

From: Vialle, George
Sent: 11/30/2011 07:57:01 AM
To: Zhao, Ying (STP); Smith, Charles; Hines, Saron;
Cotton, Derek; du Halgouet, Tanguy; McCaslin,
Todd; Batz, Helge (STP); Charest, Ann
Subject: RE: Packaging of the Marlex from China
distributor for shipment

Dear All,

Based on Michael's e-mails below detailing the possible export actions for the Marlex resin we find ourselves in a difficult situation. We do not want to violate Chinese export rules or incorrectly fill out any export paperwork. This would be a violation of BSC policy and Chinese rules of export. We will be discussing tomorrow night on a con call with Michael. Is anyone aware of a method to deal with export of undocumented, imported goods from China? Is there an expert we can consult? We had an import situation for clinical last year that required the help of internal and outside counsel, including BSC's Neil Johnson and local counsel in China Chen Ji. It may be premature to involve legal but we need to make sure we export this material properly. If there are any subject matter experts in this area please let me know.

Regards,
George

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

From: Zhao, Ying (STP)
Sent: Tuesday, November 22, 2011 3:08 AM
To: Smith, Charles; Vialle, George; Hines, Saron
Cc: Cotton, Derek; du Halgouet, Tanguy; McCaslin, Todd; Batz, Helge (STP); Charest, Ann
Subject: RE: Packaging of the Marlex from China distributor for shipment

Hi, Charlie and all:

We can over-bag, but I was told by the shipper, if the custom audits(chance is low), they will open one bag all the way to the material itself. No matter how many bags we pack, they will rip it off and see everything. So the concern is they may hold the material if they see the original bag, there is discrepancy between where we claim it is from and the marks on the bags. It will be hard to convenience them after that.

I just talked to the shipper, they can't guarantee to have a way to get the material back smoothly if the worst scenario happens, I think they usually can with paying some extra fees, but not 100% for sure. Therefore they told me it's better to re-bag everything just to be safe. I think they don't want to hold any accountability if anything happens.

We have to make a decision: we can take a risk, over-bag them; or we re-bag everything with the right type of bag(challenge here is how to make sure the right bag is used, no contamination during and after the re-packing).

I don't want to re-bag since it sounds not easy, I understand our concern over contamination, it is just my opinion.

Pros and cons are both clear to us. Pls discuss and let me know how we want to handle. Please let me know if you have any question.

EXHIBIT
35

Below is the total shipping and vacuum packing(just the over-bag option) fees for 2 containers to U.S. and 1 container to Belgium from Dongguan China. This does not include the final on-land transportation fee from the sea port to the final facility. I assume that is not a big portion anyway. There will be 8 pallets to Belgium and 16 pallets to U.S..

shipping feepacking fee
Belgium HKD 17,015 RMB 6,276
U.S. HKD 55,795 RMB 11,552

Best Regards,
Michael Zhao
Supplier Management Asia
Cardiac Rhythm Management
Boston Scientific Corp.
Email: ying.zhao@bsci.com
Office: 86-21-61419708
Cell: [REDACTED]
Unit 4701, Raffles City,
No. 268 Xizang Middle Road,
Shanghai, China 200001

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

From: Smith, Charles
Sent: Tuesday, November 22, 2011 12:06 AM
To: Zhao, Ying (STP); Vialle, George; Hines, Saron
Cc: Cotton, Derek; du Halgouet, Tanguy; McCaslin, Todd; Batz, Helge (STP)
Subject: RE: Packaging of the Marlex from China distributor for shipment

Mike

We can over bag, but we should not open bags and repack. We would have to worry about contamination. Let us know how you make out tomorrow.

Thks

Charlie

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

From: Zhao, Ying (STP)
Sent: Monday, November 21, 2011 11:00 AM
To: Vialle, George; Smith, Charles; Hines, Saron
Cc: Cotton, Derek; du Halgouet, Tanguy; McCaslin, Todd; Batz, Helge (STP)
Subject: RE: Final payment of Marlex from China distributor

hi, guys:

To play safe about the 10 tons material we ship to U.S., I think it is better to split them into two small containers and have 5 tons in each just in case of any accident, like falling over to sea, etc., during the shipment. I think it is worth the fee for extra container. Who knows what may happen, I went to a supply chain conference last week and heard about all of risks in logistics and it made me nervous.

