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November 8, 1989

HAND DELIVERED

J. Randall Jones, Esq.
Jones, Jones, Close
& Brown, Chartered
700 Valley Bank Plaza
300 South Fourth Street
Las Vegas, NV 89101-6026

Re: Nevada Power Company v. Monsanto, GE & Westinghouse
Case CV-S-89-555-LDG LRL

Dear Randall:

Delivered by Receipt of Copy on November 6, 1989, was defendants' Notice to Take Depositions in accordance with the schedule which I discussed with you in our telephone conversation of that day. It is my understanding, from our telephone conversation, that you are personally available to attend depositions during both of these two weeks, if necessary. In discussing these depositions with you I pointed out that Authur Pearson and Conrad Ryan are both former employees of Nevada Power Company and inquired whether you would be willing to produce them for their depositions without a subpoena, or alternatively, whether you would provide me with their last known addresses at your earliest convenience so I may arrange to have them subpoenaed. Mr. Matteucci indicated he believed both gentlemen received company pensions, and that the Human Relations Department of the Company should therefore have their current addresses.

During our conference call on Monday you indicated you did not believe there would be any problems going forward with the depositions on the dates I indicated. John Thorndal and I specifically addressed with you the issue of whether you intended to take the position that Mr. Kotoske is the only attorney who will be involved in depositions in this case, and that all depositions have to therefore be arranged around his schedule. As I indicated, we have already agreed not to begin taking depositions until November 27 because of the volume of documents which have

RECEIVED JJC & B
JRJ
DATE 11/8/89

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been produced, your agreement to produce supplemental responses to discovery requests as documented in my letter of October 25, 1989, and the court's order establishing the discovery cut-off period and briefing schedule. You indicated that although Mr. Kotoske might want to be present at the depositions of Mr. Fabbi and Mr. McCarthy you did not believe this was going to be a problem and reconfirmed that these dates were available on your schedule if it was determined you were going to be attending these on behalf of Nevada Power Company.

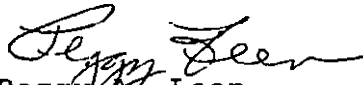
This letter will also confirm our mutual agreement that, pursuant to Judge George's Order, the defendants' discovery responses (Answers to Interrogatories and Response to Requests for Admissions) are due November 17, 1989, rather than 30 days from the date of service, which would have made them due November 9, 1989. You agreed to sign a stipulation acknowledging that the response date is November 17, and attached to this letter is such a stipulation.

Following our telephone conversation on Monday I received a call from Mr. Kotoske who indicated he would be handling all matters related to discovery from this point forward, and that all such matters should be referred directly to him. He requested that I place him on the service list with respect to all future pleadings and correspondence, and I agreed to accommodate him in this regard. However, Rule 120(d) of the Local Rules of Practice requires that local counsel be authorized to sign binding stipulations. We are on an expedited discovery schedule limited to statute of limitations related issues as a result of a stipulation of the parties and the Order entered by Judge George pursuant to that stipulation. Additionally, your office has been involved in extensive discussions concerning the adequacy of your client's responses to the defendants' discovery requests. We have had numerous telephone conferences discussing the adequacy of these responses, and have sent at least three letters outlining our discovery dispute. We have reached agreements with you and Nic Skrinjaric with respect to responding further to these discovery requests, and those agreements were most recently documented in my letter dated October 25, 1989, to Nic Skrinjaric. As I advised Mr. Kotoske, I do not intend to reinvent the wheel here and to renegotiate discovery dispute resolutions arrived at between our offices. I expect that those agreements will be honored, or we will soon find ourselves before the Magistrate again. If Mr. Kotoske intends to renege on agreements reached by your office, this issue will be promptly addressed with the Magistrate, and I will be contacting you very shortly to arrange a conference with the Magistrate on this issue.

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In this regard, I received a telephone call from Gary Foremaster of your office yesterday afternoon. Mr. Foremaster indicated he had been requested by Mr. Skrinjaric to call me to advise me we would not be receiving supplemental reponses to discovery as agreed upon and documented in my October 25, 1989 letter to Nic, although we would be receiving them today. It is now 3:30 p.m. and I have neither received the supplemental responses nor heard from Mr. Skrinjaric. Please advise immediately concerning the status of this matter or I will have no alternative but to contact Magistrate Leavitt for a prompt hearing.

Respectfully,


Peggy A. Leen

PAL/ad
Enc. Stipulation
cc: Thomas Kotoske
J. Bruce Alverson - Hand Delivered
Bruce A. Featherstone
Jeffrey S. Klein