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August 26, 2013

Custodian of Records  
Missouri Department of Corrections  
2779 Plaza Drive  
Jefferson City, Missouri 65102

By Mail and Facsimile: (573) 751-4099

This letter is a request for copies of public records under the Missouri Sunshine Law. Pursuant to the provisions of Chapter 610 of the Missouri Revised Statutes, we request that you provide copies of any and all records in the possession of the Department of Corrections (DOC), regardless of who produced them, regarding propofol, also known as Diprivan, including but not limited to:

1. All records indicating the DOC's current inventory of propofol;
2. All records indicating the expiration date of all propofol in the DOC's current inventory;
3. All records indicating the source of all propofol in the DOC's current inventory;
4. All records indicating the shipment dates of all propofol in the DOC's current inventory;
5. All records indicating the person that authorized the purchase(s) of propofol in the DOC's current inventory;
6. All records indicating how much the state paid for the propofol in the DOC's current inventory, how payment was made, and from which account;
7. All records regarding efforts by the DOC, either successful or unsuccessful, to obtain propofol over the past five years ending today (August 26, 2013);

8. All records relating to the disposition of all expired propofol over the past five years ending today;
9. All phone records indicating calls between the DOC and Fresenius Kabi, Teva, or Hospira;
10. All email messages between the DOC and Fresenius Kabi (domain name, including but not limited to: @fresenius-kabi.com), Teva (domain name, including but not limited to: @tevapharm.com), and Hospira (domain name, including but not limited to: @hospira.com);
11. All packaging, labels, instructions, or documents that accompanied the propofol in the DOC's current inventory, including all writing on the packages containing the propofol in the DOC's current inventory;
12. All package inserts for the propofol in the DOC's current inventory and all writing on the packages containing the propofol in the DOC's current inventory.

If any or part of this request is denied, please send a letter listing the specific exemptions upon which you rely for each denial and provide the contact information for the official to whom we may appeal. Mo. Rev. Stat. § 610.023.4. This request must "be acted upon as soon as possible, but in no event later than the end of the third business day following the date the request is received." Mo. Rev. Stat. § 610.023.3.

Because this records request is being submitted in the public interest and "is likely to contribute significantly to public understanding of the operation or activities" of your department, we ask that you waive any fees or charge a substantially reduced fee pursuant to Mo. Rev. Stat. § 610.026.1(1). However, should you decline to waive or reduce fees, proceed without further approval if the cost does not exceed \$ 100.00 and send an invoice with the records. If the cost will exceed \$100.00, please inform us of the cost in advance.

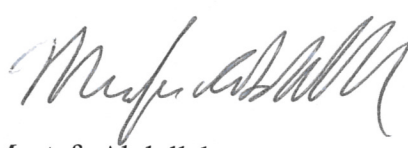
All correspondence regarding this request should be sent to Jeffrey Mittman. He can be reached at (314) 652-3114 or [jmittman@aclu-em.org](mailto:jmittman@aclu-em.org).

Thank you for your attention to this matter. If you have any questions, do not hesitate to contact us.

Sincerely,



Jeffrey Mittman  
Executive Director



Mustafa Abdullah  
Program Associate