Just to give you a heads up. Last time due to it's by air and small amount, the 2 tons was not "inspected" by the custom. The shipper basically put a blank bag over the original bag. This time since it has 3 containers and by sea, likely custom will inspect them. The shipper told me that the inspector is pretty good at their job and we will need to "re-pack" all 600 bags. I have not seen them by myself yet, but if it is

the same bag as previous 2 tons we bought, they all have details about where it was procured originally on the outside of bags. Per import/export law in China, it is very hard to export stuff out if it was procured from oversea without the original and correct paperwork. For this material, we have lost all of the original paperwork so we can't prove that was legally imported into the country. and if we don't get rid of the original bags or the writing on the bags when we claim they are from China(we have to say they are from China since we don't have original paperwork attached), if it is caught by custom, we will be in trouble. Therefore the shipper told me it is better to consider to re-pack all of them or find a way to get rid of all of the words/writing on the bags. I will talk with the distributor tomorrow and see what we can likely do on site. I plan to go there in later this week. I think that will be the only time I can for sure know how we should deal with it. I will spend days on site to take care of it. I expect a lot of work since there are 600 bags of 25 kg materials and this sounds a new task to me, and maybe the distributor as well. This is so far what's going on and I will keep you posted as it goes.

Regards,
Michael Zhao

From: Vialle, George
Sent: Thursday, November 17, 2011 9:35 AM
To: Zhao, Ying (STP); Smith, Charles; Hines, Saron
Cc: Cotton, Derek; du Halgouet, Tanguy; McCaslin, Todd
Subject: RE: Final payment of Marlex from China distributor

Michael,

Thank you. The crating and wrapping look good. Any additional bracing inside the container will be helpful. Could you press them on placement on the ship, we would be willing to pay a modest fee for this service. Thanks for your continued diligence and help.

Regards,
George

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

From: Zhao, Ying (STP)
Sent: Thursday, November 17, 2011 8:31 AM
To: Vialle, George; Smith, Charles; Hines, Saron
Cc: Cotton, Derek; du Halgouet, Tanguy; McCaslin, Todd
Subject: RE: Final payment of Marlex from China distributor

I checked with shipper. They can change container if it has any smell(if any, it is chemical smell), cost is less than US\$ 1K. Also they will pack the container as showed in the pics attached to prevent from water and smell. They can try to pack it inside of the container in a way to prevent from shifting inside of the container, cost should be reasonable, they have not told me about the amount as it will depend on how the bags fit in the container. They don't have any control on where the container will be placed on the ship though, can't do much about that part.

Do we have concern on temperature? It will reach 50c during shipment by sea. I don't think we have concern on that, but want to double check with you all.

Best Regards,
Michael Zhao
Supplier Management Asia
Cardiac Rhythm Management
Boston Scientific Corp.
Email: ying.zhao@bsci.com
Office: 86-21-61419708
Cell: [REDACTED]
Unit 4701, Raffles City,

No. 268 Xizang Middle Road,
Shanghai, China 200001

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

From: Vialle, George
Sent: Tuesday, November 15, 2011 10:09 PM
To: Zhao, Ying (STP); Smith, Charles; Hines, Saron
Cc: Cotton, Derek; du Halgouet, Tanguy; McCaslin, Todd
Subject: RE: Final payment of Marlex from China distributor

Michael,

We discussed and have additional thoughts. Can we get a container that does not smell? We would be willing to pay a modest fee for this. Also, can we specify where the container will be loaded on the ship? We would like to avoid an exposed location that could cause water damage or loss of the container overboard into the ocean.

Thanks,
George

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

From: Zhao, Ying (STP)
Sent: Tuesday, November 15, 2011 8:36 AM
To: Vialle, George; Smith, Charles; Hines, Saron
Cc: Cotton, Derek; du Halgouet, Tanguy; McCaslin, Todd
Subject: RE: Final payment of Marlex from China distributor

Yes, that's what I have mentioned to the shipper. We will pack it better. if there is any other idea from our side, pls let me know.

Best Regards,
Michael Zhao
Supplier Management Asia
Cardiac Rhythm Management
Boston Scientific Corp.
Email: ying.zhao@bsci.com
Office: 86-21-61419708
Cell: [REDACTED]
Unit 4701, Raffles City,
No. 268 Xizang Middle Road,
Shanghai, China 200001

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

From: Vialle, George
Sent: Tuesday, November 15, 2011 9:34 PM
To: Zhao, Ying (STP); Smith, Charles; Hines, Saron
Cc: Cotton, Derek; du Halgouet, Tanguy; McCaslin, Todd
Subject: RE: Final payment of Marlex from China distributor

Can the product be bagged/wrapped in plastic to prevent potential contamination?

