GR	1000	\$ 25.00	\$ 25,000.00	\$ 1,700.00	\$ 26,700.00																														
2011	Sodium Thiopental 1gr Vials	1GR	500	\$ 10.00	\$ 5,000.00	\$ 411.00	\$ 5,411.00																														
2010	Sodium Thiopental 1gr Vials	1GR	500	\$ 3.44	\$ 1,720.00	\$ 336.15	\$ 2,056.15																														
11/4/2016	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.				Exhibit 24																																

**Loomis, Dinisha**

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**From:** Loomis, Dinisha  
**Sent:** Wednesday, April 15, 2015 6:46 AM  
**To:** Wilson, Thomas  
**Subject:** RE: Hi

I apologize. Thanks for letting me know.

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

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**From:** Wilson, Thomas  
**Sent:** Tuesday, April 14, 2015 3:59 PM  
**To:** Loomis, Dinisha  
**Subject:** RE: Hi

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

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**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 AAll  
TEL: 402-479-5636  
FAX: 402-479-5634

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**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](mailto:patrick.werner@nebraska.gov)

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**From:** Chris Harris [<mailto:chrisharris@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**

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**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.

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

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**From:** Chris Harris [<mailto:chrisharris@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**

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**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:chrisharris@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.

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

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Patrick Werner

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

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**From:** Chris Harris [<mailto:chrisharris@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.

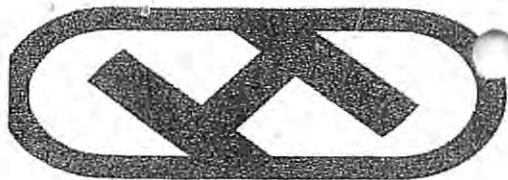
Regards,  
Chris

Sent from my HTC One

**Wilson, John**

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**From:** Derby, Kathy  
**To:** Wilson, John  
**Sent:** Thursday, April 16, 2015 9:44 AM  
**Subject:** Message Recall Failure: sodium thiopental



**Harris Pharma**  
manufacturer and distribution services

Exhibit-2

## OFFER TO SELL AGREEMENT

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

14<sup>th</sup> 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.

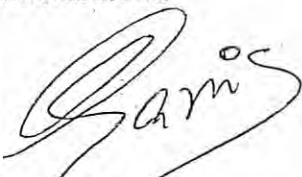
1. Product : Sodium Thiopental USP 1gm Vial
2. Price : US\$ 25 per Vial
3. Quantity : 1000 Vials
4. Freight and Customs Clearing in India : US\$ 1700
5. Delivery : 60 days after receiving acceptance of this offer and receipt of payment into bank account.
6. Payment Terms : 100% Advance

RECEIVED

APR 14 2015

For,

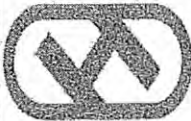

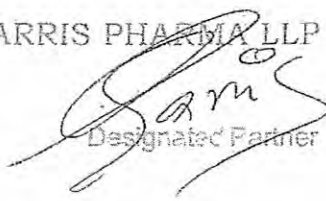
Harris Pharma LLP

  
Christopher Harris  
CEO



NDCS Director's Office

*Accepted*  
  
Scott Frakes  
Director  
NDCS

 <b>Harris Pharma</b> manufacturer and distribution services		Invoice No & DATE : HPL/NEBRASKA/CORRECTIONS/3 17th April 2015		IEC No: 0211010227		
		Buyers Order No: _____ Date : _____		Other Ref: NIL		
145 B, BOSEPUKUR ROAD, KOLKATA 700039, WEST BENGAL, INDIA		Buyer (if other then consignee) : NIL		Country of Origin of Goods: INDIA		
ATTN: SCOTT FRANKS Nebraska Department of Correctional Services Nebraska, UNITED STATES OF AMERICA DEA NUMBER : AN5903453 PHONE NUMBER : +1-402-479-5675				Country of Destination: UNITED STATES OF AMERICA		
Pre Carriage: By Air		Place of Receipt by Pre Carrier:		Terms of Delivery and Payment: 100% Advance		
Vessel/Flight No: By Air		Port of Loading: Kolkata, India				
Port Of Discharge: Nebraska		Final Destination: Nebraska				
Mark	Sr.NO	Package	Discription	Quantity	Rate	Amount
Harmless Medicine				QTY	USD	USD
	1	1	Thiopenta 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		

RS509168MI				STATE OF NEBRASKA				05/19/15		8:48:22								
NIS0001 Unposted: Y				MTD G/L Detail - Invoice Number				Page -		1								
Century:	20	Fiscal Year	14	Period Num	10	Grants and Projects												
				As of 04/30/15 - B														
Agency 046 DEPT CORRECTIONAL SVCS																		
Division 002 AGENCY DEFINED DIVISION																		
Fund	Program	Sub-Program	Grant	Ledger Type	Business Unit	Object Account	Account Number	Sub-ledger	Doc Number	Invoice Number	Invoice Date	Payer/Explanation	Tran Date	Tran Type	Batch Type	Batch Number	Posted Code	Month to Date
10000	370	050		AA	46020183	559100	46020183.559100.		31432568	4/17/15	04/17/15	Harris Pharma Lp	04/22/15	PV	V	4012017	P	26,700.00
Total for Business Unit					46020183		Unposted	Posted		25,700.00	ADMINISTRATION							26,700.00



1 From Please print and press hard.  
Date 09/23/15 Sender's FedEx Account Number  
Sender's Name Scott Fraakes Phone 402-479-5710  
Company NE Dept. of Correctional Services  
Address P O Box 94661  
Address  
City Lincoln, NE State NE  
Country United States ZIP Postal Code 68509  
2 Recipient's Name Chris Harris Phone  
Company Harris Pharma  
Address Level 8, RDB Boulevard Plot-K1 Sect V  
Address  
City Salt Lake City State Province Kolkata  
Country 700091 West Bengal, India ZIP Postal Code  
Recipient's Tax ID Number for Customs Purposes  
e.g., GST/REG/VAT/INVEIN/ABN, or as locally required.

3 Shipment Information For EU Only: Tick here if goods are not in free circulation and provide C.I.  
Total Packages 1 Shipper's Load and Count/SLAC  
Total Weight 0.15 lbs. kg DIM 1 10 1 2 in. cm  
Commodity Description Documents Harmonized Code Country of Manufacture USA Value for Customs USD \$1.00  
Has EEI been filed in AES? For U.S. Export Only Check One  
No EEI required, value \$2,500 or less per Sch. B Number, no license required (NLR), not subject to ITR.  
No EEI required, enter exemption number: If other than NLR, enter License Exception:  
Yes - Enter AES proof of filing citation:  
Total Declared Value for Carriage \$1.00  
Total Value for Customs (Specify Currency)

Sender's Copy  
4 Express Package Service  
FedEx Intl. Priority Available to select locations.  
FedEx Intl. First Available to select locations.  
FedEx Intl. Economy FedEx Envelope and FedEx Pak, rate not available.  
5 Packaging  
FedEx Envelope Other  
FedEx Pak  
FedEx Box  
FedEx Tube  
FedEx 10kg Box\*  
FedEx 25kg Box\*  
6 Special Handling  
HOLD at FedEx Location  
SATURDAY Delivery Available to select locations for FedEx Intl. Priority only.  
7 Payment  
Bill transportation charges to:  
Sender Acct. No. in Section 1 will be billed.  
Recipient  
Third Party  
Credit Card  
Cash Check/Cheque  
FedEx Use Only  
Credit Card Exp. Date  
Bill duties and taxes to:  
Sender Acct. No. in Section 1 will be billed.  
Recipient  
Third Party  
FedEx Acct. No.  
8 Your Internal Billing Reference. OPTIONAL  
9 Required Signature  
Use of this Air Waybill constitutes your agreement to the Conditions of Contract on the back of this Air Waybill, and you represent that this shipment does not require a U.S. State Department License or contain dangerous goods. Certain international treaties, including the Warsaw Convention, may apply to this shipment and limit our liability for damage, loss, or delay, as described in the Conditions of Contract. WARNING: These commodities, technology, or software were exported from the United States in accordance with Export Administration Regulations. Diversion contrary to U.S. law prohibited.  
Sender's Signature: [Signature]  
This is not authorization to deliver this shipment without a recipient signature.  
For Completion Instructions, see back of fifth page.  
FedEx Tracking Number 8736 9099 4489  
Ship and track packages at fedex.com  
The terms and conditions of service may vary from country to country. Consult our local office for specific information. Non-Negotiable International Air Waybill © 1994-2008 FedEx  
Questions? Go to our Web site at fedex.com.  
Or in the U.S., call 1.800.GoFedEx 1.800.463.3339. Outside the U.S., call your local FedEx office.

Exhibit 2

RETAIN THIS COPY FOR YOUR RECORDS.

07/10



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](http://fedex.com) for details. All merchandise sales final.

Visit us at: [fedex.com](http://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](http://fedex.com/welisten) or 800-398-0242

Redemption Code: \_\_\_\_\_

\*\*\* Thank you \*\*\*



**Frakes, Scott**

---

**From:** Frakes, Scott  
**Sent:** Wednesday, April 15, 2015 2:33 PM  
**To:** 'Chris Harris'  
**Subject:** RE: Information

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.

**From:** ~~Frakes, Scott~~  
**Sent:** 15 April, 2015 11:48 PM  
**To:** ~~Chris Harris~~  
**Subject:** ~~RE: Information~~

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

**From:** ~~Frakes, Scott~~  
**Sent:** 15 April, 2015 11:32 PM  
**To:** ~~[chrisharris@harrispharmallp.com](mailto:chrisharris@harrispharmallp.com)~~  
**Cc:** ~~Kohl, Randy~~

**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!

**Kohl, Randy**

---

**From:** Chris Harris <chrisharris@harrispharmallp.com>  
**Sent:** Wednesday, April 15, 2015 12:16 PM  
**To:** Kohl, Randy  
**Subject:** Sodium Thiopental

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

**Frakes, Scott**

---

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

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](mailto:chrisharris@harrispharmallp.com)>  
**Date:** 04/20/2015 6:19 PM (GMT-06:00)  
**To:** "Frakes, Scott" <[scott.frakes@nebraska.gov](mailto:scott.frakes@nebraska.gov)>  
**Subject:** Re: Information

Hi Scott,

Tried calling today. Got your voicemail.

Regards,  
Chris

**From:** Frakes, Scott  
**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: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@harrispharmallp.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](mailto:scott.frakes@nebraska.gov)>  
**To:** "Chris Harris" <[chrisharris@harrispharmallp.com](mailto:chrisharris@harrispharmallp.com)>  
**Subject:** Information  
**Date:** Thu, Apr 16, 2015 1:01 AM

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.

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

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Sent: Wednesday, April 15, 2015 1:15 PM  
To: Frakes, Scott  
Cc: Kohl, Randy  
Subject: Re: Information

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Regards,  
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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: <mailto:chrisharris@harrispharmallp.com>&3<mailto:chrisharris@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!

**Frakes, Scott**

---

**From:** Frakes, Scott  
**Sent:** Tuesday, April 21, 2015 8:31 AM  
**To:** 'Chris Harris'  
**Subject:** RE: Information

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" <[scott.frakes@nebraska.gov](mailto:scott.frakes@nebraska.gov)>  
**To:** "Chris Harris" <[chrisharris@harrispharmallp.com](mailto: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 <[chrisharris@harrispharmallp.com](mailto:chrisharris@harrispharmallp.com)>  
**Date:** 04/20/2015 6:19 PM (GMT-06:00)  
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**Subject:** Re: Information

Hi Scott,

Tried calling today. Got your voicemail.

Regards,  
Chris

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

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**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<<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:chrisharris@harrispharmallp.com>]  
Sent: Thursday, April 16, 2015 7:50 AM  
To: Frakes, Scott  
Subject: Re: Information



**Frakes, Scott**

---

**From:** Chris Harris <chrisharris@harrispharmallp.com>  
**Sent:** Wednesday, April 22, 2015 1:17 PM  
**To:** Frakes, Scott  
**Subject:** Re: Document from Lanier LD625c  
**Attachments:** Company\_LLP Master Data.pdf

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

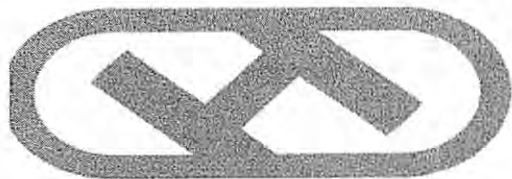
-----Original Message-----

**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!

Company/LLP Master Data	
Subject	Company/LLP Details/Particulars
LLPIN	: AAA-5194
LLP Name	: HARRIS PHARMA LLP
Number Of Partners	: 0
Number of Designated Partners	: 2
ROC Code	: RoC-Kolkata
Date of Incorporation	: 15/06/2011
Address of registered office	: RBD Boulevard, Level 8, Plot K-1, Sector V, Block EP & GP, Salt lake City Kolkata West Bengal-700091 INDIA
Email Id	: chrisharris@harrispharmallp.com
Previous firm/ company details, if applicable	:
Total Obligation of Contribution	: 50000.0
Main division of business activity to be carried out in India	: 74
Description of main division	:
Date of last financial year end date for which Statement of Accounts and Solvency filed	:
Date of last financial year end date for which Annual Return filed	:
LLP Status	: Active



**Harris Pharma**  
manufacturer and distribution services

## OFFER TO SELL AGREEMENT

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

14<sup>th</sup> 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



**Frakes, Scott**

---

**From:** Frakes, Scott  
**Sent:** Tuesday, April 21, 2015 2:03 PM  
**To:** 'Chris Harris'  
**Subject:** RE: Document from Lanier LD625c

Can you call me right now?

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

From: Chris Harris [<mailto:chrisharris@harrispharmallp.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: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!

**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!

Form **W-8ECI**

(Rev. February 2014)

Department of the Treasury  
Internal Revenue Service**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](http://www.irs.gov/formw8eci).

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

OMB No. 1545-1621

**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 . . . . . **W-8BEN or W-8BEN-E**
- 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) 115(2), 501(c), 892, 895, or 1443(b) . . . . . **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.

- 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): <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Partnership  <input type="checkbox"/> Government  <input type="checkbox"/> Private foundation </div> <div> <input type="checkbox"/> Simple trust  <input type="checkbox"/> Grantor trust  <input type="checkbox"/> International organization </div> <div> <input type="checkbox"/> Individual  <input type="checkbox"/> Complex trust  <input type="checkbox"/> Central bank of issue </div> <div> <input type="checkbox"/> Corporation  <input type="checkbox"/> Estate  <input type="checkbox"/> Tax-exempt organization </div> </div>	
5 Permanent residence address (street, apt. or suite no., or rural route). Do not use a P.O. box or in-care-of address.	
<div style="display: flex;"> <div style="flex: 1;">City or town, state or province. Include postal code where appropriate.</div> <div style="flex: 0.2; border-left: 1px solid black; padding-left: 5px;">Country</div> </div>	
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) <input type="checkbox"/> SSN or ITIN <input type="checkbox"/> 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****Sign Here**

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.



**Frakes, Scott**

---

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

Was it sent Fedex?

