

ALVERSON, TAYLOR, MORTENSEN & NELSON

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May 28, 1992

HAND DELIVERED

J. Randall Jones, Esq.
JONES, JONES, CLOSE & BROWN, CHTD.
300 So. Fourth St., #700
Las Vegas, NV 89101

Re: General Electric adv. Nevada Power
Our File No. 5025

Dear Mr. Jones:

Now that the Ninth Circuit has remanded the above-referenced matter, we need for your client to more fully respond to the first set of ~~Interrogatories and Request to Produce Documents which General Electric Company has propounded.~~ Each of the discovery requests requiring supplementation will be considered in turn.

Concerning ~~the first Interrogatory~~, General Electric is entitled to the actual information requested. Your response merely refers to Exhibits 1 through 115, which contain over 12,000 pages of documents. The "PCB equipment" manufactured by General Electric is at the heart of the instant litigation and General Electric is certainly entitled to an answer under oath by your client to disclosing each and every item rather than referring to over 12,000 pages of document. Your response simply does not inform General Electric with sufficient specificity as to the actual equipment which you claim is involved in this litigation as required by F.R.C.P. 33(c). Also, your office improperly transcribed ~~Interrogatory 2~~ to refer to Westinghouse when the Interrogatory itself refers to General Electric. The same mistake was made in ~~Interrogatories 3 and 4~~.

RECEIVED JC & B
JRJ
DATE 5/29/92

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With respect to ~~Interrogatory 2~~ subpart (a), this Interrogatory is not vague and ambiguous. The PCB equipment referenced in this Interrogatory should include information about contracts or agreements concerning your client's purchase of this equipment. This Interrogatory also requests information concerning all selling policies which Nevada Power may have with regards to purchasing this type of equipment. In other words, these policies would include who at Nevada Power is responsible for making the purchase, who has to approve the purchase, from whom in the organization can the request to purchase this type of equipment originate, how and where is the equipment received, who is responsible at Nevada Power for determining whether or not the equipment would be economically feasible, and similar information.

With respect to ~~Interrogatory 2~~ (b), your answer needs to be supplemented to disclose whether any additional efforts have been made to locate equipment with a warning or caution label or decal.

With respect to ~~Interrogatory 2~~ (c), this information also needs to be disclosed since this is presumably the origin for most of your claims for damages. General Electric is entitled to have the exact figures provided to them rather than having us refer to a large amount of documents from which we cannot be assured from you that we have located the correct price paid for each unit. You cannot hide your answer in a mountain of documents.

For the reasons stated above, you must supplement your responses to ~~Interrogatory 3~~ (a) and (b). Nevada Power must disclose the actual equipment as well as identify the dates upon which the decision to replace was made and the date of the actual replacement. Reference to a list of documents is insufficient on your part since it leaves the Defendants without the ability to know if the information is either not included or if there are conflicting figures.

Your response to ~~Interrogatory 3~~ (c) also needs to be supplemented in order to describe the expenses for "each item of equipment". In other words, the Interrogatory does not request the total cost, but instead requests a breakdown of the cost for each individual item.

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Your responses to Interrogatories 3 (d), (e), and (f) need to be updated to include the information requested concerning the subsequent change-outs. Also, this portion of Interrogatory 3 would be the appropriate place for you to disclose whether, as of the date of your response, you anticipate any future change-outs of PCB equipment.

With respect to ~~Interrogatory 5~~, this would be an appropriate time to fully respond to this Interrogatory. The limit on the scope of discovery is no longer applicable.

In your Response to Produce Documents 16 and 17, it is appropriate at this time to produce all documents which are not privileged. No limited scope of discovery exists. Production of the documents between the Defendants are not all in the possession of General Electric.

Request to Produce 19 seeks essential information concerning your basis for calculating damages. You cannot hide this crucial aspect of your case among thousands of documents; otherwise, it is impossible for General Electric to actually know upon which documents your calculations were based.

Request to Produce 20 should be compiled at this time. For Request to Produce 21, there is no longer a limited scope of discovery. Both of these requests for documents should have already been produced.

You need to specify each document which you have or will claim is relevant to your fraud and failure to warn causes of action from Requests Number 23. This will demonstrate which documents you believe contain representations by the Defendants which are relevant to the allegations from your pleadings.

The necessary responses should be provided to this office on or before June 30, 1992. If you require any additional information or clarification in order to supplement your responses, please contact me at your

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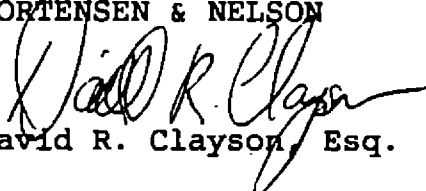
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earliest convenience so that no delays will be necessary in providing your responses.

Very truly yours,

ALVERSON, TAYLOR,
MORTENSEN & NELSON


David R. Clayson, Esq.

DRC/t

cc: John Thorndal
Bruce Featherstone
Manny Neal