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

From: Zhao, Ying (STP)
Sent: Tuesday, November 15, 2011 8:25 AM
To: Smith, Charles; Vialle, George; Hines, Saron

Cc: Cotton, Derek; du Halgouet, Tanguy; McCaslin, Todd
Subject: RE: Final payment of Marlex from China distributor

My understanding is any kind of smell, he does not know in advance either, could be from anything potentially, just a caution on smell. Have we encountered any this kind of problem before?

Best Regards,
Michael Zhao
Supplier Management Asia
Cardiac Rhythm Management
Boston Scientific Corp.
Email: ying.zhao@bsci.com
Office: 86-21-61419708
Cell: [REDACTED]
Unit 4701, Raffles City,
No. 268 Xizang Middle Road,
Shanghai, China 200001

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

From: Smith, Charles
Sent: Tuesday, November 15, 2011 9:21 PM
To: Zhao, Ying (STP); Vialle, George; Hines, Saron
Cc: Cotton, Derek; du Halgouet, Tanguy; McCaslin, Todd
Subject: RE: Final payment of Marlex from China distributor

Mike

Can we define smell? Are we talking about food products , animals??

Charlie

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

From: Zhao, Ying (STP)
Sent: Tuesday, November 15, 2011 8:19 AM
To: Vialle, George; Hines, Saron
Cc: Cotton, Derek; du Halgouet, Tanguy; Smith, Charles; McCaslin, Todd
Subject: RE: Final payment of Marlex from China distributor

Hi, guys:

Is there any concern over smell during shipment? The shipper asked me about this today. We will have dedicated container for our product, but he wondered if we care about the smell caused by other container. Maybe sometimes other products can have strong smell. Do we know any measure to protect our product from this kind of potential "contamination"?

Best Regards,
Michael Zhao
Supplier Management Asia
Cardiac Rhythm Management
Boston Scientific Corp.
Email: ying.zhao@bsci.com
Office: 86-21-61419708
Cell: [REDACTED]
Unit 4701, Raffles City,

No. 268 Xizang Middle Road,
Shanghai, China 200001

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

From: Vialle, George
Sent: Tuesday, November 15, 2011 3:01 AM
To: Zhao, Ying (STP); Hines, Saron
Cc: Cotton, Derek; du Halgouet, Tanguy; Smith, Charles; McCaslin, Todd
Subject: RE: Final payment of Marlex from China distributor

Michael,
Yes, please ship everything by sea.

Regards,
George

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

From: Zhao, Ying (STP)
Sent: Monday, November 14, 2011 10:53 AM
To: Vialle, George; Hines, Saron
Cc: Cotton, Derek; du Halgouet, Tanguy; Smith, Charles; McCaslin, Todd
Subject: RE: Final payment of Marlex from China distributor

Charlie, Saron and George:

Sure, I will communicate this to the shipper and try my best to take care of this when I go there next week.

So we want the total 15 tons all shipped by sea? Both to Belgium and U.S.? correct?

Best Regards,
Michael Zhao
Supplier Management Asia
Cardiac Rhythm Management
Boston Scientific Corp.
Email: ying.zhao@bsci.com
Office: 86-21-61419708
Cell: [REDACTED]
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No. 268 Xizang Middle Road,
Shanghai, China 200001

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

From: Vialle, George
Sent: Monday, November 14, 2011 9:45 PM
To: Hines, Saron; Zhao, Ying (STP)
Cc: Cotton, Derek; du Halgouet, Tanguy; Smith, Charles; McCaslin, Todd
Subject: RE: Final payment of Marlex from China distributor

Michael,
Per Saron's comments can you make sure that the resin is loaded in a manner that will prevent it from shifting inside the container while in transit?

Regards,
George

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

From: Hines, Saron
Sent: Friday, November 11, 2011 10:04 AM
To: Vialle, George; Zhao, Ying (STP)
Cc: Cotton, Derek; du Halgouet, Tanguy; Smith, Charles; McCaslin, Todd
Subject: RE: Final payment of Marlex from China distributor

George, loading the container properly to make certain the product is secure and does not shift about inside the container is paramount.

If the container is full, the contents themselves will help minimize shifting. If the container is not full, the product can and will shift if it not braced properly, creating the potential for damage.

Saron Hines
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hiness@bsci.com

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

From: Vialle, George
Sent: Friday, November 11, 2011 9:47 AM
To: Hines, Saron; Zhao, Ying (STP)
Cc: Cotton, Derek; du Halgouet, Tanguy; Smith, Charles; McCaslin, Todd
Subject: RE: Final payment of Marlex from China distributor

Saron,
Thanks for the feedback. Damage/loss is the primary concern and we have enough material already in Marlborough to cover the leadtime. Based on cost and damage considerations Ocean is emerging as our preferred shipment method. In addition to having a dedicated container, is there anything else we should be doing to ensure the product is not damaged in transit?