**From:** Frakes, Scott  
**Sent:** 21 April, 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](mailto:scott.frakes@nebraska.gov)>  
**To:** "Chris Harris" <[chrisharris@harrispharmallp.com](mailto: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>&3c<mailto:scott.frakes@nebraska.gov>>>  
**To:** "Chris Harris"  
 <<mailto:chrisharris@harrispharmallp.com>&3c<mailto: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@harrispharmallp.com%3cmailto:chrisharris@harrispharmallp.com>>](mailto:chrisharris@harrispharmallp.com%3cmailto:chrisharris@harrispharmallp.com)>

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

To: "Frakes, Scott"  
<[<mailto:scott.frakes@nebraska.gov%3cmailto:scott.frakes@nebraska.gov>>](mailto:scott.frakes@nebraska.gov%3cmailto:scott.frakes@nebraska.gov)>

Subject: Re: Information

Hi Scott,

Tried calling today. Got your voicemail.

Regards,

Chris

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Sent: 17 April, 2015 10:09 PM

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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:chrisharris@harrispharmallp.com>](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<<mailto:scott.frakes@nebraska.gov>>

Sent: 16 April, 2015 6:29 PM

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

Subject: RE: Information

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

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

To: Frakes, Scott

Subject: Re: Information

Form **W-8ECI**

(Rev. February 2014)

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

OMB No. 1545-1621

Department of the Treasury  
Internal Revenue Service

- Section references are to the Internal Revenue Code.  
► Information about Form W-8ECI and its separate instructions is at [www.irs.gov/formw8eci](http://www.irs.gov/formw8eci).  
► Give this form to the withholding agent or payer. 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 . . . . . **Instead, use Form: W-8BEN or W-8BEN-E**
- 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) 115(2), 501(c), 892, 895, or 1443(b) . . . . . **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.

- 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-BIMY**
  - A person acting as an intermediary . . . . . **W-BIMY**
- 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  
**HARRIS PHARMA LLP**

2 Country of incorporation or organization  
**INDIA**

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

4 Type of entity (check the appropriate box):

<input type="checkbox"/> Partnership	<input type="checkbox"/> Simple trust	<input type="checkbox"/> Individual	<input type="checkbox"/> Corporation
<input type="checkbox"/> Government	<input type="checkbox"/> Grantor trust	<input type="checkbox"/> Complex trust	<input type="checkbox"/> Estate
<input type="checkbox"/> Private foundation	<input checked="" type="checkbox"/> International organization	<input type="checkbox"/> Central bank of issue	<input type="checkbox"/> 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.

**LEVEL 8, RDB BOULEVARD, PLOT K1, SECTOR V**  
City or town, state, and ZIP code  
**KOLKATA, WEST BENGAL, 700091, INDIA**

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

☐ SSN or ITIN ☐ EIN

8 Foreign tax identifying number

**PAN-AACCH6845H**

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**

**Sign  
Here**

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.

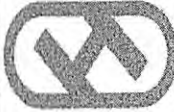

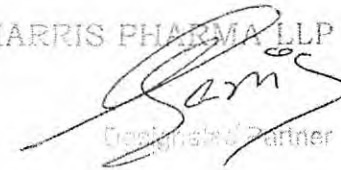
Signature of beneficial owner (or individual authorized to sign for the beneficial owner)

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.

**04-21-2015**

 <b>Harris Pharma</b> manufacturer and distribution services				Invoice No & DATE :		IEC No: 0211010227	
				HIPL/NEBRASKA/CORRECTIONS/3 17th April 2015			
Level 8, RDB Boulevard, Plot - K 1, Sector V, Salt Lake City, Kolkata 700091, West Bengal, India. ATTN: SCOTT FRANKS Nebraska Department of Correctional Services Nebraska, UNITED STATES OF AMERICA DEA NUMBER : AN5903453 PHONE NUMBER : +1-402-479-5675				Buyers Order No:      Date :			
				Other Ref: NIL			
				Buyer (if other then 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:		Terms of Delivery and Payment: 100% Advance			
Vessel/Flight No: By Air		Port of Loading: Kolkata, India					
Port Of Discharge: Nebraska		Final Destination: Nebraska					
Mark	Sr.NO	Package	Description	Quantity	Rate	Amount	
Harmless Medicine				QTY	USD	USD	
	1	1	Thiopenta 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			

**Frakes, Scott**

---

**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@harrispharmallp.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@harrispharmallp.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@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<mailto:scott.frakes@nebraska.gov>>  
**To:** "Chris Harris"  
 <chrisharris@harrispharmallp.com<mailto: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"

<[scott.frakes@nebraska.gov](mailto:scott.frakes@nebraska.gov)<<mailto:scott.frakes@nebraska.gov><<mailto:scott.frakes@nebraska.gov>%3c<mailto:scott.frakes@nebraska.gov>>>>>>>

To: "Chris Harris"

<[chrisharris@harrispharmallp.com](mailto:chrisharris@harrispharmallp.com)<<mailto:chrisharris@harrispharmallp.com><<mailto:chrisharris@harrispharmallp.com>%3c<mailto: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  
<chrisharris@harrispharmallp.com<mailto:chrisharris@harrispharmallp.com<mailto:chrisharris@harrispharmallp.com%3cmmailto:chrisharris@harrispharmallp.com>>>

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

To: "Frakes, Scott"  
[scott.frakes@nebraska.gov](mailto:scott.frakes@nebraska.gov)<mailto:scott.frakes@nebraska.gov><mailto:scott.frakes@nebraska.gov>  
[3mailto:scott.frakes@nebraska.gov](mailto:scott.frakes@nebraska.gov)>>>

Subject: Re: Information

Hi Scott,

Tried calling today. Got your voicemail.

Regards,

Chris

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

Sent: 17 April, 2015 10:09 PM

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

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

To: Frakes, Scott

Subject: Re: Information

R550916BMD  
MIS0001 Unposted: Y  
Century: 20 Fiscal Year 14 Period Num 10  
Agency 046 DEPT CORRECTIONAL SERVICES  
Division 002 AGENCY DEFINED DIVISION



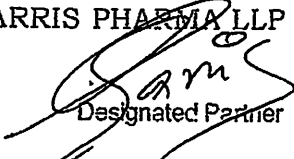
STATE OF NEBRASKA  
MTD G/L Detail -- Invoice Number  
Grants and Projects  
As of 04/30/15 - B

05/19/15 8:40:22  
Page - 1

Fund	Program	Sub-Program	Grant	Ledger Type	Business Unit	Object Account	Account Number	Sub-Ledger	Doc Number	Invoice Number	Invoice Date	Payee/Explanation	Trans Date	Trans Type	Batch Type	Batch Number	Posted Code	Month to Date	
10000	370	050		AA	46020183	559100	46020183.559100.		31432568	4/17/15	04/17/15	Hanta Pharma Up	04/22/15	PV	V	4012017	P	26,700.00	
Total for Business Unit																			26,700.00
																			26,700.00

AB# 1982577

2012017 31432568 Exhibit 7

 <b>Harris Pharma</b> manufacturer and distribution services			Invoice No & DATE : HPL/NEBRASKA/CORRECTIONS/3 17th April 2015		IEC No: 0211010227	
			Buyers Order No: _____ Date: _____			
145 B, BOSEPUKUR ROAD, KOLKATA 700039, WEST BENGAL, INDIA			Other Ref: NIL			
ATTN: SCOTT FRANKS Nebraska Department of Correctional Services Nebraska, UNITED STATES OF AMERICA DEA NUMBER : ANS903453 PHONE NUMBER : +1-402-479-5675			Buyer (if other then 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:	Terms of Delivery and Payment: 100% Advance			
Vessel/Flight No: By Air		Port of Loading: Kolkata, India				
Port Of Discharge: Nebraska		Final Destination: Nebraska				
Mark	Sr.NO	Package	Description	Quantity	Rate	Amount
Harmless Medicine				QTY	USD	USD
	1	1	Thiopenta 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 )		
46020183.559100						
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		

R09801



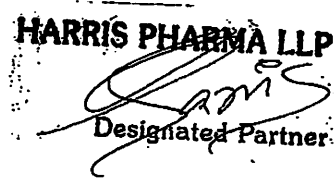
STATE OF NEBRASKA  
General Ledger Post

05/14/15 9:04:58  
Page - 1

Batch Ty/Number	V	4035279	Post Out of Balance	N	Offset Method	Y								
Batch Date		05/14/15	InterCo Settlement Mthd	2										
... Document	.....	G/L	R	Fund	Account Number	Debit	Credit	Units	Sub-	T	Tag	Explanation		
Ty	Number	Co	Date	V	Description				ledger	y	Number	Remark		
PV	31576543	10000	05/14/15		10000 46020183.559100	27,700.00						HARRIS PHARMA LLP		
					OTHER OPERATING EXP								1.0	
AE	31576543	10000	05/14/15		10000.211900		27,700.00-					Offset By Document PV 31576543		
					AAI DUE TO VENDOR (SYSTE							AE	1.0	
					Ledger Type Totals	AA	27,700.00	27,700.00-						

AB# 19874

Exhibit 7

 <b>HarrisPharma</b> manufacturer and distribution services		Invoice No & DATE : HPL/Nebraska/CORRECTIONS/4 13th May 2015		Inv. No: 0211010227		
		Buyers Order No & Date : 12th May 2015 4035279 3157650 3				
Level 8, RDB Boulevard, Plot K1, Sector V, Salt Lake City, KOLKATA 700091, WEST BENGAL, INDIA ATTN: Scott Frakes Nebraska Department of Correctional Services PO Box 94661 Lincoln Nebraska 68509, UNITED STATES OF AMERICA DEA NUMBER : AN5903453 PHONE NUMBER : +1-402-479-5675		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 Vessel/Flight No: By Air Port Of Discharge: Nebraska		Place of Receipt by Pre Carrier: Port of Loading: Kolkata, India Final Destination: Nebraska		Terms of Delivery and Payment: 100% ADVANCE		
Mark	Sr.NO	Package	Description	Quantity	Rate	Amount
			Harmless Medicine	QTY	USD	USD
	1	1	Pancuronium Bromide USP 2mg/2ml Ampule	1000	26	26000
			Freight & Custom Clearing in India			1700
				TOTAL USD		27700
Declaration : We declare that this Invoice shows the actual price of the Goods described and that all particulars are true and correct.				TOTAL: US DOLLARS ( Twenty Seven Thousand Seven Hundred Only )  46020183.559100		
						



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.

**Frakes, Scott**

---

**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](mailto:scott.frakes@nebraska.gov)>  
 To: "Chris Harris" <[chrisharris@harrispharmallp.com](mailto:chrisharris@harrispharmallp.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@harrispharmallp.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@harrispharmallp.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@harrispharmallp.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@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

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>&3c<mailto:scott.frakes@nebraska.gov>>>  
To: "Chris Harris"  
<<mailto:chrisharris@harrispharmallp.com>&3c<mailto: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>&3c<mailto:scott.frakes@nebraska.gov>>>  
To: "Chris Harris"  
<<mailto:chrisharris@harrispharmallp.com>&3c<mailto: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@harrispharmallp.com%3cmailto:chrisharris@harrispharmallp.com>>>

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

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

**1 From** Please print and press hard.  
Date 04/23/15 Sender's FedEx Account Number \_\_\_\_\_  
Sender's Name Scott Fraakes Phone 402-479-5710  
Company NE Dept. of Correctional Services  
Address P O Box 94661  
Address \_\_\_\_\_  
City Lincoln, NE State NE  
Country United States ZIP Postal Code 68509  
**2 Recipient's** Name Chris Harris Phone \_\_\_\_\_  
Company Harris Pharma  
Address Level 8, RDB Boulevard Plot- K1- Sect V  
Address \_\_\_\_\_  
City Salt Lake City State KolKata  
Country 700091 West Bengal, India ZIP Postal Code \_\_\_\_\_  
Recipient's Tax ID Number for Customs Purposes  
e.g., GST/RFC/VAT/IN/EIN/ABN, or as locally required.

**3 Shipment Information** ☐ For EU Only: Tick here if goods are not in free circulation and provide C.I.  
Total Packages 1 Shipper's Load and Count 1 Total Weight 0.15 lbs. ☒ kg ☐ DIM    /    /    in. ☐ cm  
Commodity Description Documents Harmonized Code    Country of Manufacture USA Value for Customs USD \$1.00  
Has EEI been filed in AES? ☐ No EEI required, value \$2,500 or less per Sch. B Number, no license required (NLR), not subject to ITR. ☐ No EEI required, enter exemption number: \_\_\_\_\_ If other than NLR, enter License Exception: \_\_\_\_\_  
Total Declared Value for Carriage    Total Value for Customs (Specify Currency) \$1.00

**4 Express Package Service**  
☒ FedEx Intl. Priority ☐ FedEx Intl. First Available to select locations.  
☐ \_\_\_\_\_ ☐ FedEx Intl. Economy FedEx Envelope and FedEx Pak rate not available.  
**5 Packaging** \*These unique brown boxes with special pricing are provided by FedEx for FedEx Intl. Priority only.  
☒ FedEx Envelope ☐ FedEx Pak ☐ FedEx Box ☐ FedEx Tube  
☐ Other \_\_\_\_\_ ☐ FedEx 10kg Box\* ☐ FedEx 25kg Box\*  
**6 Special Handling**  
☐ HOLD at FedEx Location ☐ SATURDAY Delivery Available to select locations for FedEx Intl. Priority only.  
**7 Payment** Complete payment options for both transportation charges and duties and taxes.  
Bill transportation charges to:  
☐ Sender Acct. No. in Section 1 will be billed. ☐ Recipient ☐ Third Party ☐ Credit Card ☒ Cash/Check/Cheque FedEx Use Only  
FedEx Acct. No. \_\_\_\_\_  
Credit Card No. \_\_\_\_\_  
Credit Card Exp. Date \_\_\_\_\_  
Bill duties and taxes to: ALL shipments may be subject to Customs charges, which FedEx does not estimate prior to clearance.  
☐ Sender Acct. No. in Section 1 will be billed. ☐ Recipient ☐ Third Party  
FedEx Acct. No. \_\_\_\_\_  
**8 Your Internal Billing Reference** First 24 characters will appear on invoice.  
OPTIONAL  
**9 Required Signature**  
Use of this Air Waybill constitutes your agreement to the Conditions of Contract on the back of this Air Waybill, and you represent that this shipment does not require a U.S. State Department License or contain dangerous goods. Certain international treaties, including the Warsaw Convention, may apply to this shipment and limit our liability for damage, loss, or delay, as described in the Conditions of Contract. **WARNING:** These commodities, technology, or software were exported from the United States in accordance with Export Administration Regulations. Diversion contrary to U.S. law prohibited.  
Sender's Signature: [Signature]  
This is not authorization to deliver this shipment without a recipient signature.

For Completion Instructions, see back of fifth page.

FedEx Tracking Number

8736 9099 4489

Form ID No.

568

PART 15810-Rev. Date 11/08  
©1994-2008 FedEx  
PRINTED IN U.S.A. BDA

0402



Ship and track packages at fedex.com

The terms and conditions of service may vary from country to country. Consult our local office for specific information.  
Non-Negotiable International Air Waybill • ©1994-2008 FedEx

Questions? Go to our Web site at fedex.com.

