

CORRESPONDENCE LOG

DATED	TO	FROM	DESCRIPTION
01/23/89	Mansfield C. Neal, Jr., GE Power Delivery Division	Thomas E. Kotoske	Letter enclosing equipment change-out catalogues (enclosure not attached)
02/02/89	Charles H. McCrea, Sr., Thomas E. Kotoske, David S. McCrea	John L. Thorndal	Letter re: Thorndal, Backus, Maupin & Armstrong being retained by Westinghouse and the lack of merits of the case
03/01/89	John L. Thorndal	Thomas E. Kotoske	Letter responding to Thomas Kotoske's February 2, 1989 letter concerning cases Thorndal, Backus, et al. are handling in the PCB change-out area, requesting Kotoske's response with respect to tolling agreements, confidentiality agreements and good faith negotiations, and stating that if they receive no response from Kotoske, Westinghouse, General Electric and Monsanto will not have any interest in settling this matter short of litigation
04/10/89	Thomas E. Kotoske	Charles H. McCrea, Sr.	Letter enclosing transformer test results received from Nevada Power Company (enclosures not attached)
04/13/89	Mansfield C. Neal, Jr., GE Power Delivery Division	Thomas E. Kotoske	Letter enclosing original March 22, 1989 computer run concerning the PCB transformers changed out by Nevada Power Company
04/21/89	File	Charles H. McCrea, Sr.	Memorandum attaching draft Complaint (no attachment)
04/21/89	Thomas E. Kotoske	Charles H. McCrea, Sr.	Letter enclosing draft complaint and file memorandum setting forth matters with Kotoske requested McCrea to make
04/26/89	File	Charles H. McCrea, Sr.	Memorandum attaching draft Complaint, noting matters to be researched
05/03/89	File	Charles H. McCrea, Sr.	Memo re: Tom Kotoske's meeting with Manny Neal (counsel for General Electric) and discussions of Nevada Power Company's PCB change-outs
05/09/93	Thomas E. Kotoske	Charles H. McCrea, Sr.	Letter enclosing letter from John McCarthy, Nevada Power Company, regarding the costs of changing out PCB filled capacitor banks
05/10/89	John McCarthy, Nevada Power Company	Thomas E. Kotoske	Letter enclosing damage summary

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05/22/89	Mansfield C. Neal, Jr., GE Power Delivery Division	Thomas E. Kotoske	Letter enclosing Nevada Power Company's damage summary generated as a result of its PCB change-out program
05/22/89	Charles H. McCrea, Sr.	Nik Skrinjaric	Memorandum of research into possible claims for relief and potential claims for relief based on strict products liability and warranty
05/23/89	Nik Skrinjaric	Charles H. McCrea, Sr.	Memorandum re: observations on Skrinjaric's 05/22/89 research memorandum
05/23/89	Thomas E. Kotoske	Charles H. McCrea, Sr.	Letter enclosing May 22, 1989 memorandum from Nik Skrinjaric and May 23, 1993 memorandum to Nik Skrinjaric re: claims for relief research
05/26/89	File	Charles H. McCrea, Sr.	Memorandum re: Kotoske's reaction to the research memoranda regarding Memorandum re: Kotoske stating that GE, Westinghouse and Monsanto to hold meeting about Nevada Power case, the forms for claims of relief and statutes of limitations, the complaint, and the demand letter
05/26/89	Thomas E. Kotoske	Charles H. McCrea, Sr.	Letter re: time limit under Nevada law for service of summons
06/06/89	Interested Persons	David McCrea	Memorandum re: malignant melanomas in Bloomington Westinghouse workers caused by PCBs
06/06/89	Charles H. McCrea, Sr.	Thomas E. Kotoske	Letter enclosing overview of complaint causes of action
06/15/89	Nik Skrinjaric	Charles H. McCrea, Sr.	Memorandum re: GE, Westinghouse and Monsanto meeting to discuss Nevada Power case
06/28/89	Thomas E. Kotoske	Charles H. McCrea, Sr.	Letter enclosing draft revised Complaint and stating the claims for relief
06/30/89			Telephone conversation between Charles H. McCrea, Sr. and Tom Kotoske
07/03/89	Charles A. Lenzie, Nevada Power Company	Charles H. McCrea, Sr.	Letter enclosing copy of the proposed Complaint
07/05/89			Telephone conversation between Charles H. McCrea, Sr. and Tom Kotoske: discussion on whether to initiate a class action suit
07/05/89	J. Randall Jones, Nik Skrinjaric	Charles H. McCrea, Sr.	Memorandum enclosing Complaint for filing with the Court on that next Friday