Regards,
George

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

From: Hines, Saron
Sent: Friday, November 11, 2011 9:29 AM
To: Zhao, Ying (STP); Vialle, George
Cc: Cotton, Derek; du Halgouet, Tanguy; Smith, Charles; McCaslin, Todd
Subject: RE: Final payment of Marlex from China distributor

As a precaution, air freight is always more susceptible to damage than ocean freight due to many touch points and extra handling.

If damage is a major concern, consider shipping via ocean if you can afford the transit time. Not only will you save money, but you will reduce the probability of damage considerably.

Saron Hines
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-----Original Message-----

From: Zhao, Ying (STP)
Sent: Friday, November 11, 2011 2:11 AM
To: Vialle, George; Hines, Saron
Cc: Cotton, Derek; du Halgouet, Tanguy; Smith, Charles; McCaslin, Todd
Subject: RE: Final payment of Marlex from China distributor

Hi, George:

I talked to the guy from KWE who quoted me. Yes, it is based on 5 tons to Belgium and 10 tons to U.S.. If by sea, our shipment will be in dedicated container, no other stuff will be mixed with it; if by air, depending on the packing situation, it may be mixed with other product.
I have expressed our concern over damage during shipment, before the actually shipment, I will enforce the requirement again to avoid the loss on damage.

So let me know how we want to ship.

Regards,
Michael

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

From: Vialle, George
Sent: Thursday, November 10, 2011 3:54 AM
To: Zhao, Ying (STP); Hines, Saron
Cc: Cotton, Derek; du Halgouet, Tanguy; Smith, Charles; McCaslin, Todd
Subject: RE: Final payment of Marlex from China distributor

Michael,

Thanks for the shipping cost information. Can you confirm that this costing is based on sending 5 tons to Belgium and 10 tons to the US? The lower cost for Ocean shipment is attractive (7.77 HKD = 1 USD, conversion cost updated below) but we must be sure that the product is safe and secure during ocean shipment. Ideally we would have a dedicated container for each shipment. If that is not possible we would want the shipment in a sealed container with other material shipping to Belgium and Indianapolis to minimize opportunities for damage, contamination, and theft. Can we get more info from KWE on how the product will be handled?

Saron,
If you have any input please share with the team.

Thanks,
George

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

From: Zhao, Ying (STP)
Sent: Wednesday, November 09, 2011 2:17 AM
To: Smith, Charles; Vialle, George; McCaslin, Todd
Cc: Cotton, Derek; du Halgouet, Tanguy; Hines, Saron
Subject: RE: Final payment of Marlex from China distributor

OK, our accounting lady has not processed it yet. She is doing it right now. I will let you know once it's paid off.

Now I got the cost estimate from KWE eventually. Here is the comparison between air and sea on time and cost. A big difference on cost.

	air time	air cost	sea time	sea cost
U.S	5~7 days	HKD 204,595/USD \$26.3K	36~39 days	HKD 29,795/USD \$3.8K
Belgium	5~7 days	HKD 372,195/USD \$47.9K USD\$74.2K total	36~39 days	HKD 18,415/USD \$2.4K USD \$6.2K total

Please let me know how we want to ship these 15 tons.

Regards,
Michael Zhao

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

From: Smith, Charles
Sent: Tuesday, November 08, 2011 11:01 PM
To: Zhao, Ying (STP); Vialle, George; McCaslin, Todd
Cc: Cotton, Derek; du Halgouet, Tanguy; Hines, Saron
Subject: RE: Final payment of Marlex from China distributor

Work with George and Sharon on the shipping, they have the lead with you.

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

From: Zhao, Ying (STP)
Sent: Tuesday, November 08, 2011 9:57 AM
To: Smith, Charles; Vialle, George; McCaslin, Todd
Cc: Cotton, Derek; du Halgouet, Tanguy; Hines, Saron
Subject: RE: Final payment of Marlex from China distributor

hi, Charlie:

I will check with our accounting tomorrow. We have issued a PO, accounting here needs to place that and transfer the fund.

I need help on shipping. The KWE we used before is very slow on quoting me the cost and time on by air and by sea. I have pushed a few times and still have not got an answer.
Let's try another shipper. I am sure someone will want this business. This does not make sense. Do we have an alternative?