Or in the U.S., call 1.800.GoFedEx 1.800.463.3339. Outside the U.S., call your local FedEx office.

RETAIN THIS COPY FOR YOUR RECORDS.

07/10

**Frakes, Scott**

---

**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

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**From:** Chris Harris [mailto: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  
**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  
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**Subject:** Re: Information

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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.

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Regards,  
Chris

Sent from my HTC One

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

**From:** "Frakes, Scott" <[scott.frakes@nebraska.gov](mailto:scott.frakes@nebraska.gov)>  
**To:** "Chris Harris" <[chrisharris@harrispharmallp.com](mailto:chrisharris@harrispharmallp.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@harrispharmallp.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@harrispharmallp.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@harrispharmallp.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@harrispharmallp.com>>  
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Sent to the address on the invoice (India), tracking #EK69033031

From: Chris Harris [<mailto:chrisharris@harrispharmallp.com>]  
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Subject: Information

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

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Sent from my Verizon Wireless 4G LTE smartphone

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

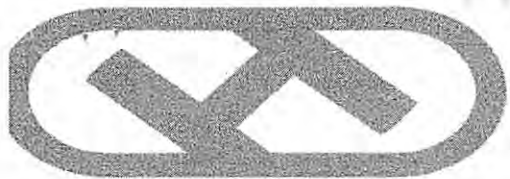
From: Chris Harris

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

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

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





**Harris Pharma**  
manufacturer and distribution services

## OFFER TO SELL AGREEMENT

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

12<sup>th</sup> 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

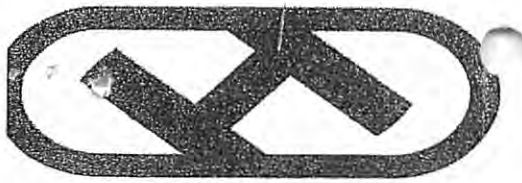
For,

**Harris Pharma LLP**

Christopher Harris  
CEO







**Harris Pharma**  
manufacturer and distribution services

Exhibit 10

RECEIVED

**OFFER TO SELL AGREEMENT**

MAY 12 2015

NDCS Director's Office

12<sup>th</sup> 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



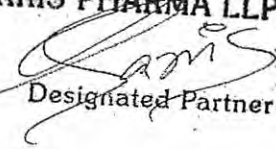
For,

**Harris Pharma LLP**

Christopher Harris  
CEO



Approved on  
Listed on  
5-12-15

 <b>Harris Pharma</b> manufacturer and distribution services		Invoice No & DATE : HPI/Nebraska/CORRECTIONS/4 13th May 2015		IEC No: 0211010227		
		Buyers Order No & Date : 12th May 2015				
Level 8, RDB Boulevard, Plot K1, Sector V, Salt Lake City, KOLKATA 700091, WEST BENGAL, INDIA.		Other Ref: NIL				
ATTN: Scott Frakes Nebraska Department of Correctional Services PO Box 94661 Lincoln Nebraska 68509, UNITED STATES OF AMERICA DEA NUMBER : AN5903453 PHONE NUMBER : +1-402-479-5675		Buyer (if other then consignee) : NIL				
Pre Carriage: By Air		Place of Receipt by Pre Carrier:		Terms of Delivery and Payment: 100% ADVANCE		
Vessel/Flight No: By Air		Port of Loading: Kolkata, India				
Port Of Discharge: Nebraska		Final Destination: Nebraska				
Mark	Sr.NO	Package	Discription	Quantity	Rate	Amount
			Harmless Medicine	QTY	USD	USD
	1	1	Pancuronium Bromide USP 2mg/2ml Ampule	1000	26	26000
			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.						
				<b>HARRIS PHARMA LLP</b>  Designated Partner		

Batch Ty/Number	V	4035279	Post Out of Balance	N	Offset Method	Y
Batch Date		05/14/15	InterCo Settlement Mthd	2		

Document	.....	G/L	R	Fund	Account Number	Debit	Credit	Units	Sub- ledger	T y	Tag Number	Explanation
Ty	Number	Co	Date	V	Description							Remark
PV	31576543	10000	05/14/15		10000	46020183.559100	27,700.00					HARRIS PHARMA LLP
					OTHER OPERATING EXP							1.0
AE	31576543	10000	05/14/15		10000	10000.211900	27,700.00-					Offset By Document PV 31576543
					AAI DUE TO VENDOR (SYSTE							AE 1.0
					Ledger Type Totals	AA	27,700.00	27,700.00-				



# FedEx International Air Waybill

Express For FedEx services worldwide.

Exhibit 10

**1 From** Please print and press hard.

Date 5/14/15 Sender's FedEx Account Number \_\_\_\_\_

Sender's Name Scott Fra Kes Phone 402-479-5710

Company NE Dept. of Correctional Services

Address P. O. Box 94661

Address \_\_\_\_\_

City Lincoln State NE

Country United States ZIP Postal Code 68509

**2 To**

Recipient's Name Chris Harris Phone \_\_\_\_\_

Company Harris Pharma

Address Level 8, RDB Boulevard, Plot-K1-Set V

Address \_\_\_\_\_

City Salt Lake City State Kolkata

Country 700091 West Bengal, India ZIP Postal Code \_\_\_\_\_

Recipient's Tax ID Number for Customs Purposes  
e.g., GST/RFC/VAT/IN/EIN/ABN, or as locally required: \_\_\_\_\_

**3 Shipment Information** ☐ For EU Only: Tick here if goods are not in free circulation and provide C.I.

Total Packages 1 Total Weight 0.15 lbs. ☒ kg ☐ DIM 1 1 1 in. ☐ cm

Commodity Description	Harmonized Code	Country of Manufacture	Value for Customs
<u>Documents</u>		<u>USA</u>	<u>USD \$1.00</u>

Has EEL been filed in AES? ☐ For U.S. Export Only: Check One  
☐ No EEL required, value \$2,500 or less per Sch. B Number, no license required (NLR), not subject to ITAR.  
☐ No EEL required, enter exemption number: \_\_\_\_\_ If other than NLR, enter License Exemption: \_\_\_\_\_  
☐ Yes - Enter AES proof of filing citation: \_\_\_\_\_

Total Declared Value for Carriage: \_\_\_\_\_ Total Value for Customs (Specify Currency): \$1.00

**4 Express Package Service**

☒ FedEx Intl. Priority ☐ FedEx Intl. First Available to select locations.

☐ \_\_\_\_\_ ☐ FedEx Intl. Economy FedEx Envelope and FedEx Pak rate not available.

**5 Packaging** \*These unique brown boxes with special pricing are provided by FedEx for FedEx Intl. Priority only.

☒ FedEx Envelope ☐ FedEx Pak ☐ FedEx Box ☐ FedEx Tube

☐ Other \_\_\_\_\_ ☐ FedEx 10kg Box\* ☐ FedEx 25kg Box\*

**6 Special Handling**

☐ HOLD at FedEx Location ☐ SATURDAY Delivery Available to select locations for FedEx Intl. Priority only.

**7 Payment** Complete payment options for both transportation charges and duties and taxes.

Bill transportation charges to:

☐ Sender Acct. No. in Section 1 will be billed. ☐ Recipient ☐ Third Party ☐ Credit Card ☒ Cash/Check/Cheque FedEx Use Only

FedEx Acct. No. \_\_\_\_\_

Credit Card No. \_\_\_\_\_

Credit Card Exp. Date \_\_\_\_\_

Bill duties and taxes to: Enter FedEx Acct. No. below. ALL shipments may be subject to Customs charges, which FedEx does not estimate prior to clearance.

☐ Sender Acct. No. in Section 1 will be billed. ☐ Recipient ☐ Third Party

FedEx Acct. No. \_\_\_\_\_

**8 Your Internal Billing Reference** First 24 characters will appear on invoice.

OPTIONAL

**9 Required Signature**

Use of this Air Waybill constitutes your agreement to the Conditions of Contract on the back of this Air Waybill, and you represent that this shipment does not require a U.S. State Department License or contain dangerous goods. Certain international treaties, including the Warsaw Convention, may apply to this shipment and limit our liability for damage, loss, or delay, as described in the Conditions of Contract.

WARNING: These commodities, technology, or software were exported from the United States in accordance with Export Administration Regulations. Re-export contrary to U.S. law prohibited.

Sender's Signature: Inga R. Hooker

This is not authorization to deliver this shipment without a recipient signature.

Sender's Copy

Packages up to 150 lbs./68 kg  
For packages over 150 lbs./68 kg, use the FedEx Expanded Service Intl. Air Waybill.

Not all services and options are available to all destinations. Dangerous goods cannot be shipped using this Air Waybill.

RETAIN THIS COPY FOR YOUR RECORDS.

For Completion Instructions, see back of fifth page.

FedEx Tracking Number

8072 9503 8749



Ship and track packages at fedex.com

The terms and conditions of service may vary from country to country. Consult our local office for specific information. Non-Negotiable International Air Waybill • ©1994-2008 FedEx

Questions? Go to our Web site at fedex.com.

Or in the U.S., call 1.800.GoFedEx 1.800.463.3339. Outside the U.S., call your local FedEx office.

568

PART 150410 Rev. Date 11/08  
©1994-2008 FedEx  
PRINTED IN U.S.A. RDA

Form ID No.

0402

10/14



4747 OLD CHENEY RD  
Lincoln, NE 68516

Location: LNKK  
Device ID: LNKK-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

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

Subject to additional charges. See FedEx Service Guide  
at [fedex.com](http://fedex.com) for details. All merchandise sales final.

Visit us at: [fedex.com](http://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](http://fedex.com/welisten) or 800-398-0242  
Redemption Code: \_\_\_\_\_

\*\*\* Thank you \*\*\*

**Frakes, Scott**

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**From:** Chris Harris <chrisharris@harrispharmallp.com>  
**Sent:** Tuesday, May 12, 2015 1:21 PM  
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**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

---

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 <<mailto:scott.frakes@nebraska.gov>>&3c<mailto:scott.frakes@nebraska.gov>>>



To: "Chris Harris"  
<<mailto:chrisharris@harrispharmallp.com>&3c<mailto: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>&3c<mailto:scott.frakes@nebraska.gov>>>  
To: "Chris Harris"  
<<mailto:chrisharris@harrispharmallp.com>&3c<mailto: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@harrispharmallp.com%3cmailto:chrisharris@harrispharmallp.com>>>

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

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

**Frakes, Scott**

---

**From:** Chris Harris <chrisharris@harrispharmallp.com>  
**Sent:** Wednesday, May 13, 2015 4:05 AM  
**To:** Frakes, Scott  
**Subject:** Re: Information  
**Attachments:** Nebraska Invoice for PB.pdf

Hi Scott,

Pls find the Invoice attached.

Regards,

Chris Harris

**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

---

**From:** Chris Harris [mailto: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  
**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](mailto:scott.frakes@nebraska.gov)>  
To: "Chris Harris" <[chrisharris@harrispharmallp.com](mailto:chrisharris@harrispharmallp.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@harrispharmallp.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@harrispharmallp.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@harrispharmallp.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@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

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>&3c<mailto:scott.frakes@nebraska.gov>>>

To: "Chris Harris"

<mailto:chrisharris@harrispharmallp.com>&3c<mailto:chrisharris@harrispharmallp.com>>>

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

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Thanks

Sent from my HTC One

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

From: "Frakes, Scott"

<mailto:scott.frakes@nebraska.gov>&3c<mailto:scott.frakes@nebraska.gov>>>

To: "Chris Harris"

<mailto:chrisharris@harrispharmallp.com>&3c<mailto: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



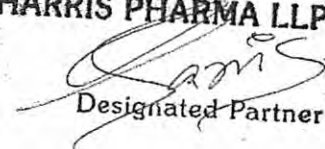
Sent from my Verizon Wireless 4G LTE smartphone

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

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

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

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

 <b>Harris Pharma</b> manufacturer and distribution services		Invoice No & DATE : HPL/Nebraska/CORRECTIONS/4 13th May 2015		IEC No: 0211010227		
		Buyers Order No & Date : 12th May 2015				
Other Ref: NIL						
Level 8, RDB Boulevard, Plot K1, Sector V, Salt Lake City, KOLKATA 700091, WEST BENGAL, INDIA ATTN: Scott Frakes Nebraska Department of Correctional Services PO Box 94661 Lincoln Nebraska 68509, UNITED STATES OF AMERICA DEA NUMBER : AN5903453 PHONE NUMBER : +1-402-479-5675			Buyer (if other then 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:		Terms of Delivery and Payment: 100% ADVANCE		
Vessel/Flight No: By Air		Port of Loading: Kolkata, India				
Port Of Discharge: Nebraska		Final Destination: Nebraska				
Mark	Sr.NO	Package	Discription	Quantity	Rate	Amount
Harmless Medicine				QTY	USD	USD
	1	1	Pancuronium Bromide USP 2mg/2ml Ampule	1000	26	26000
			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.				 <b>HARRIS PHARMA LLP</b>  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.

**From:** Chris Harris [mailto:chrisharris@harrispharmallp.com]  
**Sent:** Wednesday, May 13, 2015 4:05 AM  
**To:** Frakes, Scott  
**Subject:** Re: Information

Hi Scott,

Pls find the Invoice attached.

