

Telephone: (702) 385-4202

BRADLEY & MERRELL

Fax: (702) 385-1655

c/o Jones, Jones, Close & Brown
300 South Fourth Street, Seventh Floor
Las Vegas, Nevada 89101-6026

August 2, 1993

Hon. Lawrence R. Leavitt
United States Magistrate Judge
United States District Court,
District of Nevada
Las Vegas, Nevada 89101

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

Dear Judge Leavitt:

Rather than complying with your second order to produce its attorneys' investigation into the alleged destruction of evidence, Westinghouse has filed a motion for clarification. I am unavoidably out of town today but would appreciate an opportunity to respond prior to your ruling.

I would therefore appreciate an opportunity to submit a short response brief tomorrow afternoon, Tuesday, August 3, 1993.

Sincerely,

BRADLEY & MERRELL


for PAUL E. MERRELL
Coordinating Attorney

(dictated but not read)

cc: John Thorndal, Esq.
J. Bruce Alverson, Esq.
Bruce A. Featherstone, Esq.
Arvin Maskin, Esq.
Steven R. Kuney, Esq.
Michael T. Gallagher, Esq.

PEM:bjb

waive any default.

10. This Agreement may be executed in one or more counterparts which, when executed and delivered, shall collectively comprise the Agreement of the parties.

FISHER, GALLAGHER & LEWIS, P.P.C. JONES, JONES, CLOSE & BROWN,
CHARTERED

By _____

BRADLEY & MERRELL

By Paul S. Merrell

By Charles H. McCrea, Jr.

MCCREA & MCCREA

By _____