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DATED	TO	FROM	DESCRIPTION
07/05/89	Charles H. McCrea, Sr.	W. E. Littler, Nevada Power Company.	Letter enclosing original Indenture (enclosure not attached)
07/06/89	File	Charles H. McCrea, Sr.	Memorandum re: Nevada Power Company's changes to the proposed Complaint and authorization to file same with the Court
07/07/89	M. Gene Matteucci, Nevada Power Company	Charles H. McCrea, Sr.	Letter enclosing file-stamped copy of the Complaint
07/07/89	Thomas E. Kotoske	Charles H. McCrea, Sr.	Letter enclosing file-stamped copy of the Complaint
07/10/89	Reno-Carson Messenger Service	Nik Skrinjaric	Letter re: service of the Summons and Complaint upon Monsanto, General Electric and Westinghouse
07/11/89	File	Charles H. McCrea, Sr.	Memorandum re: a reporter from the Las Vegas sun requesting copy of the Complaint, and the handling of the media
07/25/89	J. Randall Jones	J. Bruce Alverson	Letter advising that Alverson, Taylor & Mortensen has been retained to represent General Electric Company in this case
07/26/89	J. Randall Jones	J. Bruce Alverson	Letter advising that Alverson, Taylor & Mortensen has been retained as local counsel to represent Monsanto Company and that Bruce Featherstone of Kirkland & Ellis will also be representing Monsanto
07/31/89	Thomas E. Kotoske and David S. McCrea	Charles H. McCrea, Sr.	Letter enclosing copy of an article which appeared in the Business Section of the Las Vegas Sun on Sunday, July 30, 1989 (enclosure not attached)
08/01/89	Thomas E. Kotoske	J. Randall Jones	Letter enclosing Notice of Removal (enclosure not attached)
08/01/89	Bruce Featherstone	Nik Skrinjaric	Letter advising that Monsanto was served with process on July 11, 1989
08/01/89	J. Bruce Alverson	Nik Skrinjaric	Letter advising that Monsanto was served with process on July 12, 1989 and that General Electric was served July 24, 1989
08/09/89	Thomas E. Kotoske	Nik Skrinjaric	Letter enclosing Notice of Removal, Interrogatories and Requests for Production of Documents, and Answers to Complaint received from Westinghouse, Monsanto's Answer and Joinder in the Notice of Removal, and verified petition for permission to practice (enclosures not attached)

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DATED	TO	FROM	DESCRIPTION
08/11/89	Nik Skrinjaric	Thomas E. Kotoske	Letter enclosing interrogatories and responses thereto, copy of the request for admissions, and a copy of the Tennessee decision (enclosures not attached)
08/15/89	File	J. Randall Jones	Memorandum re: telephone call with Phoenix attorney, Steve Simons and his client owning a resort which has PCB laced capacitors made by Westinghouse
08/16/89	J. Randall Jones	J. Stephen Simon	Letter re: his client owning a resort which has PCB laced capacitors made by Westinghouse
08/16/89	Nik Skrinjaric	Bruce A. Featherstone, Kirkland & Ellis	Letter advising that representation was completed of Nevada Power in a case against several contractors who built the cooling towers for the Reed Gardner #4 power plant and that Kirkland & Ellis has never worked on any matter for Nevada Power involving PCBs
Undated			Notes of conversation between Charles H. McCrea and Thomas Kotoske
08/21/89	J. Randall Jones	J. Bruce Alverson	Letter advising to disregard interrogatories previously served on behalf of defendant Monsanto
08/23/89	J. Randall Jones	John L. Thorndal	Letter re: proposed Joint Status Report
08/24/89	J. Randall Jones, Charles H. McCrea, Sr.	Nik Skrinjaric	Memorandum of Skrinjaric's analysis of interrogatories received from Monsanto, Westinghouse and General Electric
09/06/89	M. Gene Matteucci, Nevada Power Company	Charles H. McCrea, Sr.	Letter enclosing discovery materials served by defendants (enclosures not attached)
09/22/89	Honorable Lloyd D. George	John L. Thorndal and J. Bruce Alverson	Letter re: court's order for scheduling and planning entered August 25, 1989, and minutes of the court dated September 1, 1989 and defendants' joint proposal thereto for early resolution of the case
09/28/89	Thomas Kotoske and David McCrea	J. Randall Jones	Letter re: discussions regarding strategy and a general outline for handling this case
10/03/89	J. Randall Jones	David S. McCrea	Letter re: making demand of settlement in writing based on the singular theory of indemnification