Regards,  
Chris Harris  
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**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<mailto:scott.frakes@nebraska.gov>  
Sent: Tuesday, May 12, 2015 11:05 PM  
To: Chris Harris<mailto:chrisharris@harrispharmallp.com>  
Subject: RE: Information

Thank you

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See attached. Thank you

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Subject: Information  
Date: Tue, Apr 21, 2015 10:26 PM

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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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To: Frakes, Scott

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<mailto:scott.frakes@nebraska.gov%3cmailto:scott.frakes@nebraska.gov>>

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

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

Subject: Information

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

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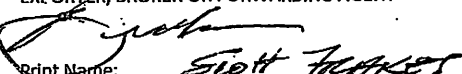
Sent from my Verizon Wireless 4G LTE smartphone

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

From: Chris Harris  
<mailto:chrisharris@harrispharmallp.com%3cmailto:chrisharris@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 <b>CONTROLLED SUBSTANCES IMPORT / EXPORT DECLARATION</b> <i>(Read Instructions on reverse before completing)</i>		OMB APPROVAL No. 1117-0009 EXPIRATION DATE: 9/30/2016 See reverse for Privacy Act
1. CHECK ONE <input checked="" type="checkbox"/> IMPORT DECLARATION      Nonnarcotic Substances in Schedules III, IV, V <input type="checkbox"/> EXPORT DECLARATION      Nonnarcotic Substances in Schedules III, and IV and all substances in Schedule V		U.S. CUSTOMS CERTIFICATION
IMPORTER/EXPORTER (Name and Address) Nebraska State Penitentiary 4201 14th South Street Lincoln, NE 68502		Date of Departure/Arrival
BROKER OR FORWARDING AGENT, IF USED (Name and Address) Not Applicable		Date of Certification
DEA REGISTRATION NO. 0414184		Signature of Customs Official
2. CONTROLLED SUBSTANCES TO BE IMPORTED OR EXPORTED		DEA Transaction ID
2a. NAME AND QUANTITY OF DRUG OR PREPARATION <i>(Enter names as shown on labels; numbers and sizes of packages; strength of tablets, capsules, etc., CSA Drug Code and NDC Number)</i>  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. <i>(Enter names of controlled substances contained in the drug, compound, or preparation)</i>  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 <i>(Completed by registrant at time of transaction)</i>
3a. <input checked="" type="checkbox"/> FOREIGN (for U.S. import) <input type="checkbox"/> DOMESTIC (for U.S. export) PORT OF EXPORTATION AND APPROX. DEPARTURE DATE  Kolkata, India June 15, 2015 (Approximate)		3b. <input type="checkbox"/> FOREIGN (for U.S. export) <input checked="" type="checkbox"/> 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 Kolkata 700039, West Bengal, India		
I hereby certify that the substance(s) listed in Section 2 are to be <input checked="" type="checkbox"/> Imported (conform to 21 U.S.C. § 952(b)) <input type="checkbox"/> Exported (conform to 21 U.S.C. § 953(e)) and are intended for <input type="checkbox"/> Medical, <input type="checkbox"/> Scientific, or <input checked="" type="checkbox"/> Other legitimate uses (attach explanation for other legitimate use).  <input type="checkbox"/> 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  Print Name: <b>SCOTT H. FRAKES</b>	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



# STATE OF NEBRASKA

## DEPARTMENT OF CORRECTIONAL SERVICES

Scott R. Frakes

Director



Pete Ricketts  
Governor

May 26, 2015

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

RE: Form 236 Legitimate Use Declaration

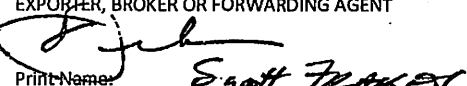
To Whom It May Concern

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 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 <b>CONTROLLED SUBSTANCES IMPORT / EXPORT DECLARATION</b> <i>(Read Instructions on reverse before completing)</i>		OMB APPROVAL No. 1117-0009 EXPIRATION DATE: 9/30/2016 See reverse for Privacy Act	
1. CHECK ONE <input checked="" type="checkbox"/> IMPORT DECLARATION      Nonnarcotic Substances in Schedules III, IV, V <input type="checkbox"/> EXPORT DECLARATION      Nonnarcotic Substances in Schedules III, and IV and all substances in Schedule V		<b>U.S. CUSTOMS CERTIFICATION</b> Date of Departure/Arrival Date of Certification Signature of Customs Official DEA Transaction ID	
IMPORTER/EXPORTER (Name and Address) Nebraska State Penitentiary 4201 14th South Street Lincoln, NE 68502  DEA REGISTRATION NO. 0414184		BROKER OR FORWARDING AGENT, IF USED (Name and Address) Not Applicable	
2. CONTROLLED SUBSTANCES TO BE IMPORTED OR EXPORTED 2a. NAME AND QUANTITY OF DRUG OR PREPARATION <i>(Enter names as shown on labels; numbers and sizes of packages; strength of tablets, capsules, etc., CSA Drug Code and NDC Number)</i>  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. <i>(Enter names of controlled substances contained in the drug, compound, or preparation)</i>  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.	
3a. <input checked="" type="checkbox"/> FOREIGN (for U.S. import) <input type="checkbox"/> DOMESTIC (for U.S. export) PORT OF EXPORTATION AND APPROX. DEPARTURE DATE Kolkata, India June 18, 2015 (Approximate)		3b. <input type="checkbox"/> FOREIGN (for U.S. export) <input checked="" type="checkbox"/> 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 <input checked="" type="checkbox"/> Imported (conform to 21 U.S.C. § 952(b)) <input type="checkbox"/> Exported (conform to 21 U.S.C. § 953(e)) and are intended for <input type="checkbox"/> Medical, <input type="checkbox"/> Scientific, or <input checked="" type="checkbox"/> Other legitimate uses (attach explanation for other legitimate use).  <input type="checkbox"/> 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  Print Name: <b>SCOTT FRAKES</b>		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	

# STATE OF NEBRASKA

DEPARTMENT OF CORRECTIONAL SERVICES

Scott R. Frakes

Director



Pete Ricketts  
Governor

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,

A handwritten signature in black ink, appearing to read "Scott R. Frakes", is written over a circular stamp.

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)*

OMB APPROVAL  
 No. 1117-0009  
 EXPIRATION DATE: 9/30/2016  
 See reverse for Privacy Act

1. CHECK ONE	<input checked="" type="checkbox"/> IMPORT DECLARATION	Nonnarcotic Substances in Schedules III, IV, V	<b>U.S. CUSTOMS CERTIFICATION</b>
	<input type="checkbox"/> EXPORT DECLARATION	Nonnarcotic Substances in Schedules III, and IV and all substances in Schedule V	Date of Departure/Arrival
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 Certification
			Signature of Customs Official
DEA REGISTRATION NO. <del>0414101</del> <b>RN0414184</b>			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)	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)	2c. DATE IMPORTED/EXPORTED AND ACTUAL QUANTITY (Completed by registrant at time of transaction)
Sodium Thiopental 1gm Vial  Quantity: 1,000 vials  CSA Drug Code: 2100  NDC Number : G2100-0300-**-	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.	

3a. <input checked="" type="checkbox"/> FOREIGN (for U.S. import) <input type="checkbox"/> DOMESTIC (for U.S. export) PORT OF EXPORTATION AND APPROX. DEPARTURE DATE Kolkata, India June 18, 2015 (Approximate)	3b. <input type="checkbox"/> FOREIGN (for U.S. export) <input checked="" type="checkbox"/> 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  Print Name: <b>Scott FRAKES</b>	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
--	-------------------	---

# STATE OF NEBRASKA

DEPARTMENT OF CORRECTIONAL SERVICES

Scott R. Frakes

Director



Pete Ricketts  
Governor

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,

A handwritten signature in dark ink, appearing to read "Scott R. Frakes", is written over a circular stamp.

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.

**From:** Frakes, Scott  
**Sent:** Friday, May 29, 2015 5:31 PM  
**To:** 'chrisharris@harrispharmallp.com'  
**Subject:** RE: Information

Thanks

---

**From:** [chrisharris@harrispharmallp.com](mailto:chrisharris@harrispharmallp.com) [<mailto:chrisharris@harrispharmallp.com>]  
**Sent:** Friday, May 29, 2015 5:24 PM  
**To:** Frakes, Scott  
**Subject:** Re: Information

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](mailto:scott.frakes@nebraska.gov)>  
To: "[chrisharris@harrispharmallp.com](mailto:chrisharris@harrispharmallp.com)" <[chrisharris@harrispharmallp.com](mailto:chrisharris@harrispharmallp.com)>  
Subject: Information  
Date: Sat, May 30, 2015 3:25 AM

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

**Frakes, Scott**

---

**From:** Frakes, Scott  
**Sent:** Wednesday, July 15, 2015 2:00 PM  
**To:** 'Chris Harris'  
**Subject:** RE: Information  
**Attachments:** 20150715145103202.pdf

Hello Chris,

Here is the letter that we already sent to the DEA on May 29<sup>th</sup>, 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.

---

**From:** Chris Harris [<mailto:chrisharris@harrispharmallp.com>]  
**Sent:** Monday, July 13, 2015 7:20 AM  
**To:** Frakes, Scott  
**Subject:** Re: Information

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

**From:** Frakes, Scott  
**Sent:** Saturday, May 30, 2015 4:01 AM  
**To:** [chrisharris@harrispharmallp.com](mailto:chrisharris@harrispharmallp.com)  
**Subject:** RE: Information

Thanks

---

**From:** [chrisharris@harrispharmallp.com](mailto:chrisharris@harrispharmallp.com) [<mailto:chrisharris@harrispharmallp.com>]  
**Sent:** Friday, May 29, 2015 5:24 PM  
**To:** Frakes, Scott  
**Subject:** Re: Information

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](mailto:scott.frakes@nebraska.gov)>  
 To: "[chrisharris@harrispharmallp.com](mailto:chrisharris@harrispharmallp.com)" <[chrisharris@harrispharmallp.com](mailto:chrisharris@harrispharmallp.com)>



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



Pete Ricketts  
Governor

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,

A handwritten signature of Scott R. Frakes, consisting of a large, stylized 'S' and 'F'.

Scott R. Frakes, Director

Nebraska Department of Correctional Services

# BENJAMIN L. ENGLAND & ASSOCIATES, LLC

*Benjamin L. England, Esq.*  
410-220-2800 (O)  
443-583-1464 (F)  
[blengland@fdaimports.com](mailto:blengland@fdaimports.com)

Page 1 of 3

## 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

FDAlmports.com, LLC | Benjamin L. England & Associates, LLC

810 Landmark Drive, Suite 126

Glen Burnie, MD 21061

phone: (410) 220-2800 | fax: (443) 583-1464

[www.fdalimports.com](http://www.fdalimports.com) | [benjaminlengland.com](http://benjaminlengland.com)

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*Please proceed with  
Drug Product Listing services  
Payment will be sent by  
mail - Nebraska State Warrant  
7-17-15  
[Signature]  
Guth Harriet*

**BENJAMIN L. ENGLAND & ASSOC., LLC**  
810 Landmark Drive, Suite 126, Glen Burnie, MD 21061  
410-220-2800 (O) / 443-583-1464 (F) [info@fdaimports.com](mailto:info@fdaimports.com)  
[www.fdalimports.com](http://www.fdalimports.com)

**Benjamin L. England & Associates, LLC****INVOICE**

810 Landmark Drive, Suite 126  
Glen Burnie, MD 21061  
Phone: (410) 220-2800  
Email: Invoices@fdalimports.com

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

Nebraska Department of Correctional Services  
Scott Frakes, Director  
Box 94661

Lincoln, NE 68509

**04143-Nebraska Department of Correctional Services**

**Legal Counsel**

Type	Attorney	Date	Description	Quantity	Rate	Total
Service	AES	07/15/2015	Flat Fee: Drug Product Listing	1.00	\$399.00	\$399.00
Subtotal						\$399.00
Total						\$399.00

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

Payment is due upon receipt.

Jul 17 '15 12:51p

Exhibit 13 p.3

Invoice # 8488 - 07/16/2015

## Remittance Advice

### Checking Information

Remit checks to: Benjamin L. England & Associates, LLC 810 Landmark Drive, Suite 126, 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.

**Frakes, Scott**

---

**From:** Frakes, Scott  
**Sent:** Friday, July 31, 2015 11:26 AM  
**To:** chrisharris@harrispharmallp.com  
**Subject:** Information

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.

**Frakes, Scott**

---

**From:** chrisharris@harrispharmallp.com  
**Sent:** Friday, July 31, 2015 11:56 AM  
**To:** Frakes, Scott  
**Subject:** Re: Information

Thanks. Will keep you posted

Sent from my HTC One

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

**From:** "Frakes, Scott" <[scott.frakes@nebraska.gov](mailto:scott.frakes@nebraska.gov)>  
**To:** "[chrisharris@harrispharmallp.com](mailto:chrisharris@harrispharmallp.com)" <[chrisharris@harrispharmallp.com](mailto: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.



# FedEx International Air Waybill

Express For FedEx services worldwide.

## 1 From Please print and press hard.

Date 7/31/15 Sender's FedEx Account Number SENDER'S COPY - FORWARDING ONLY

Sender's Name Scott Frakes Phone 402-479-5710

Company NE Dept. of Correctional Services

Address PO Box 94661

Address

City Lincoln State NE

Country United States ZIP Postal Code 68509

## 2 To

Recipient's Name Chris Harris Phone

Company Harris Pharma

Address Level 8, RDB Boulevard Plot K1 Sect V

Address

City Salt Lake City State Kolkata

Country 700091 West Bengal, India ZIP Postal Code

Recipient's Tax ID Number for Customs Purposes  
e.g., GST/VAT/IN/EN/ABN, or as locally required.

## 3 Shipment Information

☐ For EU Only: Tick here if goods are not in free circulation and provide CJ.

Total Packages 1 Shipper's Lead and Country/SLAC 1 Total Weight 1 lbs. kg DIM 1 / 1 / 1 in. cm

Commodity Description	Harmonized Code	Country of Manufacture	Value for Customs
<u>Documents</u>		<u>USA</u>	<u>USD \$1.00</u>

Has EEL been filed in AES? ☒ No EEL required, value \$2,500 or less per Sch. B Number, No license required (NLR), not subject to TIR. ☐ Yes - Enter AES proof of filing citation.

Total Declared Value for Carriage \$1.00

Total Value for Customs (Specify Currency) \$1.00

## 4 Express Package Service

☒ FedEx Intl. Priority ☐ FedEx Intl. First Available to select locations.

☐ ☐ FedEx Intl. Economy FedEx Envelope and FedEx Pak rate not available.

Packages up to 150 lbs./68 kg  
For packages over 150 lbs./68 kg, use the  
FedEx Expanded Service Intl. Air Waybill.

Not all services and options are available to all destinations. Dangerous goods cannot be shipped using this Air Waybill.

## 5 Packaging

☒ FedEx Envelope ☐ FedEx Pak ☐ FedEx Box ☐ FedEx Tube ☐ Other ☐ FedEx 10kg Box\* ☐ FedEx 25kg Box\*

\*These unique brown boxes with special pricing are provided by FedEx for FedEx Intl. Priority only.

## 6 Special Handling

☐ HOLD at FedEx Location ☐ SATURDAY Delivery Available to select locations (for FedEx Intl. Priority only).

## 7 Payment

Bill transportation charges to:

Complete payment options for both transportation charges and duties and taxes.

Enter FedEx Acct. No. or Credit Card No. below.  
☐ Sender Acct. No. In Section 1 will be billed. ☐ Recipient ☐ Third Party ☐ Credit Card ☒ Cash/Check/Cheque FedEx Use Only

FedEx Acct. No.

Credit Card No.

Credit Card Exp. Date

Bill duties and taxes to:

ALL shipments may be subject to Customs charges, which FedEx does not estimate prior to clearance.

Enter FedEx Acct. No. below.  
☐ Sender Acct. No. In Section 1 will be billed. ☐ Recipient ☐ Third Party

FedEx Acct. No.

## 8 Your Internal Billing Reference

OPTIONAL

First 24 characters will appear on invoice.

## 9 Required Signature

Use of this Air Waybill constitutes your agreement to the Conditions of Contract on the back of this Air Waybill, and you represent that this shipment does not require a U.S. State Department License or contain dangerous goods. Certain international treaties, including the Warsaw Convention, may apply to this shipment and limit our liability for damage, loss, or delay, as described in the Conditions of Contract. WARNING: These commodities, technology, or software were exported from the United States in accordance with Export Administration Regulations. Diversion contrary to U.S. law prohibited.

Sender's Signature: Inga R. Hooten

This is not authorization to deliver this shipment without a recipient signature.

For Completion Instructions, see back of fifth page.

FedEx Tracking Number

8736 9099 4607



Ship and track packages at [fedex.com](http://fedex.com)

The terms and conditions of service may vary from country to country. Consult our local office for specific information. Non-Negotiable International Air Waybill • ©1994-2000 FedEx

Questions? Go to our Web site at [fedex.com](http://fedex.com).

Or in the U.S., call 1.800.GoFedEx 1.800.463.3339. Outside the U.S., call your local FedEx office.