Regards,
Michael

From: Smith, Charles
Sent: Tuesday, November 08, 2011 6:10 AM
To: Zhao, Ying (STP); Vialle, George; McCaslin, Todd
Cc: Cotton, Derek; du Halgouet, Tanguy; Hines, Saron

Subject: RE: Final payment of Marlex from China distributor

Mike

Any update on the final payment?

Thks

Charlie

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

From: Zhao, Ying (STP)
Sent: Thursday, October 27, 2011 11:33 PM
To: Smith, Charles; McCaslin, Todd; Vialle, George
Cc: Intoccia, Al; Cotton, Derek; du Halgouet, Tanguy
Subject: RE: update on Option 1 distributor Marlex from China

Hi, Charlie:

That's good, we got the right material.

I will work on the PO. It has to be done though Finance group in China and get cross charge to you later on.

I am on a trip to St. Paul now and will be back to Shanghai on 11/6. I will work with multiple parties in Shanghai office once I get back to take care of the payment. Also I plan to check out the material and make sure it is all from same lot and they are still in good shape before we ship them out. Last time the packing caused some damage and I will communicate to the shipper to prevent it this time. Based on my schedule, I think I can get it done around 11/12.

Last time we did shipping by air, it was 2 tons, we have 15 tons this time, by sea or by air? It will be very expensive if by air. George can work with me on the shipping details?

Best Regards,
Michael Zhao
Supplier Management Asia
Cardiac Rhythm Management
Boston Scientific Corp.
Email: ying.zhao@bsci.com
Office: 86-21-61419708
Cell: [REDACTED]
Unit 4701, Raffles City,
No. 268 Xizang Middle Road,
Shanghai, China 200001

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

From: Smith, Charles
Sent: Thursday, October 27, 2011 10:10 PM
To: Zhao, Ying (STP); McCaslin, Todd; Vialle, George
Cc: Intoccia, Al; Cotton, Derek; du Halgouet, Tanguy
Subject: RE: update on Option 1 distributor Marlex from China

Todd

Please proceed with final payment cross charge. George is starting to work on logistics as well, so we will talk further on that.

thks

Charlie

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

From: Smith, Charles
Sent: Friday, October 21, 2011 7:06 AM
To: Zhao, Ying (STP); McCaslin, Todd
Cc: Vialle, George
Subject: RE: update on Option 1 distributor Marlex from China

Mike

Yes we are pretty confident with testing to date. We will get back to you next week.

thks

Charlie

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

From: Zhao, Ying (STP)
Sent: Thursday, October 20, 2011 8:54 PM
To: Smith, Charles; McCaslin, Todd
Cc: Vialle, George
Subject: RE: update on Option 1 distributor Marlex from China

Hi, Charlie:

Sounds great, so it is the material we are looking for?

The rest amount due is about US\$ 24K by mid of Nov. for these 15 tons.

Best Regards,

Michael Zhao

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

From: Smith, Charles
Sent: Friday, October 21, 2011 2:23 AM
To: Zhao, Ying (STP); McCaslin, Todd
Cc: Vialle, George
Subject: RE: update on Option 1 distributor Marlex from China

Todd/Mike

Looking good, what is the final cross charge dollar amount we owe

Thks

Charlie

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

From: Smith, Charles
Sent: Friday, October 14, 2011 7:48 AM
To: Zhao, Ying (STP)
Cc: McCaslin, Todd
Subject: RE: update on Option 1 distributor Marlex from China

We just received external data summary late yesterday, we have internal technical team working on our review/report later today.

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

From: Zhao, Ying (STP)

Sent: Friday, October 14, 2011 5:30 AM
To: Smith, Charles
Cc: McCaslin, Todd
Subject: RE: update on Option 1 distributor Marlex from China

Hi, Todd and Charlie:

Pls let me know once the report is out. Hope it is the right material. Thanks.

Best Regards,
Michael Zhao

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

From: Smith, Charles
Sent: Wednesday, September 28, 2011 6:00 PM
To: Zhao, Ying (STP); McCaslin, Todd
Cc: Charest, Ann; Podmore, Adrienne; Vialle, George; du Halgouet, Tanguy
Subject: RE: update on Option 1 distributor Marlex from China

Mike

Thks

Todd

Have you had any luck on lot number or certification?

