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Seventh Floor — Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101-6026
(702) 385-4202**

MESSAGE FROM XEROX 7024: (702) 385-1655

DATE: July 16, 1993

TO: John H. Kim, Esq.

FAX #: (713) 654-5070

PHONE #: (713) 654-4433

FROM: Paul E. Merrell

CLIENT/MATTER: Nevada Power v. Monsanto

CLIENT/MATTER NO.: 11927.2

DOCUMENT(S) DESCRIPTION:

NUMBER OF PAGES (including cover page): 10

MESSAGE:

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July 1993						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7	8 PEM call John Tatlock regarding Zornes deposition.	9 9:00 Conference call w/ Tatlock re: authentication Status report to Chuck McCrea for 7/13 meeting File M/Compel inspection of property Follow-up with Sue Fogelboch if haven't heard back from her about getting an affidavit from Zorne's doctor.	10

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July 1993						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
11	12	13 Phone conference with Tatlock re Kelly, Zornes, Brown video on Hazards; 30(b)(6) on reliance; authentication of 150 documents; set time to discuss privilege log; stipulate or protective order; get doctor's note or ??; PEM discuss with Tatlock Monsanto's 30(b)(6) dep requesting everything PEM to get extension on M/amend GE & WEC must serve supplement to Privilege log GE must inform Nevada Power which 15 of the remaining 30 interrogatories it wants us to answer. Defa. response to m/compel inspection of property due by 4:00 Decide experts with Hinckley	14 4:00 Phone conference with Leavitt & Counsel	15 Connecticut GE 30(b)(6) dep re: document retention dep re: "trade associations" PEM to call Joe Yost (202) 508-5104 re: EEI deposition 7/22 PEM to discuss with Tatlock Monsanto's 30(b)(6) dep. requesting everything PEM to make set-up calls on M/compel on stat. of lim. interrogatories PEM to make set-up calls on m/compel on damages Strategy with DNM, RJS, BJB & PEM on Motions to compel on 24 discovery responses	16 Connecticut GE 30(b)(6) dep re: hazards GE dep John Brown Dep James H. Zornes 1:30 LV - VACATED/TO BE RESCHEDULED RJS attempting to submit authentication responses to Defa Monsanto's 30(b)(6) dep requesting everything - VACATED/TO BE RESCHEDULED Choose 150 documents from 300 interros	17 Receive documents from Konrad Cailteux including Bickerstaff deposition & his dep. from insurance litigation; docs WEC has waived privilege appended to Ex. 1212. WEC located docs referenced in our Op. to WEC m/Portective Order; will be shipped today or brought to deposition (check with DAVID SCHALK for these documents) WEC PMK dep/ 1st cut re scope of deposition
		9:00 Deposition of Matteucci 1:30 Deposition of McCarthy				

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July 1993						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
18	19 Review Defs. respond to NPC on privilege log Follow up with David McCreary: responding to 15 interrogatories File motion to retake GE depositions Defendants respond to Pl. 6/23 m/limine or production of documents re scrap or salvage value	20 Nevada Power must respond to 15 interrogatories selected by GE.	21 Check for Sue Fogelboch's response to Tatlock's letter re documents promised at Matteucci, Whisler and Diehl's depositions	22 Pl. reply to MSI on comp damages due	23 Last day for NP to take fact witness and authentication depositions D/L Submit authentication responses to Defs Documents available for Monsanto dioxin deposition	24
St. Louis Monsanto Depositions						
			Depo of NP's person in response to Roga #10 & 11	WEC Edison Electric Institute 30(b)(6) deposition of Joe Yost Depo of NP's person in response to Interrogatory #27		
25	26 Respond to Tatlock's 7/12/93 letter re: Documents promised at Matteucci, Whisler and Diehl's depositions	27	28 Pl. reply to Defendants' response to Motion to Amend	29 Defs. response due to Pl. M/Compel WEC to provide adequate responses	30 NP 26(b)(4) - expert witness disclosure with expected testimony Exhibit numbers on Defs documents	31
	Audra out of the office					
					Defense depositions of Plaintiff's experts commence	

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August 1993						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
Defense depositions of Plaintiff's experts						
8	9	10	11	12	13	14
					Joe & Deb out of town	
Defense depositions of Plaintiff's experts						
15	16	17	18	19	20	21
Joe & Deb out of town						
Defense depositions of Plaintiff's experts						
22	23	24	25	26	27 Def's disclose their experts and expected testimony	28
					Joe & Deb out of town	
					Plaintiffs commence deposing defense experts	
29	30	31				
Joe & Deb out of town						

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September 1993						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17 End of Discovery	18
19	20	21	22	23	24	25
26	27	28	29	30		