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DATED	TO	FROM	DESCRIPTION
10/05/89	File	J. Randall Jones	Memo re: conference with Charles McCrea and Nik Skrinjaric to stipulate re: toxicity levels of PCBs
10/06/89	File	Charles H. McCrea, Sr.	Memorandum re: inspection of documents in Nevada Power library
10/09/89	J. Randall Jones	David R. Clayson, Alverson, Taylor, et al.	Letter confirming receipt of responses to Nevada Power's discovery requests
10/09/89	David S. McCrea	Charles H. McCrea, Sr.	Letter enclosing a Notice to Take Deposition which was served on October 5; confirmation that Tom is going to cover the Electric Power Research Institute deposition in Palo Alto on October 17 (enclosure not attached)
10/10/89	Thomas E. Kotoske	J. Randall Jones and Nik Skrinjaric	Letter enclosing the October 9, 1989 letter from David Clayson re: Nevada Power's recent discovery responses (enclosure not attached; however, see entry above)
10/10/89	Tom Kotoske, J. Randall Jones, D. McCrea and Nik Skrinjaric	Charles H. McCrea, Sr.	Memorandum re: telephone conversation with Ed Colmer, General Counsel of Edison Electric Institute (EEI)
10/11/89	J. Randall Jones and Nik Skrinjaric	Charles H. McCrea, Sr.	Memorandum re: Jane Steckbeck researching and preparing a comprehensive memorandum on the differences between a claim for relief on the theory of indemnity and a claim for relief on the theory of restitution
10/11/89	Thomas E. Kotoske	Nik Skrinjaric	Letter enclosing a PMK Notice of Deposition for October 16 (enclosure not attached)
10/12/89	File	Charles H. McCrea, Sr.	Memorandum re: EPRI receiving subpoena
10/12/89	File	Charles H. McCrea, Sr.	Memorandum re: Utility Solid Waste Activities Group (USWAG) requesting copies of the Complaint and Answers
10/12/89	J. Randall Jones	Peggy Leen, Thorndal, Backus, et al.	Letter re: discovery dispute
10/12/89	Peggy A. Leen	Victoria E. Brleant, Wilson, Sonsini, et al.	Letter confirmong conversations re: defendants' subpoena to EPRI
10/13/89	Honorable Lawrence R. Leavitt	David R. Clayson, Alverson, Taylor, et al.	Letter re: defendants' proposed agenda for status check

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DATED	TO	FROM	DESCRIPTION
10/19/89	All Managers at Nevada Power Company	Richard Hinckley	Memorandum re: collecting company files dealing with PCBs
10/23/89	Thomas E. Kotoske, David A. McCrea, J. Randall Jones, Nik Skrinjaric	Charles H. McCrea, Sr.	Memorandum re: Peggy Leen letter to counsel for Electric Power Research Institute (EPRI) and EPRI's objection to deposition subpoena
10/25/89	Nik Skrinjaric	Peggy A. Leen	Letter confirming agreements re: producing Gene Matteucci for a 30(b)(6) notice deposition, documents referenced in Donald Fabbri's deposition, identification of the equipment Nevada Power claims is involved in this litigation, Nevada Power providing additional answers to interrogatories and responses to requests for production, EPRI documents responsive to the subpoena, and discovery requests propounded by Nevada Power to defendants
10/26/89	Peggy A. Leen	Victorie E. Brieant, Wilson, Sonsini, et al.	Letter enclosing first set of documents responsive to EPRI subpoena (enclosures not attached)
10/26/89	Tom Kotoske	Victoria E. Brieant, Wilson, Sonsini, et al.	Letter enclosing first set of documents responsive to EPRI subpoena (enclosures not attached)
10/31/89	J. Randall Jones and Nik Skrinjaric	John H. Tatlock, Kirkland & Ellis	Letter requesting copies of all future pleadings, discovery requests and correspondence; acceptance of service by Bruce Featherstone or Jack Tatlock on behalf of Monsanto; Alverson, Taylor, et al. representing Monsanto as local counsel and Kirkland & Ellis representing Monsanto as principle outside counsel
11/03/89	Charles A. Lenzie, Nevada Power Company	Charles H. McCrea, Sr.	Letter enclosing copy of the article from October 30, 1989 issue of Electric Utility Week reporting on PCB cases; statute of limitations cannot run until Nevada Power has suffered damages cognizable under the law
11/03/89	Thomas E. Kotoske, David McCrea, J. Randall Jones and Nik Skrinjaric	Charles H. McCrea, Sr.	Memorandum re: Charles H. McCrea, Sr.'s telephone conversation with Larry Brown, Edison Electric Institute (EEL), re: defendants planning to examine documents at EEL's offices on Monday, November 6, 1989, and deposition scheduled for November 27 of Fred I. Denny, Vice President Environment, Fossil Fuels and Power Production