Sent from my Verizon Wireless Phone

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

From: Zhao, Ying (STP) <ying.zhao@bsci.com>
Sent: Wednesday, September 28, 2011 3:50 AM
To: Smith, Charles <Charlie.Smith@bsci.com>; McCaslin, Todd <Todd.McCaslin@bsci.com>
Cc: Charest, Ann <Ann.Charest@bsci.com>; Podmore, Adrienne <Adrienne.Podmore@bsci.com>; Vialle, George <George.Vialle@bsci.com>; du Halgouet, Tanguy <HALGOUET@bsci.com>
Subject: RE: update on Option 1 distributor Marlex from China

Hi, Charlie:

The due date of final payment is: 11/15. It seems we have enough time buffer for us to decide after 10/14.
The 15 tons are under control at the distributor.
We have not been able to locate any lot traceability with the distributor.

Best Regards,
Michael Zhao

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

From: Smith, Charles
Sent: Tuesday, September 27, 2011 3:45 AM
To: Zhao, Ying (STP); McCaslin, Todd
Cc: Charest, Ann; Podmore, Adrienne; Vialle, George; du Halgouet, Tanguy
Subject: RE: update on Option 1 distributor Marlex from China

Mike/Todd

Equivalency Testing in progress, results by OCT 14.
We have update in PIB this coming Thursday AM.
Just want to confirm the date for final payment of the 30K lbs. still in china and the amount still due.

Thks

Charlie

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

From: Smith, Charles
Sent: Wednesday, August 31, 2011 9:36 AM
To: Zhao, Ying (STP); McCaslin, Todd
Cc: Charest, Ann; Horton, Peter; Vialle, George
Subject: RE: update on Option 1 distributor Marlex from China

Mike

Thks.

Charlie

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

From: Zhao, Ying (STP)
Sent: Wednesday, August 31, 2011 9:30 AM
To: Smith, Charles; McCaslin, Todd
Cc: Charest, Ann; Horton, Peter; Vialle, George
Subject: RE: update on Option 1 distributor Marlex from China

Charlie and Todd:

I have asked the distributor today. He will try to trace it as much as he can. He will let me know if he can find anything related to the lot traceability.
He confirmed me again on the lot #, they all are from the same lot.
Will let you know if I hear anything.

Regards,
Michael

From: Smith, Charles
Sent: Tuesday, August 30, 2011 10:41 AM
To: Zhao, Ying (STP); McCaslin, Todd
Cc: Charest, Ann; Horton, Peter; Vialle, George
Subject: RE: update on Option 1 distributor Marlex from China

Ok. thks.

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

From: Zhao, Ying (STP)
Sent: Tuesday, August 30, 2011 11:33 AM
To: Smith, Charles; McCaslin, Todd
Cc: Charest, Ann; Horton, Peter; Vialle, George
Subject: RE: update on Option 1 distributor Marlex from China

Hi, Charlie:

That is 15 tons, 15,000 kgs, 600 bags (25 kg/bag). Same bag as those you already received. They are from the same lot. I asked the distributor this question many times and he assured me on this. I think we can trust him based on what he has provided us so far.

Regards,
Michael

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

From: Smith, Charles
Sent: Tuesday, August 30, 2011 11:26 PM
To: Zhao, Ying (STP); McCaslin, Todd
Cc: Charest, Ann; Horton, Peter; Vialle, George
Subject: RE: update on Option 1 distributor Marlex from China

Mike

Can you confirm actual amount and that it is in bags, and same lot#.

Thks

Charlie

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

From: Zhao, Ying (STP)
Sent: Tuesday, August 30, 2011 11:22 AM
To: McCaslin, Todd
Cc: Smith, Charles; Charest, Ann; Horton, Peter; Vialle, George
Subject: RE: update on Option 1 distributor Marlex from China

Hi, Todd:

I am doing fine, thanks. Will start another traveling from this Friday. Hope you are doing well.

We have paid 40% of the payment and got the 15 tons locked in. The distributor has the material, and will hold on it for 2 months and a half while we perform testing. We are in good shape on this one.
I will talk to the distributor more tomorrow. Will keep you posted.

Thanks,
Michael

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

From: McCaslin, Todd
Sent: Tuesday, August 30, 2011 11:12 PM
To: Zhao, Ying (STP)
Cc: Smith, Charles; Charest, Ann; Horton, Peter; Vialle, George
Subject: RE: update on Option 1 distributor Marlex from China

Michael,
Hi Hope you are doing well.

I have a few questions...

- 1) Could you please let us know what the status of the payment and lock in of the 15 tons of material
- 2) We are still having difficulty tracing the lot # that was on the bag back to Phillips Sumika. Could you continue to work with the Broker to try and determine the chain of custody this material has had since

being produced at Phillips. Where did the broker we bought from get the material and could we talk to them (do they have paperwork?). We need to try to keep tracking this to provide an answer to QA. We are anticipating a lot of questions from our QA group.

