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July 20, 1993

VIA TELEFAX

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New York, New York 10153

Re: Nevada Power Company v. Monsanto Company, et al.
USDC, District of Nevada, Case CV-S-89-555-LDG-LRL

Dear Counsel:

This morning, Judge Leavitt ordered that Nevada Power coordinate the preparation of a master stipulated order regarding events otherwise subject to the July 23 fact deposition deadline. The Magistrate indicated that he will be out of town all next week, so I believe it is necessary that we complete this project in time to get the stipulated order to him by Friday. To do that, we all should be working on it now.

I suggest that we use the attached draft stipulation as our model. If you have any problems with the draft language, please advise me. The names that are presently included un Paragraph A and B will actually move to the under discussion section for the first draft.

If you would each fax me the names or descriptions of deponents you want included, we will add them to the under discussion section and call you to confirm our belief as to which of Paragraphs A and B they should be located under.

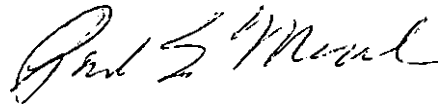
All Defense Counsel
July 20, 1993
Page 2

We will be circulating revised drafts frequently over the next few days. Each draft will be marked with the date and time it was generated, to reduce the confusion levels.

I look forward to working with you on this project, but urge your prompt attention so that it can be completed and the order signed on Friday.

Sincerely,

BRADLEY & MERRELL

A handwritten signature in cursive script, appearing to read "Paul E. Merrell".

PAUL E. MERRELL
Coordinating Attorney

PEM:dd

cc: John Kim, Esq.
Ralph Bradley, Esq.
David McCrea, Esq.
Charles McCrea, Esq.
Fred Baron, Esq.

evglcorlcounsel.101

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 NEVADA POWER COMPANY, etc.,)
4 Plaintiff,)
5 vs.)
6 MONSANTO COMPANY, etc., et al.,)
7 Defendants.)

CASE CV-S-89-555-LDG (LRL)

STIPULATED ORDER

JULY 20, 1993 2 P.M. DRAFT

DRAFT

8
9 All parties to this action, through undersigned counsel, agree
10 and stipulate that certain depositions noticed by the parties prior
11 to July 23 either should occur or require further discussion among
12 the parties:

13 A. The following depositions should be allowed to be taken
14 following the July 23, 1993 fact deposition deadline. The parties
15 should be instructed to meet and confer in good faith regarding the
16 dates for the depositions.

- 17 1. Ron Lawrence, previously noticed by Nevada Power
18 Company.
19 2. Raymond Paschke, previously noticed by Nevada Power
20 Company.
21 3. Roger Wills, previously noticed by Nevada Power
22 Company.
23 4. Robert Don McClain, previously noticed by Nevada Power
24 Company.

25 B. As to the following depositions, the parties have not
26 agreed that they should be taken, are negotiating in good faith, but
27 reserve the right to move for protective orders at a later time. The
28 parties agree that the fact such depositions were not taken on or

1 before July 23, 1993 should not be considered by the Court in ruling
2 on such motions for protective orders. The parties should be
3 instructed to meet and confer in good faith regarding the need for
4 and/or dates of the depositions.

5 1. Dr. Emmett Kelly, previously noticed by Nevada Power
6 Company.

7 2. Manny Neal, previously noticed by Nevada Power
8 Company.

9 UNDER DISCUSSION FOR INCLUSION IN STIP

10 1. Jane Doe, previously noticed by plaintiff John Doe.
11

12 DATED: July __, 1993

BRADLEY & MERRELL
RALPH A. BRADLEY
PAUL E. MERRELL

15 By:

16 PAUL E. MERRELL
Coordinating Attorney
BRADLEY & MERRELL
17 c/o JONES, JONES, CLOSE & BROWN
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18 Las Vegas, Nevada 89101
(702) 385-4202

19 Attorneys for Plaintiff
20 NEVADA POWER COMPANY, a Nevada
21 corporation

22 DATED: July __, 1993

23 THORNDAL, BACKUS, MAUPIN &
ARMSTRONG

25 By:

26 JOHN L. THORNDAL
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Attorneys for Defendants
MONSANTO COMPANY and
WESTINGHOUSE ELECTRIC CORPORATION

DATED: July __, 1993

ALVERSON, TAYLOR, MORTENSEN
& NELSON

By: _____

J. BRUCE ALVERSON
ALVERSON, TAYLOR, MORTENSEN
& NELSON
3821 W. Charleston Blvd.
Las Vegas, Nevada 89102
(702) 384-7000

Attorneys for Defendant
GENERAL ELECTRIC COMPANY

IT IS SO ORDERED.

Magistrate Judge
United States District Court

DATED: _____

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MESSAGE FROM XEROX 7024: (702) 385-1655

DATE: July 20, 1993

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TO: Arvin Maskin, Esq.	FAX #: (212) 310-8007 OR
	(212) 735-4657
	PHONE #: (212) 310-8000

FROM: Paul E. Merrell, Esq.

MATTER/MATTER NO.: Nevada Power v. Monsanto, et al., #11927.2

July 20 DOCUMENT(S) DESCRIPTION: Plaintiff's order re: stipulated order regarding July 23 fact deposition deadline, attached draft stipulation

NUMBER OF PAGES (including cover page): Six (6)

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