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DATED	TO	FROM	DESCRIPTION
11/06/89	Tom Kotoske	Victoria E. Brieant, Wilson, Sonsini, et al.	Letter enclosing copy of the second set of documents and two videotapes which EPRI has produced to defendants pursuant to subpoena (enclosures not attached)
11/06/89	Charles H. McCrea, Sr.	Thomas E. Kotoske	Letter re: bill from Victoria Brieant for services in copying EPRI documents
11/07/89	Peggy A. Leen and Tom Kotoske	Victoria E. Brieant	Letter enclosing additional documents produced by EPRI pursuant to subpoena (enclosures not attached)
11/08/89	J. Randall Jones	Peggy A. Leen, Thorndal, Backus, et al.	Letter re: scheduled depositions, that Mr. Matteucci indicated he believed both Arthur Pearson and Conrad Ryan are both former employees of Nevada Power and that they are available for deposition, confirming that Mr. Kotoske is the only attorney who will be involved in depositions in this case,
11/09/89	J. Randall Jones	Linda Kay Isom, Southwest Transcripts, Inc.	Letter advising a transcript of the hearing re: plaintiff's production of documents and scheduling of defendants' 30(b)(6) depositions transcript has been prepared, and cost for same
11/10/89	Peggy A. Leen	Thomas E. Kotoske	Letter re: November 6, 1989 telephone conversation between Leen and Kotoske relating to discovery issues in this case and that Kotoske told her that plaintiff's team has given him responsibility for discovery issues involving responses to defendants' discovery requests, Leen's response that she would not participate in the discovery process with him due to his demeanor, and Kotoske's statement that "upon reflection, [I] think you will agree with me that your 'ostrich approach' to litigation is both immature and unbecoming"
11/13/89	Peggy A. Leen	Victoria E. Brieant, Wilson, Sonsini, et al.	Letter enclosing additional EPRI documents pursuant to subpoena
11/13/89	Charles H. McCrea, Sr.	Thomas E. Kotoske	Letter enclosing two statements concerning production of records from Kotoske's offices of EPRI documents
11/15/89	J. Randall Jones	Thomas E. Kotoske	Letter confirming conclusion of marshaling EPRI documents, concluding EPRI depositions, and enclosing summaries of depositions of EPRI employees Gilbert Addis and Priscilla Bates (enclosures not attached)
11/16/89	Peggy A. Leen	Nik Skrinjaric	Draft letter clarifying matters with regards to the depositions scheduled in the upcoming weeks

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DATED	TO	FROM	DESCRIPTION
11/16/89	Gene Matteucci, Nevada Power Company	Nik Skrinjaric	Letter enclosing Notice of Depositions (Notice attached)
11/16/89	All Runners/Tom Christensen, Jones, Jones, Close & Brown	Nik Skrinjaric	Memorandum re: Tom Kotoske's arrival in Las Vegas on Monday, November 20, 1989
11/19/89	Peggy A. Leen	Marijane W. Simon	Letter enclosing signed original deposition transcript of M. Gene Matteucci taken Friday, October 27, 1989
11/20/89	Gene Matteucci, Nevada Power Company	Robert W. Clark, M.D.	Letter confirming that Arthur E. Pearson is a patient of his, that Pearson has serious medical problems and that the Dr. is now conducting a series of diagnostic studies
11/21/89	J. Randall Jones	John L. Thorndal	Letter confirming conversations regarding deposition scheduling problems of Donald Fabbi's, McCarthy, and Arthur Pearson's depositions
11/21/89	J. Bruce Alverson	Thomas E. Kotoske	Letter re: Alverson, Taylor, et al.'s response to plaintiff's interrogatories and request for admissions, defendant's objections thereto, and defendants' response to plaintiff's request to admit the genuineness of the GE documents
11/22/89	Peggy A. Leen, Thorndal, Backus, et al.	Associated Reporters of Nevada	Letter enclosing original transcript of Donald Fabbi, Volumes I and II (enclosure not attached)
11/27/89	John L. Thorndal, Peggy A. Leen, Thorndal, Backus, et al.	Thomas E. Kotoske	Letter re: Westinghouse's response to plaintiff's interrogatories and request for admissions, that the responses are totally inadequate, and that Westinghouse denies that certain documents are not genuine
11/27/89	Donald Fabbi, Nevada Power Company	Associated Reporters of Nevada	Letter requesting Donald Fabbi come to their offices to review and sign the transcript of his deposition taken Monday, November 27, 1989
11/30/89	Peggy Leen	Nik Skrinjaric	Letter confirming agreement to reschedule Dan Crotta's deposition from December 6, 1989 to December 11, 1989 and that due to Arthur Pearson's failing health, his deposition will not be taken at all