568

PART 150410-Rev. Date 11/00  
©1994-2000 FedEx  
PRINTED IN U.S.A. REDA

Form ID No.

0402

RETAIN THIS COPY FOR YOUR RECORDS.

07/10





## 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		Importer # (FEIN):	47-0491233
City:	Lincoln	State:	NE	Zip:	68509
		Customs Assigned #:	DEA-RN0414184		

<input checked="" type="checkbox"/>	Activity 1-Importer	<input type="checkbox"/>	Activity 1A-Drawback	<input type="checkbox"/>	Activity 2-Custodian of Bonded Merchandise
<input type="checkbox"/>	Activity 3-International Carrier	<input type="checkbox"/>	Activity 3A-Instruments of International Traffic		
<input type="checkbox"/>	Activity 4-Foreign Trade Zone	<input type="checkbox"/>	Other - Activity		

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 inforce?		Y	N

### Type of Business

<input checked="" type="checkbox"/>	Importer	<input type="checkbox"/>	Warehousemen	<input type="checkbox"/>	Trucking/Common Carrier	<input type="checkbox"/>	Ocean Common Carrier	<input type="checkbox"/>	Air Carrier	<input type="checkbox"/>	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

OMB No. 1851-0060 Exp. 05/31/2017

## CUSTOMS BOND

19 CFR Part 113

CBP USE ONLY	BOND NUMBER (Assigned by CBP)  15C000XOP
--------------------	--

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 name 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.

<input type="checkbox"/> SINGLE TRANSACTION BOND	Identification of transaction secured by this bond (e.g., entry number, seizure number, etc.)	Transaction Date	Port Code
<input checked="" type="checkbox"/> CONTINUOUS BOND	Effective Date 07/30/2015	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 accrue in each period. The intention to terminate this bond must be conveyed within the period and manner prescribed in the CBP Regulations.	

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

Activity Code	Activity Name and CBP Regulations in which conditions codified	Limit of Liability	Activity Code	Activity Name and CBP Regulations in which conditions codified	Limit of Liability
<input checked="" type="checkbox"/> 1	Importer or broker ..... §113.62	\$50,000	<input type="checkbox"/> 8	Detention of Copyrighted Material ..... §113.70 -Single Transaction Only-	
<input type="checkbox"/> 1a	Drawback Payments Refunds ..... §113.65		<input type="checkbox"/> 9	Newscalls ..... §113.71 -Single Transaction Only-	
<input type="checkbox"/> 2	Custodian of Bonded Merchandise ..... §113.63 (Includes bonded carriers, freight forwarders, cartmen and lightermen, all classes of warehouse, container station operators) -Continuous Bond Only-		<input type="checkbox"/> 10	Court Costs for Condemned Goods ..... §113.72 -Single Transaction Only-	
<input type="checkbox"/> 3	International Carrier ..... §113.64		<input type="checkbox"/> 11	Airport Security Bond ..... Part 113 App A	
<input type="checkbox"/> 3a	Instruments of International Traffic ..... §113.66 -Continuous Bond Only-		<input type="checkbox"/> 12	International Trade Commission (ITC) Exclusion Bond ..... Part 113 App B	
<input type="checkbox"/> 4	Foreign Trade Zone ..... §113.73 -Continuous Bond Only-		<input type="checkbox"/> 14	In-Bond Export Consolidation Bond	
<input type="checkbox"/> 5	Public Gauge ..... §113.67		<input type="checkbox"/> 15	Intellectual Property Rights (IPR)	
<input type="checkbox"/> 6	Wool & Fur Products Labeling Act Importation ..... §113.69 -Single Transaction Only-		<input type="checkbox"/> 16	Importer Security Filing (ISF) ..... Part 113 App D	
<input type="checkbox"/> 7	Bill of Lading ..... §113.68 -Single Transaction Only-		<input type="checkbox"/> 17	Marine Terminal Operator ..... -Continuous Bond Only-	

## 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 68602	By checking the box you agree that you have a seal in accordance with 19 CFR 113.25	AFFIX SEAL or Check Box  <input type="checkbox"/> Check Box
	CBP Identification Number: 47-048123300  Signature Electronically submitted to CBP on 07/30/2015	

Principal and surety agree that any charge against the bond under any of the listed names is as though it was made by the principal(s). Principal and surety agree that they are bound to the same extent as if they executed a separate bond covering each set of conditions incorporated by reference to the CBP regulations into this bond. If the surety fails to appoint an agent under Title 31, United States Code, Section 9306, surety consents to service on the Clerk of any United States District Court or the U.S. Court of International Trade, where suit is brought on this bond. That clerk is to send notice of the service to the surety at:	Mailing Address Requested by the Surety American Alternative Insurance Corporation c/o Roanoke Group 1475 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	Surety Number 036	Agent ID Number	<input type="checkbox"/> Check Box
	Signature Electronically submitted to CBP on 07/30/2015  Attorney-In-Fact		

Frakes, Scott

From: trackingupdates@fedex.com  
Sent: Friday, September 04, 2015 5:54 AM  
To: Frakes, Scott  
Subject: FedEx MPS Shipment 803672561734 Delivered

## Your packages have been delivered

Master tracking # 803672561734

Ship date:  
Pending



Delivered

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

**FedEx**

### Shipment Facts

Our records indicate that the following packages have been delivered.

Master tracking number:	<u>803672561734</u>
Tracking number:	<u>805966128317</u> <u>805966128328</u>
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

 Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 5:53 AM CDT on 09/04/2015.

To learn more about FedEx Express, please go to [fedex.com](http://fedex.com).

All weights are estimated.





Ship

Track

Manage

Learn

FedEx Office®

Login

## FedEx® Tracking

803672561734

Ship date :  
Mon 8/31/2015Actual delivery :  
Fri 9/04/2015 3:46 pm

## Delivered

Signed for by: R.ROHIT

## 3 Piece shipment

## Travel History

Date/Time	Activity	Location
- 9/04/2015 - Friday		
3:46 pm	Delivered	
- 9/03/2015 - Thursday		
7:34 pm	At FedEx origin facility	NEW DELHI IN
6:15 am	Departed FedEx location	NEW DELHI IN
6:12 am	In transit	NEW DELHI IN
3:14 am	In transit	NEW DELHI IN
- 9/02/2015 - Wednesday		
3:46 pm	Returning package to shipper Return tracking number 803672561734	NEW DELHI IN
1:51 pm	At local FedEx facility	NEW DELHI IN
- 9/01/2015 - Tuesday		
6:37 pm	Shipment exception Improper or missing international paperwork, contact Customer Service	NEW DELHI IN
2:59 pm	At local FedEx facility	NEW DELHI IN
- 8/31/2015 - Monday		
5:54 pm	Shipment exception Improper or missing international paperwork, contact Customer Service	NEW DELHI IN
2:10 pm	At local FedEx facility	NEW DELHI IN
- 8/30/2015 - Sunday		
5:00 pm	At local FedEx facility	NEW DELHI IN
- 8/29/2015 - Saturday		
9:14 pm	Shipment exception Improper or missing international paperwork, contact Customer Service	NEW DELHI IN
6:46 pm	At local FedEx facility	NEW DELHI IN
8:37 am	In transit	NEW DELHI IN
- 8/28/2015 - Friday		
11:21 pm	Left FedEx origin facility	NEW DELHI IN
7:45 pm	Picked up	NEW DELHI IN

## Shipment Facts

Tracking number	803672561734	Service	FedEx International Priority
Master tracking number	803672561734	Delivered To	Receptionist/Front Desk
Total pieces	3	Packaging	Your Packaging
Special handling section	Deliver Weekday		

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## **ACLU asks for investigation in death penalty drug purchase**

By JoANNE YOUNG / Lincoln Journal Star Aug 20, 2015



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.



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"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."

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*Reach the writer at 402-473-7228 or [jyoung@journalstar.com](mailto:jyoung@journalstar.com). On Twitter @LJSLegislature.*



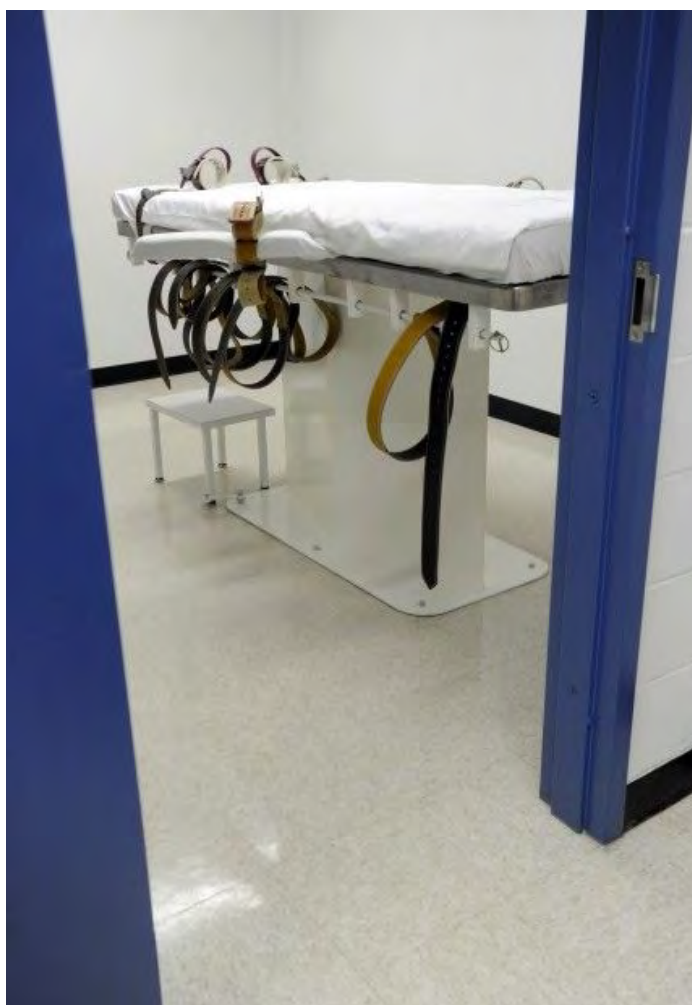
ACLU's letter to the U.S. attorney  
Aug 20, 2015



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## **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.

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*Reach the writer at 402-473-7228 or [jyoung@journalstar.com](mailto:jyoung@journalstar.com). On Twitter @LJSLegislature.*

[http://www.omaha.com/news/nebraska/state-foiled-by-improper-paperwork-in-attempt-to-acquire-execution/article\\_067c8e3c-5d87-11e5-afe7-8baa35e15483.html](http://www.omaha.com/news/nebraska/state-foiled-by-improper-paperwork-in-attempt-to-acquire-execution/article_067c8e3c-5d87-11e5-afe7-8baa35e15483.html)

## **State foiled by improper paperwork in attempt to acquire execution drug**

By Joe Duggan / World-Herald bureau Sep 18, 2015



Gov. Pete Ricketts

KENT SIEVERS/THE WORLD-HERALD

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**



Ricketts: State still trying to import lethal injection drugs, won't pursue executions as signatures verified



Completed Internet Form - NOT FOR SUBMISSION  
DEA/Control Number - RN0414184  
Submission Date: 11-19-2015

APPLICATION FOR REGISTRATION  
UNDER CONTROLLED SUBSTANCES ACT OF 1970

Form DEA 225A - Completed  
Internet Receipt. NOT FOR  
SUBMISSION

Application Complete. Internet  
confirmation no.: 5471035  
Fee Paid: \$0.00

THE DEBT COLLECTION IMPROVEMENT ACT OF  
1996 (PL 104-134) REQUIRES THAT YOU FURNISH  
YOUR FEDERAL TAXPAYER IDENTIFYING NUMBER  
TO DEA. THIS NUMBER IS REQUIRED FOR DEBT  
COLLECTION PROCEDURES SHOULD YOUR FEE  
BECOME UNCOLLECTABLE. IF YOU DO NOT HAVE A  
FEDERAL TAXPAYER IDENTIFYING NUMBER, USE  
YOUR SOCIAL SECURITY NUMBER.

NAME: APPLICANT OR BUSINESS (LAST)

NEBRASKA STATE PENITENTIARY

(First, MI)

TAX IDENTIFYING NUMBER AND/OR

470491233

SOCIAL SECURITY NUMBER

PROPOSED BUSINESS ADDRESS. (WHEN ENTERING A P.O. BOX, YOU ARE REQUIRED TO ENTER A STREET ADDRESS)

4201 SOUTH 14TH STREET

SCOTT FRAKES

CITY

LINCOLN

STATE ZIP CODE

NE

68502

APPLICANT'S BUSINESS PHONE NUMBER

402 - 479 - 5710

APPLICANT'S FAX NUMBER

402 - 479 - 5634

REGISTRATION CLASSIFICATION

1. BUSINESS  
ACTIVITY: IMPORTER

2. INDICATE HERE IF YOU REQUIRE ORDER FORM BOOKS.

☐

3. Drug Schedules. (Fill in all circles that apply)

☐ Schedule I

☐ Schedule II  
Narcotic

☐ Schedule II  
Non Narcotic

☐ Schedule III  
Narcotic

☒ Schedule III  
Non Narcotic

☒ Schedule IV

☐ Schedule V

☐ List 1

4. All Applicants must answer the following:

Are you currently authorized to prescribe, distribute, dispense, conduct research, or otherwise handle the controlled substances in the schedules for which you are applying under the laws of the state or jurisdiction in which you are operating or propose to operate?

State License No. 2572 State: NE

Expire Date: 07-01-2016

State Controlled Substance Lic. No.

Expire Date: —

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 state health care program, or any such action pending? N
2. Has the applicant ever surrendered (for cause) or had a federal controlled substance registration revoked, suspended, restricted or denied, or is any such action pending? N
3. Has the applicant ever surrendered (for cause) or had a state professional license or controlled substance registration revoked, suspended, denied, restricted, or placed on probation, or is any such action pending? N

4. If the applicant is a corporation (other than a corporation whose stock is owned and traded by the public), association, partnership, or pharmacy, has any officer, partner, stockholder or proprietor been convicted of a crime in connection with controlled substance(s) under state or federal law, or ever surrendered or had a federal controlled substance registration revoked, suspended, restricted or denied, or ever had a state professional license or controlled substance registration revoked, suspended, denied, restricted, or placed on probation, or is any such action pending? N

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Drug Codes2100 2138

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6. Payment Method: N/A

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## 7. Certification for Fee Exemption

Certifying Official's Name: Julie Smith

Certifying Official's Title: Chief Legal Counsel

Certifying Official's Phone: 402- 479- 5735

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## 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 § 1301.13(i) for more information on who can certify this application

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## ADDITIONAL INFORMATION

Form 224 *Approved OMB Form No. 1117-0014 Expires: 01/31/2016 (12 minutes)*  
Form 225 *Approved OMB Form No. 1117-0012 Expires: 07/31/2018 (15 minutes)*  
Form 510 *Approved OMB Form No. 1117-0031 Expires: 04/30/2016 (15 minutes)*  
Form 363 *Approved OMB Form No. 1117-0015 Expires: 06/30/2018 (15 minutes)*

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



NEBRASKA STATE PENITENTIARY  
 SCOTT FRAKES  
 801 W. PROSPECTOR PLACE, #1  
 LINCOLN, NE 68522-0000-000



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RN0414184	10-31-2016	FEE EXEMPT
SCHEDULES	BUSINESS ACTIVITY	ISSUE DATE
3N,4,	IMPORTER	11-20-2015
NEBRASKA STATE PENITENTIARY SCOTT FRAKES 4201 SOUTH 14TH STREET LINCOLN, NE 68502-0000		

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

Sections 304 and 1008 (21 USC 824 and 958) 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.