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Document/ Project	Initiated		Assigned to	Date Due	Review date	Suspense file number	Def. response due	Project Complete
	Date	By whom?						
PEM call John Tatlock regarding Zorne's deposition; stipulate or protective order; get doctor's note or ??.	7/8/93 7/13		PEM PEM	7/8/93 7/13/93	7/9/93 Follow-up with Sue Fogelboch if haven't heard back from her about getting an affidavit from Zorne's doctor.		7/13 Waiting for response from Tatlock	
Motion for reconsideration of order re: GE's exceed # interrogatories	check date of order		DNM/PEM					
Nevada Power must respond to 15 interrogatories selected by GE.	7/8/93		PEM/DNM	7/20/93				
PEM & Tatlock discuss Defs resp. to Pl's r/Admit & one never responded to (no ruling) Monsanto's 30(b)(6) notice to NVP			PEM	7/9/93 @ 9:00 a.m. 7/14/93 @ 8:00 p.m.				
Reply to Defs. response to m/and			PEM/DES/ RJS/DNM BJB to pull Defs. cites	7/13/93 7/28/93	BJB call Ann Dane & get dates and copy of stip./received 7/15/93.		none	
Reply to m/ Reconsideration (#372 (Ct 376); defs 395 & 398	6/29/93		DNM/PEM	7/14/93				
Motion re: Monsanto's 30(b)(6) dep requesting everything; PEM discuss with Tatlock	7/6/93		PEM/DNM	7/16/93 9:00 a.m. (Monsanto)	7/14/93 @ 8:00 p.m.			
Motion to compel on damages; review damage calculations			DNM/PEM	Discuss with expert when retained	Paul to make set-up calls. Deb review our contention interrogatories - what did we ask for?			
Motion for Summary Judgment on amount of comp damages	6/23/93 7/8/93	Defs		7/22/93 Pl. reply due			7/8	
Motion to compel on statute of limitations interroga				Discuss with Tatlock on 7/14	Paul to make set-up calls by 7/15.			
Plan for motions to compel on 24 discovery responses	PEM to meet with DNM, RJS and BJB Thursday morning 7/15/93 to plan strategy.							
Motion in Limine; ITA production of docs re scrap or age value	6/23/93						7/8 Stipulated extension to 7/19	
Choose 150 documents from 300 interroga	7/9/93		RJS	7/16				

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	Date	By whom?						
Exhibit numbers on Defendants' documents	7/9/93		RJS/HCD?	7/30/93				
Authenticate Defs. documents			RJS	7/23/93				
Documents for GE and WEC depositions	7/9/93		EVG/RJS	ongoing				
Documents for Monsanto dioxin deposition			RJS/EVG/ HCD	7/23/93				
Summarize documents in 900,000 series			Joe	ongoing				
Review Defendants' fact list for any additional depositions needed; identify any new witnesses			DNM/HCD	7/14/93 reschedule deadline				
Respond to Tatlock's letter re: Documents promised at Matteucci, Whisler and Diehl's depositions	7/12/93	RJS	PEM/BJB	7/26/93	7/21/93 (Referred to Sue Fogelboch)			
Defendants get back to NPC on v. log				7/19/93				
Pl. M/Compel WEC to provide adequate responses	7/14/93	DNM					7/29/93	
Need to do motion for protective order based on the objections at the Matteucci deposition -- notice that we will do full protective order within 5 days of receipt of transcript.	7/13/93		DNM		7/15/93			
Reply motion to reconsider magistrates order of May 17			DNM					
Review transcript of Dr. Kelly in Brown v. Monsanto; will we accept?	7/15/93	Featherstone						

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	Date	By whom?						
GE's deposition of Fluor Power Services, Inc. 30(B)(6)			D. McCrea	7/23/93 @ 10:00 a.m. Chicago				
Deposition of NP's person in response to Interrogatories #10 & 11				7/21/93				
Deposition of NP's person in response to Interrogatory #27				7/22/93				
WEC Edison Electric Institute 30(b)(6) deposition Joe Yost identified as witness			D. McCrea ?Where?	7/22/93				
Discovery schedule deadlines								

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Document/ Project	Initiated		Assigned to	Date Due	Review date	Suspense file number	Def. response due	Project Complete
	Date	By whom?						
Pl. reply to (#362) cross-motion for P/O re GE's m/ to exceed # of interrogatories				7/8/93				7/8/93
Protective order on Matteucci and McCarthy depositions			PEM?					moot
Deposition of Matteucci Check fact witness summaries for what they might be trying to get from deponent	7/6/93			7/13/93 @ 9:00 a.m.				7/13/93
Deposition of McCarthy Check fact witness summaries for what they might be trying to get from deponent	7/6/93			7/13/93 @ 1:30 p.m.				7/13/93
Review NP discovery requests re: Bair, Bickerstaff, WEC objections	7/9/93		DS, DNM	7/12/93				7/14/93
Experts - decide with Hinckley and trial attorney			CM/RJS	7/13/93				7/14/93
M/ Compel inspection of perty	7/1/93		PEM/DS	7/9/93			7/13/93 @ 4:00	7/14/93
none Conference with Leavitt and Counsel; Hearing	7/9/93			7/14/93 @ 4:00				

Other things to do:

Suspense file numbers

Compare 3 defendants' contentions

Defendant fact witness list

Summarize NVP production

Review damages calculations and decide what to do

Summarize remaining exhibits in 777-990 range (HCD has list)