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DATED	TO	FROM	DESCRIPTION
12/01/89	M. Gene Matteucci, Nevada Power Company	Charles H. McCrea, Sr.	Letter enclosing November 30, 1989 statement re: costs (enclosure attached)
12/04/89	J. Randall Jones and Thomas E. Kotoske	David R. Clayson, Alverson, Taylor, et al.	Letter re: certain discovery propounded upon General Electric
12/04/89	Thomas E. Kotoske	John L. Thorndal, Thorndal, Backus, et al.	Letter responding to Kotoske's November 27, 1989 letter regarding the responses of Westinghouse to plaintiff's interrogatories and requests for admissions and genuineness of documents
12/05/89	Thomas E. Kotoske	John L. Thorndal	Letter re: Kotoske's November 21, 1989 letter re: Monsanto's responses to plaintiff's interrogatories and requests for admissions
10/05/89	Nik Skrinjaric	John Field	Memorandum re: review of Chuck McCrea's review of Skrinjaric's memorandum on prospective claims in this matter
12/05/89	Charles McCrea	Victoria E. Brieant, Wilson, Sonsini, et al.	Letter requesting \$1,193.10 for copying costs incurred in producing documents which EPRI produced pursuant to subpoenas served by defendants
12/05/89	Victoria E. Brieant, Wilson, Sonsini, et al.	Charles H. McCrea, Sr.	Letter enclosing check to EPRI for coies of documents and video tapes
12/07/89	David R. Clayson, Alverson, Taylor, et al.	Nik Skrinjaric	Letter referencing hand delivery of a copy of the PCEA records from Don Fabbi's files
12/07/89	Mark H. Reddaway	Associated Reporters of Nevada	Letter advising that Mark H. Reddaway's transcript of his deposition taken Monday, December 4, 1989 is ready for him to read and sign
12/08/89	Charles H. McCrea, Sr.	Victoria E. Brieant, Wilson, Sonsini, et al.	Letter confirming receipt of check and to ignore her December 5, 1989 letter
12/11/89	Peggy A. Leen	Nik Skrinjaric	Letter memorializing December 8, 1989 conversation regarding Grant deposition
12/12/89	Roger Strelow, Environmental Program, General Electric Company	Thomas E. Kotoske	Letter addressing Indiana University dispute

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DATED	TO	FROM	DESCRIPTION
12/12/89	Richard Hinckley, Nevada Power Company	Nik Skrinjaric	Letter enclosing originals of our amended responses to opponents' interrogatories (enclosures not attached)
12/13/89	Nik Skrinjaric	Ellen Blair, Staff Paralegal, Nevada Power Company	Letter returning amended responses with marked changes (enclosures not attached)
12/19/89	Thomas E. Kotoske	John L. Thorndal, Thorndal, Backus, et al.	Letter attaching genuine photocopies of document nos. 203-208, 209-211, 212 and 249 maintained in Monsanto's files, which are marked in the lower right corner as documents NEV 000001-NEV000011
12/21/89	Edward D. Meyer, Esq., Strang, Fletcher, Cariger, Walker, Hodge & Smith	Gary T. Foremaster	Letter acknowledging briefs in <u>Electric Power Board of Chattanooga v. Monsanto</u>
12/22/89	Thomas Kotoske, J. Randall Jones	David R. Clayson	Letter memorializing December 22, 1989 telephone conference held with Bruce Alverson, David Clayson and Thomas Kotosky concerning outstanding discovery requests propounded by Nevada Power and addressed to General Electric
12/22/89	J. Bruce Alverson	Thomas E. Kotoske	Letter notifying that plaintiff will file a motion to compel discovery against General Electric
12/27/89	J. Randall Jones, Thomas E. Kotoske	David R. Clayson	Letter attaching Exhibit "A" to the supplementary response to request to admit
12/27/89	J. Randall Jones, Thomas E. Kotoske	David R. Clayson	Letter attaching supplementary response to request for admit and interrogatories propounded upon General Electric (attachment not included)
12/28/89	Thomas E. Kotoske	John L. Thorndal	Letter enclosing defendant Monsanto Company's supplemental response to plaintiff's first set of interrogatories