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

DEA REGISTRATION NUMBER	THIS REGISTRATION EXPIRES	FEE PAID
RN0414184	10-31-2016	FEE EXEMPT
SCHEDULES	BUSINESS ACTIVITY	ISSUE DATE
3N,4,	IMPORTER	11-20-2015
NEBRASKA STATE PENITENTIARY SCOTT FRAKES 4201 SOUTH 14TH STREET LINCOLN, NE 68502-0000		

Sections 304 and 1008 (21 USC 824 and 958) 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.

1 of 2

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

DEA REGISTRATION NUMBER	THIS REGISTRATION EXPIRES	FEE PAID
RN0414184	10-31-2016	FEE EXEMPT
SCHEDULES	BUSINESS ACTIVITY	ISSUE DATE
3N,4.	IMPORTER	11-20-2015
NEBRASKA STATE PENITENTIARY SCOTT FRAKES 4201 SOUTH 14TH STREET LINCOLN, NE 68502-0000		

CONTROLLED SUBSTANCE/REGULATED CHEMICAL  
 REGISTRATION CERTIFICATE Exhibit 18  
 UNITED STATES DEPARTMENT OF JUSTICE  
 DRUG ENFORCEMENT ADMINISTRATION  
 WASHINGTON D.C. 20537

Sections 304 and 1008 (21 USC 824 and 958) 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.

Form DEA-223/511 (4/07)

**REPORT  
CHANGES  
PROMPTLY**

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 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](http://deadiversion.usdoj.gov) - or
2. call our customer Service Center at 1-(800) 882-9539 - or
3. submit your change(s) in writing to:  
 Drug Enforcement Administration  
 P.O. Box 28083  
 Washington, DC 20083

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



[http://www.omaha.com/news/nebraska/out-for-lethal-injection-drugs-nebraska-wants-its-money-back/article\\_619e349c-457e-5a50-8044-235145f130e5.html](http://www.omaha.com/news/nebraska/out-for-lethal-injection-drugs-nebraska-wants-its-money-back/article_619e349c-457e-5a50-8044-235145f130e5.html)

Death penalty

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

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



REBECCA S. GRATZ/

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](mailto:joe.duggan@owh.com)



**Frakes, Scott**

---

**From:** Frakes, Scott  
**Sent:** Wednesday, January 06, 2016 5:51 PM  
**To:** 'chrisharris@harrispharmallp.com'  
**Subject:** See attached  
**Attachments:** Invoice.pdf; HARRIS REIMBURSEMENT CORRESPONDENCE.PDF

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

# STATE OF NEBRASKA

## DEPARTMENT OF CORRECTIONAL SERVICES

Scott R. Frakes

Director



Pete Ricketts  
Governor

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

## Frakes, Scott

---

**From:** Chris Harris <chrisharris@harrispharmallp.com>  
**Sent:** Thursday, January 28, 2016 7:55 AM  
**To:** Frakes, Scott  
**Subject:** Re: See attached  
**Attachments:** Nebraska Reply.pdf

Hi Scott,

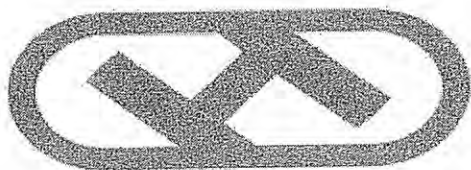
Pls find attached my response.

Regards,  
Chris Harris

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

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





**HarrisPharma**  
manufacturer and distribution services

To,

28 Jan, 2016

Mr. Scott Frakes,

Department of Correctional Services,

Nebraska, USA.

RE: Reimbursement of funds

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



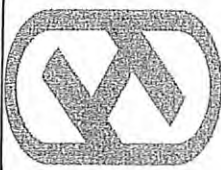


<b>Sodium Thiopental</b>					
Who Ordered	When Ordered	From Whom	Where Stored	Disposition	Cost
Steve Urosevich, COO Health Services	2010	Chris Harris d/b/a Kayem Pharmaceuticals	Nebraska State Penitentiary (NSP)	DEA took possession 11/7/2011	\$2,056.15
Steve Urosevich, COO Health Services	2011	Chris Harris d/b/a Harris Pharma	Nebraska State Penitentiary (NSP)	Expired	\$5,411.00
Scott Frakes, Director	2015	Chris Harris d/b/a Harris Pharma	Not Applicable	Not Applicable	\$26,700.00
<b>Pancuronium Bromide</b>					
Who Ordered	When Ordered	From Whom	Where Stored	Disposition	Cost
Diane Booker, NDCS Pharmacist	2010	Hospira	Nebraska State Penitentiary (NSP)	Expired	\$118.36
Diane Booker, NDCS Pharmacist	2010	Hospira	Nebraska State Penitentiary (NSP)	Expired	\$120.53
Kathy Deprez, Pharmacy	2011	Cardinal	Nebraska State Penitentiary (NSP)	Expired	\$252.70
Scott Frakes, Director	2015	Chris Harris	Not Applicable	Not Applicable	\$27,700.00
<b>Potassium Chloride</b>					
Who Ordered	When Ordered	From Whom	Where Stored	Disposition	Cost
Diane Booker, NDCS Pharmacist	2010	Hospira	NDCS Pharmacy	Expired	\$74.49
Steve Urosevich, COO Health Services	2010	Cardinal	NDCS Pharmacy	Expired	\$38.12
Mark Cave, NDCS Pharmacist	2015	Cardinal Health	NDCS Pharmacy until 10/14/2015 when moved to NSP	Remains at NSP	\$262.30

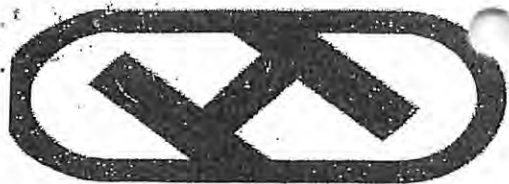
## INVOICE

<b>KAYEM</b> Pharmaceutical Pvt. Ltd.		<b>NSIC-CRISIL SE3B</b>		Invoice No. & Date : 1/Nebraska/Correction/Steve - 01 Dt. December 8th, 2010		IEC No. 0307043738	
2, Green Field CHS. Ltd., Laxman Mhatre Road, Marian Colony, Borivali (W) Mumbai - 400 103, Maharashtra, India <b>Mr. Steve Urosevich</b> Chief Operating Officer Pharmacy Administrator Nebraska Department of Corrections, Nebraska, United States of America DEA Number AN5903453 Phone +402-875-1708				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-Carriage by : AIR		Place of Receipt by Pre Carrier		Terms of Delivery & Payment : 100% Advance			
Vessel/Flight No. By Air		Port of Loading : SAHAR CARGO, Mumbai Airport					
Port of Discharge : Nebraska- Lincon Airport		Final Destination : Nebraska- Lincon Airport					
	Sr. No	Package	Description Of Goods	Quantity	Rate	Amount	
				QTY	USD	USD	
	1	1	Thiopentone Injection IP 1 Gm "Thiosol Sodium"	500	3.44	1,720.00	
			Goods of Indian Origin				
			Manufactured by : Neon Laboratories Ltd, Mumbai, India Mfg Lic No: 752				
			Freight			336.15	
<b>HARMLESS MEDICINE</b>				Total (USD) C&F		2,056.15	
Gr. Wt. : 20.365 KG Net Wt. : 18.5 KG				Total : C&F US DOLLAR (Two Thousand Fifty Six & Fifteen Cents Only)			
Drug License No: 21B 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.							
				<b>KAYEM</b> Pharmaceutical Pvt. Ltd. Director			

Gr wt 20kgs

## INVOICE

 <b>Harris Pharma</b> manufacturer and distribution services		Invoice No. & Date : HP/Nebraska/DOC- 01 Dt. August 25th, 2011		IEC No. 0211010227	
		Buyer's Order No. & Date : August 25th, 2011			
145B Bosepukur Road Kolkata - 700 039, West Bengal, India. Ph 91-33-40614353		Other Reference: Nil			
Consignee Mr. Steve Urosevich Chief Operating Officer Pharmacy Administrator Nebraska Department of Corrections, Nebraska, United States of America DEA Number AN5903453		Buyer /Payer ( If other than Consignee) : N/A			
		Country Of Origin Of Goods : India		Country Of Destination: Nebraska-USA	
		Terms of Delivery & Payment : 100% advance			
Pre-Carriage by : FEDEX		Place of Receipt by Pre Carrier		Terms of Delivery & Payment : 100% advance	
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
HARMLESS MEDICINE HS CODE : 30029090			QTY	USD	USD
1	1	Thiopental Sodium 1 Gm IP for Injection brand" Thiosol Sodium"	500	10	5,000.00
		Goods of Indian Origin			
		Freight			411.00
			Total (USD) C&F		5,411.00
Gr. Wt. : 20.5 KG Net Wt. : 18.5 KG Harmless Medicine			Total : C& F US DOLLAR FIVE THOUSAND FOUR HUNDRED ELEVEN 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		



**Harris Pharma** Exhibit 22  
manufacturer and distribution services

## OFFER TO SELL AGREEMENT

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

14<sup>th</sup> April 2015

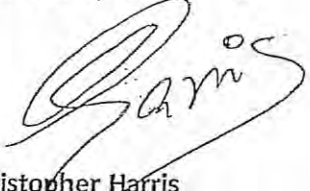
### Re: OFFER TO SELL

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





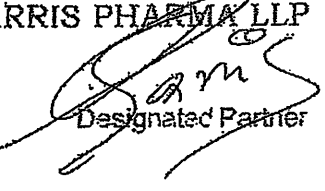
RECEIVED

APR 14 2015

NDCS Director's Office

*accepted*  
  
Scott Frakes  
DIRECTOR  
NDCS



 <b>Harris Pharma</b> manufacturer and distribution services		Invoice No & DATE : HPL/NEBRASKA/CORRECTIONS/3 17th April 2015		IEC No: 0211016227		
		Buyers Order No: _____ Date: _____		Other Ref: NIL		
145B, ROSEPUKUR ROAD, KOLKATA 700039, WEST BENGAL, INDIA ATTN: SCOTT FRANKS Nebraska Department of Correctional Services Nebraska, UNITED STATES OF AMERICA DEA NUMBER : AN5983453 PHONE NUMBER : +1-402-479-5675		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 Sea Carrier:		Terms of Delivery and Payment: 100% Advance		
Vessel/Flight No: By Air		Port of Loading: Kolkata, India				
Port of Discharge: Nebraska		Final Destination: Nebraska				
Mark	Sl. NO	Package	Description	Quantity	Rate	Amount
			Harmless Medicine	QTY	USD	USD
	1	1	Thiopenta 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		

To: 4024795821

From: Hospira

Fax: Hospira

LTOPCALL at: SEP-15-2010-16:19 Doc: 825 Page: 003



Hospira Worldwide, Inc.  
One Forest Hill Drive, Suite 200  
Lincoln, NE 68509

FEDERAL I.D. NO: 20-0843328

SHIPPER DEA NO: RH0314271

Hospira Worldwide, Inc.  
Stone Mountain GA 30083

Page 1 of 1

INVOICE

INVOICE NO: 915047283

INVOICE DATE: 08/09/2010

P.O. NUMBER: q40584

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

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

Thank you for your order

Thank you for your order

CUSTOMER NO	DEA REG NO	CLASS	PLEASE USE YOUR CUSTOMER NUMBER WHEN REORDERING			CUSTOMER NO	DEA REG NO	CLASS				
54176026		TP25				54176027	AN5903453	TP25				
ISSUE DATE	SHIP LOC	REF NO	TC	TERMS	ORDER DATE	ORD LOC	TERRITORY	M/C				
08/09/2010	5100	716380254	05	Net 30 days	06/21/2010	5201		1B				
ITEMS CODED # SUBJECT TO DRUG ABUSE CONTROL												
LINE	LOC	QUANTITY	SIZE DESC	NDC/NHRC LIST TUC	INV	PRODUCT DESCRIPTION	CONTRACT DEAL NO.	TX	UNIT PRICE	M	EXTENSION</	
2C		4	25/BX	00409-4646-01	86	PANCURONIUM 10ML (BX/2			28.00 K		112.00	
		B 4		89510EV								
THE PRICE STATED HEREIN MAY CONSTITUTE A DISCOUNT WITHIN THE MEANING OF 42 U.S.C SEC 1320A-7B(B)(3)(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 COST OR CHARGE BASED REIMBURSEMENT 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.												
										SUBTOTAL		112.00
										SHIPPING CHARGE		6.36
										TOTAL		118.36
Shipped Via: FEDS												
Ship-to DEA License Number:AN5903453, expiration date:10/31/2012 Customer Number:54176027												

To: 4024795821

From: Hospira

Fax: Hospira

LTOPCALL at: SEP-15-2010-16:19 Doc: B25 Page: 001



Hospira Worldwide, Inc.  
Lake Forest, IL 60045-5046

FEDERAL I.D. NO: 20-0843328

SHIPPER DEA NO: RH0314271

Hospira Worldwide, Inc.  
Stone Mountain GA 30083

Page 1 of 1

INVOICE

INVOICE NO: 915047759

INVOICE DATE: 08/09/2010

P.O. NUMBER: 070110

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

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

Thank you for your order

CUSTOMER NO	DEA REG NO	CLASS	PLEASE USE YOUR CUSTOMER NUMBER WHEN REORDERING			CUSTOMER NO	DEA REG NO	CLASS			
54176026		TP25				54176027	AN5903453	TP25			
ISSUE DATE	SHIP LOC	REF NO	IC	TERMS	ORDER DATE	ORD LOC	TERRITORY	M/C			
08/09/2010	5100	716380221	05	Net 30 days	07/01/2010	5201		1B			
ITEMS CODED # SUBJECT TO DRUG ABUSE CONTROL											
LINE	LOC	QUANTITY	SIZE DESC	NDC/NHRC LIST TUC	INV	PRODUCT DESCRIPTION	CONTRACT DEAL NO.	TX	UNIT PRICE	M	EXTENSION</
1C		4	25/BX	00409-4646-01	86	PANCURONIUM 10ML (BX/2			28.00	K	112.00
		B 4	89510EV								
	THE PRICE STATED HEREIN MAY CONSTITUTE A DISCOUNT WITHIN THE MEANING OF 42 U.S.C SEC 1320A-7B(B)(3)(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 COST OR CHARGE BASED REIMBURSEMENT 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.										
	SUBTOTAL										112.00
SHIPPING CHARGE										8.53	
TOTAL										120.53	
Shipped Via: FEDS											
Ship-to DEA License Number:AN5903453, expiration date:10/31/2012 Customer Number:54176027											



CARDINAL HEALTH  
7601 N E GARDNER AVENUE  
KANSAS CITY, MO 64120



CardinalHealth

DEA RW-0191926 FED ID 68-0158739

Exhibit 22  
B  
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NEBRASKA DEPT OF CORR SRV PRM  
FKA NEBRASKA STATE PENITENTIAR  
2620 WEST VANDORN STREET  
LINCOLN, NE 68522

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O

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

CUST. NO.	DATE	ORIGINAL INVOICE	
402377	5/19/11	661755	
REG NO.	CUST. DEA NO.	ORDER NO.	CUSTOMER P.O. NUMBER
2572	AN5903453	6429511	042021
DEPT.	ORDER DATE	CONF. NO.	
	5/18/11	05723	

8 of 16

ATTENTION KATHY  
DEPREZ

ITEM NUMBER	NDC/UPC	QTY ORDERED	QTY SHIPPED	UNIT	DESCRIPTION	SIZE	FORM	CLASS	REF	UNIT PRICE	EXTENSION
1736933	00409-4646-01	10	10	CT	PANCURONIUM 1MG/ML 25X10ML	25MD			47.58	25.27	25270
TOTE# 8											
This item is split:		3	In	Tote	8	3	In	Tote	9	3	In
		10			PIECES SHIPPED						
		10			TOTAL PIECES SHIPPED						
----- S U M M A R Y -----											
Total RX									252.70		
Total REF									475.80		
NET AMOUNT									252.70		
SUBTOT											
25270											
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											

Note Codes:  
T Taxable  
G Generic Sub  
PP PharmPak Discount

CT Contract  
SN Special Net  
SP Special Pricing

Omit Codes:  
1 Mfg. B. O.  
2 Whse. out  
3 Mfg. out

4 Not stocked  
5 Mfg. disc.  
6 Whse. disc.

7 Drug recall  
8 New item/stock unavail.  
9 Restricted item

If 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)-7b.

