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December 11, 1989

VIA HAND DELIVERY

Peggy A. Leen, Esq.
THORNDAL, BACKUS, MAUPIN
& ARMSTRONG
1100 E. Bridger Avenue
Las Vegas, Nevada 89101

Dear Peggy:

This letter is to memorialize our December 8, 1989 conversation with regards to the Grant Deposition. As I told you that morning, I spoke to Mr. Grant at approximately 6:00 p.m. on December 7, 1989. He related to me that he had only been served on December 6 and would prefer, because of other obligations, to not be deposed on the 8th. I called with this information and you agreed to reschedule Mr. Grant's deposition to 9:00 a.m., Tuesday, December 12, 1989. As a part of the agreement, Mr. Reddaway will be kept on call so that his deposition may be concluded at the end of Mr. Grant's.

With reference to the Grant deposition, you expressed a concern that Mr. Grant may be evading service and consequently would not be present on December 12. I told you that in my conversations with Mr. Grant, which have only been two, I saw no indication of this.

I would like to emphasize that my attempts at contacting Mr. Grant and getting him in the deposition originally scheduled for December 8, 1989, and my efforts in working out a rescheduling are not to be construed as a guarantee that Mr. Grant will be there on December 12. As I have told you repeatedly, my attempts at contacting Mr. Grant and working out

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Peggy A. Leen, E¹.
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the deposition schedule were and are merely an effort at accommodation of everyone's interests. They are not to be construed as an acceptance of responsibility for the actions of non-employees of Nevada Power.

At this juncture another matter need be addressed. At the close of the deposition of Conrad Ryan you asked about a list of equipment involved in this action, including the purchase dates. From this conversation, it appears that you are of the opinion that Nevada Power had agreed to compile such a list. I told you at the deposition and I am repeating it today, that we have not agreed to provide you with a single list of the equipment involved in this action. While you and I have discussed this on several occasions, no agreement had been reached.

As I explained to you some time ago, Mr. Fabbi estimated that compiling such a list would take approximately two months. Because you are in possession of the same Nevada Power Company records that we are, and because this is such an onerous task, we will not be providing you with a list of equipment involved in this action. As far as the Interrogatories are concerned, it is our opinion that the supplemented responses thereto are more than adequate.

Thank you for your attention to this matter.

Sincerely yours,

JONES, JONES, CLOSE
& BROWN, CHARTERED


Nik Skrinjaric

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