Thanks
Todd

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

From: Zhao, Ying (STP)
Sent: Monday, August 22, 2011 12:41 AM
To: Smith, Charles; McCaslin, Todd; Charest, Ann; Horton, Peter; Cuddy, Christopher; Ciulla, Ron
Subject: RE: update on Option 1 distributor Marlex from China

hi, Charlie:

The 2 tons material has been shipped out of Hong Kong on 8/21. They should arrive in U.S. by Monday your time.

This material is likely the right material, from our Option 1 distributor. Let me know once you get it.
Attached please find the shipping info.

Regards,
Michael

From: Smith, Charles
Sent: Friday, August 19, 2011 4:40 AM
To: Zhao, Ying (STP); McCaslin, Todd; Charest, Ann; Horton, Peter; Cuddy, Christopher; Ciulla, Ron
Cc: Batz, Helge (STP); Raneri, Joe; Intoccia, Al; Wheeler, Mitch; Vialle, George; Kelly, Mike (Marlboro); Pedersen, John
Subject: RE: update on Option 1 distributor Marlex from China

Mike

If you feel this is best, will follow your judgment.

Thks

charlie

Sent from my Verizon Wireless Phone

From: Zhao, Ying (STP) <ying.zhao@bsci.com>
Sent: Thursday, August 18, 2011 11:12 PM
To: Smith, Charles <Charlie.Smith@bsci.com>; McCaslin, Todd <Todd.McCaslin@bsci.com>; Charest, Ann <Ann.Charest@bsci.com>; Horton, Peter <Peter.Horton@bsci.com>; Cuddy, Christopher <Christopher.Cuddy@bsci.com>; Ciulla, Ron <Ron.Ciulla@bsci.com>
Cc: Batz, Helge (STP) <helge.batz@bsci.com>; Raneri, Joe <Joe.Raneri@bsci.com>; Intoccia, Al <Al.Intoccia@bsci.com>; Wheeler, Mitch <Mitch.Wheeler@bsci.com>; Vialle, George <George.Vialle@bsci.com>; Kelly, Mike (Marlboro) <Mike.Kelly@bsci.com>; Pedersen, John <John.Pedersen@bsci.com>
Subject: RE: update on Option 1 distributor Marlex from China

hi, Charlie:

I understand your concern.

But everything has been arranged, it involved multiple parties. Nothing is simple when you deal with China's custom/export. I think one bag is faster, but not that much, they will go through same procedure and flight. Just in case we don't cause confusion to other parties, can we stay with the current plan?

Thanks,

Best Regards,
Michael Zhao

From: Smith, Charles
Sent: Friday, August 19, 2011 10:04 AM
To: Zhao, Ying (STP); McCaslin, Todd; Charest, Ann; Horton, Peter; Cuddy, Christopher; Ciulla, Ron
Cc: Batz, Helge (STP); Raneri, Joe; Intoccia, Al; Wheeler, Mitch; Vialle, George; Kelly, Mike (Marlboro); Pedersen, John
Subject: RE: update on Option 1 distributor Marlex from China

Ok

Can you air one bag today separate as it should get here quicker than the whole lot?

thks

Sent from my Verizon Wireless Phone

From: Zhao, Ying (STP) <yting.zhao@bsci.com>
Sent: Thursday, August 18, 2011 9:45 PM
To: Smith, Charles <Charlie.Smith@bsci.com>; McCaslin, Todd <Todd.McCaslin@bsci.com>; Charest, Ann <Ann.Charest@bsci.com>; Horton, Peter <Peter.Horton@bsci.com>; Cuddy, Christopher <Christopher.Cuddy@bsci.com>; Ciulla, Ron <Ron.Ciulla@bsci.com>
Cc: Batz, Helge (STP) <helge.batz@bsci.com>; Raneri, Joe <Joe.Raneri@bsci.com>; Intoccia, Al <Al.Intoccia@bsci.com>; Wheeler, Mitch <Mitch.Wheeler@bsci.com>; Vialle, George <George.Vialle@bsci.com>; Kelly, Mike (Marlboro) <Mike.Kelly@bsci.com>; Pedersen, John <John.Pedersen@bsci.com>
Subject: RE: update on Option 1 distributor Marlex from China

hi, Charlie:

The bag you received is from our Option 2 distributor. We decided to source from 2 distributors in parallel to increase our chance, one with higher risk, one with lower risk. The one just arrived at your place is from the higher risk distributor. Based on what I saw here, I was not confident on this material, but you guys decided to get some samples, so we went ahead and bought a bag for you to test out. Seems this is not the material we are looking for. We may not pursue more on this one then.