6/03/11  
DUE DATE

Prepared by NDCS

25270



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





# Harris Pharma

Exhibit 22

manufacturer and distribution services

RECEIVED

## OFFER TO SELL AGREEMENT

MAY 12 2015

NDCS Director's Office

12<sup>th</sup> 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

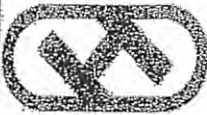

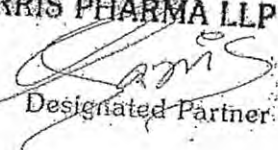
For,

Harris Pharma LLP

Christopher Harris  
CEO



Approved  
dated  
5.12.15

 <b>Harris Pharma</b> manufacturer and distribution services		Invoice No & DATE :		IIC No: 0211010227		
		HPL/Nebraska/CORRECTIONS/4 13th May 2015				
Level 8, RDB Boulevard, Plot M1, Sector V, Salt Lake City, KOLKATA 700091, WEST BENGAL, INDIA. ATTN: Scott Frakes Nebraska Department of Correctional Services PO Box 94661 Lincoln Nebraska 68509, UNITED STATES OF AMERICA DEA NUMBER : AN5903453 PHONE NUMBER : +1-402-479-5675		Buyers Order No & Date : 12th May 2015				
		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:		Terms of Delivery and Payment: 100% ADVANCE		
Vessel/Flight No: By Air		Port of Loading: Kolkata, India				
Port of Discharge: Nebraska		Final Destination: Nebraska				
Mark	Sr.NO	Package	Description	Quantity	Rate	Amount
Harmless Medicine				QTY	USD	USD
	1	1	Pancuronium Bromide USP 2mg/2ml Ampule	1000	26	26000
			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.						
				<b>HARRIS PHARMA LLP</b>  Designated Partner		



Hospira Worldwide, Inc.  
200 Forest, L. 60045-0046

FEDERAL I.D. NO: 20-0843328

SHIPPER DEA NO: RH0276863

Hospira Worldwide, Inc.  
PLEASANT PRAIRIE WI 53158

Page 1 of 1

INVOICE

INVOICE NO: 914904920

INVOICE DATE: 06/21/2010

P.O. NUMBER: q40584

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

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

Thank you for your order

CUSTOMER NO 54176026	DEA REG NO TP25	CLASS TP25	PLEASE USE YOUR CUSTOMER NUMBER WHEN REORDERING			CUSTOMER NO 54176027	DEA REG NO AN5903453	CLASS TP25			
ISSUE DATE 06/21/2010	SHIP LOC 5105	REF NO 716195272	TC 05	TERMS Net 30 days	ORDER DATE 06/21/2010	ORD LOC 5201	TERRITORY 1B	INC			
ITEMS CODED # SUBJECT TO DRUG ABUSE CONTROL											
LINE	LOC	QUANTITY	SIZE DESC	NDC/NHRC LIST TUC	INV	PRODUCT DESCRIPTION	CONTRACT DEAL NO.	TX	UNIT PRICE	M	EXTENSION</
3C		4	25/BX	00409-6653-05	84	POT CHL 20ML FLIP (BX/			16.75	K	67.00
		B	4	86458DK							
<p>THE PRICE STATED HEREIN MAY CONSTITUTE A DISCOUNT WITHIN THE MEANING OF 42 U.S.C SEC 1320A-7B (B) (3) (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 COST OR CHARGE BASED REIMBURSEMENT 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.</p>											
SUBTOTAL											67.00
SHIPPING CHARGE											7.49
TOTAL											74.49
<p>Shipped Via: 8RPS Ship-to DEA License Number: AN5903453, expiration date: 10/31/2012 Customer Number: 54176027 Ship: 06/21 Order placed by diane booker. telephone number 402 471 7505 date 06/21/2010</p>											



S

(800) 255-6940

CARDINAL HEALTH  
7601 N E GARDNER AVENUE  
KANSAS CITY, MO 64120

PAGE 1 OF 1 ROUTE/STOP 729 / 025

DV

Prepared by NDCS

12 of 19

CardinalHealth

DEA RW-0191926 FED ID 68-0158739

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

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

CUST. NO.	DATE	ORIGINAL INVOICE	
402377	7/02/10	9548487	
REG NO.	CUST. DEA NO.	ORDER NO.	CUSTOMER P.O. NUMBER
2572	AN5903453	4971030	040593
DEPT.	ORDER DATE	CONF. NO.	
	7/01/10	08927	

ITEM NUMBER	NDC/UPC	QTY ORDERED	QTY SHIPPED	UNIT	DESCRIPTION	SIZE	REF	UNIT PRICE	EXTENSION	NOTE CODE
1165745	63323-0967-30	1	1	CT	POTASSIUM CL 2MEQ/ML 25X30ML	25MD	30.63	23.32	2332	CT
	TOTE# 10									
3660339	00338-0049-04	1	1	CS	SODIUM CL 0.9% 14X1000ML	14IS	27.55	14.80	1480	CT
	TOTE#991									
1086280	00409-4887-10	4	4	CT	WATER 25X10ML STRL INJ	25SD	20.74	10.06	4024	CT
	TOTE# 7									
			6		PIECES SHIPPED					
			6		TOTAL PIECES SHIPPED					
----- S U M M A R Y -----										
Total RX						78.36				
Total REF						141.14				
NET AMOUNT						78.36				
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										
SUBTOT										7836

Note Codes:  
T Taxable  
G Generic Sub  
PP PharmPak Discount

CT Contract  
SN Special Net  
SP Special Pricing

## Omit Codes:

1 Mfg. B. O.  
2 Whse. out  
3 Mfg. out  
4 Not stocked  
5 Mfg. disc.  
6 Whse. disc.  
7 Drug recall  
8 New item/stock unavail.  
9 Restricted Item

If 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)-7b.

7/17/10  
DUE DATE

7836

Customer is a firm that does not and will not redistribute prescription pharmaceuticals into the secondary market



729 / 025

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



CARDINAL HEALTH  
7601 N E GARDNER AVENUE  
KANSAS CITY, MO 64120



CardinalHealth

DEA RW-0191926 FED ID 68-0158739

NEBRASKA DEPT OF CORR SRV PRM  
FKA NEBRASKA STATE PENITENTIAR  
2620 WEST VAN DORN STREET  
LINCOLN, NE 68522

CUST. NO.	DATE	ORIGINAL INVOICE COPY 1	
402377	5/01/15	5113593	
REG NO.	CUST. DEA NO.	ORDER NO.	CUSTOMER P.O. NUMBER
2572	AN5903453	3338578	QT46106
DEPT.	ORDER DATE	CONF. NO.	
	4/30/15	09653	

Exhibit 226

ITEM NUMBER	NDC/UPC	QTY ORDERED	QTY SHIPPED	UNIT	DESCRIPTION	SIZE	UNIT PRICE	EXTENSION	NOTES
1229236	00703-2804-03	12		3CT	PANCURONIUM 1MG/ML 10X10ML	10MD			
	TOTE#999						25.01		SN
1229202	00703-2812-04	90		4CT	PANCURONIUM 2MG/ML 25X2ML	25MD			
	TOTE#999						96.43		SN
1229210	00703-2823-04	12		3CT	PANCURONIUM 2MG/ML 25X5ML	25MD			
	TOTE#999						241.07		SN
4068987	00378-7002-10	1	1	EA	PAROXETINE HCL 20MG 1000 CPLT	1000TB			
	TOTE# 8						85.76	8576	CT
	see message(s): 121								
4971800	57664-0655-88	1	1	EA	PINDOLOL 5MG 100	100TB			
	TOTE# 4						81.38	8138	CT
1165745	63323-0967-30	5	5	CT	POTASSIUM CL 2MEQ/ML 25X30ML	25MD			
	TOTE# 5						52.46	26230	CT
This item is split: 4 In Tote 5 1 In Tote 6									
4243267	53746-0253-10	1	1	EA	RANITIDINE 150MG 1000	1000TB			
	TOTE# 8						43.30	4330	CT
3737731	59762-4910-05	1	3	EA	SERTRALINE HCL 100MG 500	500TB			
	TOTE#999						31.07		CT
	see message(s): 121								
4256103	67877-0124-05	7	7	EA	SILVER SULFAD 1% 50GM TOP TUBE	1CR			
	TOTE# 4						8.81	6167	CT
3330289	00056-0510-30	1	1	EA	SUSTIVA 600MG 30	30TB			
	TOTE# 7						804.52	80452	CT
9976768	00186-0370-20	1	1	EA	ASYMBICORT 160-4.5MCG10.2GM INH	1IN			
	TOTE# 2						254.22	25422	CT
	see message(s): 121								
3731015	59746-0386-06	3	3	EA	TERAZOSIN 10MG 100	100CP			
	TOTE# 3						4.89	1467	CT
4213476	31722-0278-60	4	4	EA	TOPIRAMATE 25MG 60	60TB			
	TOTE# 9						1.76	704	CT
	see message(s): 121								
1931856	50111-0434-02	1	1	EA	TRAZODONE 100MG 500	500TB			
	TOTE# 4						18.03	1803	CT

Note Codes:	CT Contract	Omit Codes:	
T Taxable	SN Special Net	C Dropship	4 Not stocked 7 Drug Recall
G Generic Sub	OV Price Override	2 DC Out	5 Mfr Disc 8 New item/stock unavail.
SP Special Pricing	CS Source Contract	3 Mfr Out	6 DC Disc 9 Restricted item

Customer is a final dispenser purchasing for own use and will not redistribute prescription pharmaceuticals into the secondary market.

List Chemical Designations
E - Ephedrine
P - Phenylpropanolamine
S - Pseudoephedrine
L - Other List Chemical



729 / 025

The prices shown on this invoice are net of discounts 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 Order Entry.

Prepared by NDCS



CARDINAL HEALTH  
7601 N E GARDNER AVENUE  
KANSAS CITY, MO 64120



CardinalHealth

DEA RW-0191926 FED ID 68-0158739

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

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

CUST. NO.	DATE	ORIGINAL INVOICE	
402377	7/02/10	9548487	
REG NO.	CUST. DEA NO.	ORDER NO.	CUSTOMER P.O. NUMBER
2572	AN5903453	4971030	Q40593
DEPT.	ORDER DATE	CONF. NO.	
	7/01/10	08927	

2231756 18938454

ITEM NUMBER	NDC/UPC	QTY ORDERED	QTY SHIPPED	REC T	U/M	DESCRIPTION	SIZE	FORM	REF	UNIT PRICE	EXTENSION	NOTE CODE
1165745	63323-0967-30 TOTE# 10	1	1	CT		POTASSIUM CL 2MEQ/ML 25X30ML	25MD		30.63	23.32	2332	CT
3660339	00338-0049-04 TOTE#991	1	1	CS		SODIUM CL 0.9% 14X1000ML	14IS		27.55	14.80	1480	CT
1986280	00409-4887-10 TOTE# 7	4	4	CT		WATER 25X10ML STRL INJ	25SD		20.74	10.06	402	T
			6			PIECES SHIPPED						
			6			TOTAL PIECES SHIPPED						
						----- S U M M A R Y -----						
						Total RX			78.36			
						Total REF			141.14			
						NET AMOUNT			78.36			
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												

*Salush*  
7-2-10

Note Codes:  
T Taxable  
G Generic Sub  
PP PharmPak Discount

CT Contract  
SN Special Net  
SP Special Pricing

Omit Codes:  
1 Mfg. B. O.  
2 Whse. out  
3 Mfg. out

4 Not stocked  
5 Mfg. disc.  
6 Whse. disc.

7 Drug recall  
8 New item/stock unavail.  
9 Restricted item

If 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)-7b.

7/17/10  
DUE DATE

7836

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



729 / 025



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 PENITENTIAR  
2620 WEST VAN DORN STREET  
LINCOLN, NE 68522

NEBRASKA DEPT OF CORR SRV PRM  
FKA NEBRASKA STATE PENITENTIAR  
2620 WEST VAN DORN STREET  
LINCOLN, NE 68522

CUST. NO.	DATE	ORIGINAL INVOICE COPY 1	
402377	5/01/15	5113593	
REG NO.	CUST. DEA NO.	ORDER NO.	CUSTOMER P.O. NUMBER
2572	AN5903453	3338578	QT46106
DEPT.	ORDER DATE	CONF. NO.	
	4/30/15	09653	

ITEM NUMBER	NDC/UPC	QTY ORDERED	QTY SHIPPED	UNIT	DESCRIPTION	SIZE	FORM	UNIT PRICE	EXTENSION	NOTE CODE
1229236	00703-2804-03	12		3CT	PANCURONIUM 1MG/ML 10X10ML	10MD		25.01		SN
	TOTE#999									
1229202	00703-2812-04	90		4CT	PANCURONIUM 2MG/ML 25X2ML	25MD		96.43		SN
	TOTE#999									
1229210	00703-2823-04	12		3CT	PANCURONIUM 2MG/ML 25X5ML	25MD		241.07		SN
	TOTE#999									
4068987	00378-7002-10	1	1	EA	PAROXETINE HCL 20MG 1000 CPLT	1000TB		85.76	8576CT	
	TOTE# 8									
	see message(s): 121									
4971800	57664-0655-88	1	1	EA	PINDOLOL 5MG 100	100TB		81.38	8138CT	
	TOTE# 4									
1165745	63323-0967-30	5	5	CT	POTASSIUM CL 2MEQ/ML 25X30ML	25MD		52.46	26230CT	
	TOTE# 5									
This item is split: 4 In Tote 5 1 In Tote 6										
4243267	53746-0253-10	1	1	EA	RANITIDINE 150MG 1000	1000TB		43.30	4330CT	
	TOTE# 8									
3737731	59762-4910-05	1	3	EA	SERTRALINE HCL 100MG 500	500TB		31.07		CT
	TOTE#999									
	see message(s): 121									
4256103	67877-0124-05	7	7	EA	SILVER SULFAD 1% 50GM TOP TUBE	1CR		8.81	6167CT	
	TOTE# 4									
3330289	00056-0510-30	1	1	EA	SUSTIVA 600MG 30	30TB		804.52	80452CT	
	TOTE# 7									
3976768	00186-0370-20	1	1	EA	SYMBICORT 160-4.5MCG10.2GM INH	1IN		254.22	254CT	
	TOTE# 2									
	see message(s): 121									
3731015	59746-0386-06	3	3	EA	TERAZOSIN 10MG 100	100CP		4.89	1467CT	
	TOTE# 3									
4213476	31722-0278-60	4	4	EA	TOPIRAMATE 25MG 60	60TB		1.76	704CT	
	TOTE# 9									
	see message(s): 121									
1931856	50111-0434-02	1	1	EA	TRAZODONE 100MG 500	500TB		18.03	1803CT	
	TOTE# 4									

Note Codes:  
T Taxable  
G Generic Sub  
SP Special Pricing

CT Contract  
SN Special Net  
OV Price Override  
CS Source Contract

Omit Codes:  
C Dropship  
2 DC Out  
3 Mfr Out  
4 Not stocked  
5 Mfr Disc  
6 DC Disc  
7 Drug Recall  
8 New item/stock unavail.  
9 Restricted item

List Chemical Designations  
E - Ephedrine  
P - Phenylpropanolamine  
S - Pseudoephedrine  
L - Other List Chemical



729 / 025

Customer is a final dispenser purchasing for own use and will not redistribute prescription pharmaceuticals into the secondary market.

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Effective January 1, 2015, DSCSA Transaction Data for qualified prescription drugs can be accessed via your usual ordering platform, such as Order Express or MedConnect.





Hospira Worldwide, Inc.  
 2400 Forest, L. 60045-5046

FEDERAL I.D. NO: 20-0843328

SHIPPER DEA NO: RH0276863

Hospira Worldwide, Inc.  
 PLEASANT PRAIRIE WI 53158

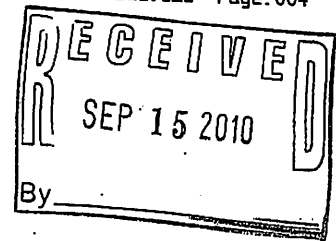
Page 1 of 1

INVOICE

INVOICE NO: 914904920

INVOICE DATE: 06/21/2010

P.O. NUMBER: q40584



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

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

Thank you for your order

Thank you for your order

CUSTOMER NO	DEA REG NO	CLASS	PLEASE USE YOUR CUSTOMER NUMBER WHEN REORDERING	CUSTOMER NO	DEA REG NO	CLASS
54176026		TP25		54176027	AN5903453	TP25
ISSUE DATE	SHIP LOC	REF NO	TERMS	ORDER DATE	ORD LOC	TERRITORY
06/21/2010	5105	716195272	05 Net 30 days	06/21/2010	5201	
ITEMS CODED # SUBJECT TO DRUG ABUSE CONTROL						1B

LINE	LOC.	QUANTITY	SIZE DESC	NDC/NHRC LIST TUC	INV	PRODUCT DESCRIPTION	CONTRACT DEAL NO.	TX	UNIT PRICE	M	EXTENSION</
3C		4	25/BX	00409-6653-05	84	POT CHL 20ML FLIP(BX/			16.75	K	67.00
		B 4		86458DK							
THE PRICE STATED HEREIN MAY CONSTITUTE A DISCOUNT WITHIN THE MEANING OF 42 U.S.C SEC 1320A-7B(B)(3)(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 COST OR CHARGE BASED REIMBURSEMENT 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: 8RPS											
Ship-to DEA License Number:AN5903453, expiration date:10/31/2012 Customer Number:54176027											
Ship: 06/21											
Order placed by diane booker, telephone number 402 471 7805, date 06/21/2010											
Any questions please contact Hospira Customer Care at 1-877-946-7747 (1-877-9HOSPIRA).											
Internet: https://e.hospira.com/											
10125564											
BILL OF LADING: 441250817207779											
*** End of Document ***											

Hospira Worldwide, Inc. hereby guarantees that the Articles covered by the Invoice are not adulterated or misbranded within the meaning of the Federal Food and Cosmetic Act, or the Insecticide Act of 1910, as amended, or within the meaning of any applicable state or municipal law in which the definitions of adulteration and misbranding are substantially the same as those contained in the Federal Food, Drug and Cosmetics Act, as said laws are effective as of the date of this invoice, and are not articles which may not, under the provision of section 404 or 505 of said Federal Food and Cosmetic Act, be introduced into interstate commerce. Hospira Worldwide, Inc. certifies that the products covered by this invoice have been produced in compliance with the applicable requirements of the Fair Labor Standards Act of 1938, as amended and regulations issued thereunder.

PLEASE REMIT  
 PAYMENT TO

Hospira Worldwide, Inc.  
 75 Remittance Drive  
 Suite 6136  
 CHICAGO, IL 60675-6136

Hospira Contact Group A



**Avery, Mary**

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**Subject:** Request for documentation  
**Attachments:** Document from Lanier LD625c

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**From:** Spindler, Robin  
**Sent:** Tuesday, October 04, 2016 12:03 PM  
**To:** Janssen, Cindy  
**Cc:** Avery, Mary; Smith, Dawn Renee  
**Subject:** RE: Request for documentation

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. [REDACTED] 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](mailto:Cindy.Janssen@nebraska.gov)

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**From:** Janssen, Cindy  
**Sent:** Monday, September 12, 2016 9:26 AM  
**To:** Spindler, Robin

**Cc:** Avery, Mary; Smith, Dawn Renee; Hookstra, Inga

**Subject:** RE: Request for documentation

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.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thanks again for your assistance with these inquiries.

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

[Cindy.Janssen@nebraska.gov](mailto: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.

[REDACTED]

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.

[REDACTED]

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](mailto: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](mailto: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](mailto: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](mailto: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](mailto:Cindy.Janssen@nebraska.gov)

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**From:** Janssen, Cindy  
**Sent:** Wednesday, August 10, 2016 10:03 AM  
**To:** Spindler, Robin; Hookstra, Inga  
**Cc:** Avery, Mary  
**Subject:** Request for documentation

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](mailto:Cindy.Janssen@nebraska.gov)

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**Frakes, Scott**

---

**From:** Chris Harris <chrisharris@harrispharmallp.com>  
**Sent:** Thursday, January 28, 2016 7:55 AM  
**To:** Frakes, Scott  
**Subject:** Re: See attached  
**Attachments:** Nebraska Reply.pdf

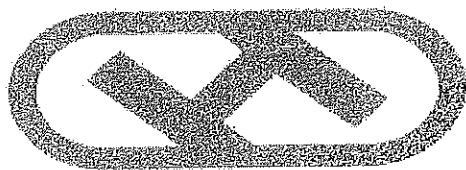
Hi Scott,

Pls find attached my response.

Regards,  
Chris Harris

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

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



**Harris Pharma**  
manufacturer and distribution services

To,

28 Jan, 2016

Mr. Scott Frakes,

Department of Correctional Services,

Nebraska, USA.

**RE: Reimbursement of funds**

Dear Mr. Frakes,

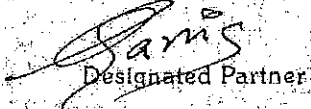
In response to your document requesting reimbursement of funds paid to my company for the purchase of 1000 Vials of Sodium Thiopental. I am sorry to state that refund of the payment is not possible as there has been no fault of my company. We have tried many times to ship using the shipping company you 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@harrispharmallp.com

**From:** [Spindler, Robin](#)  
**To:** [Janssen, Cindy](#)  
**Cc:** [Smith, Dawn Renee](#); [Avery, Mary](#)  
**Subject:** RE: Request for documentation  
**Date:** Friday, November 04, 2016 11:37:56 AM  
**Attachments:** [info req 11.4.16.pdf](#)

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.

Year	Description	Size	Quantity	Per Vial	Sub-Total	Freight /Shipping	Total
2015	Sodium Thiopental 1gr Vials	1GR	1000	\$ 25.00	\$ 25,000.00	\$ 1,700.00	\$ 26,700.00
2011	Sodium Thiopental 1gr Vials	1GR	500	\$ 10.00	\$ 5,000.00	\$ 411.00	\$ 5,411.00
2010	Sodium Thiopental 1gr Vials	1GR	500	\$ 3.44	\$ 1,720.00	\$ 336.15	\$ 2,056.15

- 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 2<sup>nd</sup> 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](mailto:Cindy.Janssen@nebraska.gov)

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**From:** Spindler, Robin  
**Sent:** Tuesday, October 04, 2016 12:03 PM  
**To:** Janssen, Cindy  
**Cc:** Avery, Mary; Smith, Dawn Renee  
**Subject:** RE: Request for documentation

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. [REDACTED]  
 [REDACTED] 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](mailto:Cindy.Janssen@nebraska.gov)

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**From:** Janssen, Cindy  
**Sent:** Monday, September 12, 2016 9:26 AM  
**To:** Spindler, Robin  
**Cc:** Avery, Mary; Smith, Dawn Renee; Hookstra, Inga  
**Subject:** RE: Request for documentation

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.

[REDACTED]

Thanks again for your assistance with these inquiries.

*Cindy Janssen*  
*Audit Manager*  
*NE Auditor of Public Accounts*  
 (402) 326-3047  
[Cindy.Janssen@nebraska.gov](mailto: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

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.

[REDACTED]

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](mailto: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](mailto: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](mailto: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](mailto: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](mailto:Cindy.Janssen@nebraska.gov)

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**From:** Janssen, Cindy  
**Sent:** Wednesday, August 10, 2016 10:03 AM  
**To:** Spindler, Robin; Hookstra, Inga  
**Cc:** Avery, Mary  
**Subject:** Request for documentation

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](mailto:Cindy.Janssen@nebraska.gov)

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**Frakes, Scott**

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**From:** Gallagher, Cathy A. <Cathy.A.Gallagher@usdoj.gov>  
**Sent:** Friday, June 19, 2015 8:54 AM  
**To:** Frakes, Scott  
**Cc:** Gallagher, Cathy A.  
**Subject:** RE: DEA - Import Declaration - Denied

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

---

**From:** Gallagher, Cathy A.  
**Sent:** Thursday, June 18, 2015 10:42 AM  
**To:** 'scott.frakes@nebraska.gov'  
**Cc:** Gallagher, Cathy A.  
**Subject:** RE: DEA - Import Declaration - Denied

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

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**From:** Gallagher, Cathy A.  
**Sent:** Thursday, June 18, 2015 9:01 AM  
**To:** 'scott.frakes@nebraska.gov'

**Cc:** 'Gallagher, Cathy A.'  
**Subject:** RE: DEA - Import Declaration

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

Frakes, Scott

**From:** trackingupdates@fedex.com  
**Sent:** Friday, September 04, 2015 5:54 AM  
**To:** Frakes, Scott  
**Subject:** FedEx MPS Shipment 803672561734 Delivered

## 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:	<u>803672561734</u>
Tracking number:	<u>805966128317</u> <u>805966128328</u>
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

☐ Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 5:53 AM CDT on 09/04/2015.

To learn more about FedEx Express, please go to [fedex.com](http://fedex.com).

All weights are estimated.

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Ship

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## FedEx® Tracking

803672561734

Ship date :  
Mon 8/31/2015Actual delivery :  
Fri 9/04/2015 3:46 pm

## Delivered

Signed for by: R.ROHIT

## 3 Piece shipment

## Travel History

Date/Time	Activity	Location
9/04/2015 - Friday		
3:46 pm	Delivered	
9/03/2015 - Thursday		
7:34 pm	At FedEx origin facility	NEW DELHI IN
6:15 am	Departed FedEx location	NEW DELHI IN
6:12 am	In transit	NEW DELHI IN
3:14 am	In transit	NEW DELHI IN
9/02/2015 - Wednesday		
3:46 pm	Returning package to shipper Return tracking number 803672561734	NEW DELHI IN
1:51 pm	At local FedEx facility	NEW DELHI IN
9/01/2015 - Tuesday		
6:37 pm	Shipment exception Improper or missing international paperwork, contact Customer Service	NEW DELHI IN
2:59 pm	At local FedEx facility	NEW DELHI IN
8/31/2015 - Monday		
5:54 pm	Shipment exception Improper or missing international paperwork, contact Customer Service	NEW DELHI IN
2:10 pm	At local FedEx facility	NEW DELHI IN
8/30/2015 - Sunday		
5:00 pm	At local FedEx facility	NEW DELHI IN
8/29/2015 - Saturday		
9:14 pm	Shipment exception Improper or missing international paperwork, contact Customer Service	NEW DELHI IN
6:46 pm	At local FedEx facility	NEW DELHI IN
8:37 am	In transit	NEW DELHI IN
8/28/2015 - Friday		
11:21 pm	Left FedEx origin facility	NEW DELHI IN
7:45 pm	Picked up	NEW DELHI IN

## Shipment Facts

Tracking number	803672561734	Service	FedEx International Priority
Master tracking number	803672561734	Delivered To	Receptionist/Front Desk
Total pieces	3	Packaging	Your Packaging
Special handling section	Deliver Weekday		

PRINTED  
9-16-15  
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SITE



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New Customer Center  
Small Business Center  
Service Guide  
Customer SupportFeatured Services  
FedEx One Rate  
FedEx Same Day  
FedEx Home Delivery  
Healthcare Solutions  
Online Retail SolutionsCompanies  
FedEx Express  
FedEx Ground  
FedEx Office  
FedEx Freight  
FedEx Custom Critical

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United States - English

Company Information  
About FedEx  
Careers  
Investor Relations

Packaging Services  
Ancillary Clearance Services

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FedEx SupplyChain  
FedEx TechConnect

Other Resources  
FedEx Compatible  
Developer Resource Center  
FedEx Ship Manager Software  
FedEx Mobile

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## Frakes, Scott

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**From:** Chris Harris <chrisharris@harrispharmallp.com>  
**Sent:** Thursday, January 28, 2016 7:55 AM  
**To:** Frakes, Scott  
**Subject:** Re: See attached  
**Attachments:** Nebraska Reply.pdf

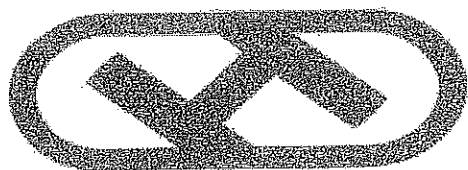
Hi Scott,

Pls find attached my response.

Regards,  
Chris Harris

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

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



**HarrisPharma**  
manufacturer and distribution services

To,

28 Jan, 2016

Mr. Scott Frakes,

Department of Correctional Services,

Nebraska, USA.

RE: Reimbursement of funds

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

*Chris Harris*  
Designated Partner

Christopher Harris