The 2 tons we are about to pick up today are from Option 1 distributor. The pictures I sent you are from this material, I have high confidence on this material. We are working on locking in another 15 tons of the same material, same lot.

I believe we are on the right path. Please let me know if you have any question or concern.

Best Regards,
Michael Zhao

From: Smith, Charles
Sent: Friday, August 19, 2011 4:33 AM
To: McCaslin, Todd; Zhao, Ying (STP); Charest, Ann; Horton, Peter; Cuddy, Christopher; Ciulla, Ron

Cc: Batz, Helge (STP); Raneri, Joe; Intoccia, Al; Wheeler, Mitch; Vialle, George; Kelly, Mike (Marlboro); Pedersen, John
Subject: RE: update on Option 1 distributor Marlex from China
Importance: High

Mike

bag is here, doesn't match pictures from your end? see attached of bag that arrived.

thks

Charlie

From: Smith, Charles
Sent: Monday, August 15, 2011 10:29 AM
To: McCaslin, Todd; Zhao, Ying (STP); Charest, Ann; Horton, Peter; Cuddy, Christopher; Ciulla, Ron
Cc: Batz, Helge (STP); Raneri, Joe; Intoccia, Al; Wheeler, Mitch; Vialle, George; Kelly, Mike (Marlboro); Pedersen, John
Subject: RE: update on Option 1 distributor Marlex from China
Importance: High

Ann/Mike/Todd

1. These pictures look great. If these bags are not open, then we have some leverage with Part/Lot# that are on them.

We had been discussing that we had a railroad car situation and that material had been packaged by someone other than Phillips.

2. I need to work with George/Mike so we had a place to put this into HOLD here.
3. How much more can we get if it looks like this??

thks

Charlie

From: McCaslin, Todd
Sent: Monday, August 15, 2011 10:07 AM
To: Zhao, Ying (STP); Charest, Ann; Ciulla, Ron; Smith, Charles
Cc: Batz, Helge (STP)
Subject: RE: update on Option 1 distributor

Michael,
If you could try to push a bit on getting the C of A this would be a big help. Is there anything else he needs to get these?

Could we get a list of the manufacturing lot #'s that are in the 2 tons? Maybe we can get them from another source...

Thanks!

Todd McCaslin
Global Sourcing Director
Boston Scientific Corporation

(508) 650-8337
mccaslit@bsci.com<mailto:mccaslit@bsci.com>
██████████ (cell)

From: Zhao, Ying (STP)
Sent: Monday, August 15, 2011 9:59 AM
To: McCaslin, Todd; Charest, Ann; Ciulla, Ron; Smith, Charles
Cc: Batz, Helge (STP)
Subject: RE: update on Option 1 distributor

Todd:

These 4000 lbs are locked in, we have paid, they are ours, physically in the distributor's office right now, he just received, I have checked on site.

So I will work with the shipping company tomorrow and arrange to ship all of them out to Charlie ASAP.

Please let me know if you have any question or concern.

Regards,
Michael

From: McCaslin, Todd
Sent: Monday, August 15, 2011 9:55 PM
To: Zhao, Ying (STP); Charest, Ann; Ciulla, Ron; Smith, Charles
Cc: Batz, Helge (STP)
Subject: RE: update on Option 1 distributor

We need to lock in all 4000 lbs right away. How do we get payment to insure this is reserved for us? We can decide on how to ship after we get control of it.

We need to work on getting the C of A. Ann, is this something AK plastics may have a path to get for us based upon the lot #'s?

Todd McCaslin
Global Sourcing Director
Boston Scientific Corporation
(508) 650-8337
mccaslit@bsci.com<mailto:mccaslit@bsci.com>
██████████ (cell)

From: Zhao, Ying (STP)
Sent: Monday, August 15, 2011 9:46 AM
To: Charest, Ann; Ciulla, Ron; Smith, Charles; McCaslin, Todd
Cc: Batz, Helge (STP)
Subject: update on Option 1 distributor

hi, Guys:

I have checked the stock our Option 1 distributor just brought in. It seems the right material. Please see the pictures attached. It was produced in Texas, it is Phillips Sumika, and it's HGX-030-01. He is trying to find CoA, but has not been successful so far.

Our original plan is to get 2 bags first, test them before we get the rest of 2 tons.

But now I feel we have high confidence of this material, please let me know if we should just ship all 2 tons at the same time. I am personally more confident on this material than the one I got from the Option 2 distributor.

We can pick them up at any time, we have 2 tons right here ready.

Regards,
Michael Zhao