

CORRESPONDENCE LOG

DATED	TO	FROM	DESCRIPTION
01/09/91	Chuck McCrea	Paul Merrell	Letter re Defendants' Brief; requesting copies of Nevada statutes cited by both sides and transcript of hearing and briefs involved in that hearing.
01/15/91	David McCrea	Chuck McCrea	Letter enclosing copy of answering brief of defendants and discusses phone conversation with Thorndal's office re receipt of defendants' reply brief.
01/22/91	Chuck McCrea	Paul Merrell	Letter re research on three claims for relief.
01/22/91	Paul Merrell	Chuck McCrea	Fax cover sheet attaching page 5 of Plaintiff's Memo in Opposition to GE Motion for Summary Judgment in case entitled <u>Independent Life v. GE</u> .
01/23/91	Kirkland & Ellis; Thorndal, Backus, et al.; Weil, Gotshal & Manges; Alverson, Taylor	Chuck McCrea	Letter re extension of time till 2/11/91 to file reply brief.
01/28/93	Ellen Mortensen, Jones, Jones	Paul Merrell	Memo to law clerk re research project on potential reach of equitable liability.
01/31/91	Paul Merrell	Chuck McCrea	Fax memo re having received draft of Nevada Power Brief.
01/31/91	Chuck McCrea	Paul Merrell	Letter re draft brief, rewrite suggestions and over-length of same.
02/01/91	Chuck McCrea	Paul Merrell	Letter enclosing draft section on application statutes of limitations.
02/03/91	Chuck McCrea	Paul Merrell	Letter informing more time needed to complete new draft. Also, updates Chuck on telephone call from David McCrea re possible settlement of case soon.
02/04/91	Counsel (form/sample)	Chuck McCrea	Malpractice letter, first draft. Addressees left open.
02/04/91	Chuck McCrea, David McCrea, Bill Snyder	Paul Merrell	Letter enclosing third draft of settlement proposal with discussion of changes made to same. (Enclosure not attached.) Also discusses malpractice issue.
02/04/91	Paul Merrell	Chuck McCrea	Fax cover sheet enclosing suggested changes on Paul Merrell 2/4/91 draft of letter re settlement discussions and pages 15 and 18 of brief draft with handwritten suggested changes.

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DATED	TO	FROM	DESCRIPTION
02/05/91	Chuck McCrea	Paul Merrell	Letter enclosing new drafts of both letter incorporating Bill and David's suggestions. (Enclosure not attached.)
02/05/91	Paul Merrell	Chuck McCrea	Fax cover sheet only with comments "Merrell draft w/CHM comments". (Nothing attached to cover sheet.)
02/05/91	Paul Merrell	Chuck McCrea	Fax cover sheet only with comments "Merrell 2/5 a.m. draft w/CHM comments". (Nothing attached to cover sheet.)
02/05/91	John Thorndal	Chuck McCrea	Letter suggesting consideration of immediate settlement discussions with supporting reasons, citations, and strategy re same.
02/05/91	John Thorndal	Chuck McCrea	Letter with attached legal arguments re compromising integrity of a litigant's claims in other pending actions. (Letter refers to entry above.)
02/06/91	Chuck McCrea	Bill Snyder	Faxed handwritten memo enclosing seven pages for Paul to use for reply brief. (Enclosures not attached.)
02/06/91	John Thorndal	Chuck McCrea	Letter enclosing excerpt of "Damages vs. Liability" and portions of BNA's Toxic Law Reporter.
02/06/91	Paul Merrell	Chuck McCrea	Memo enclosing simplified table showing opening and closing of one year "window" on indemnity cause of action.
02/08/91	Chuck McCrea	John Thorndal	Letter responding to 2/6/91 letter re settlement and disagreeing with reasons for consideration of immediate settlement.
02/08/91	Chuck McCrea	Bruce Featherstone	Fax letter referring to 2/5 and 2/6/91 letters to Thorndal. Responding on behalf of Monsanto, letter states that suggestions and "arguments" set forth in referenced letters merit no further response.
02/08/91	Chuck McCrea	Paul Merrell	Fax cover page with note enclosing suggested rewrite of opening discussion of 2/7/ draft.
02/08/91	Chuck McCrea	Paul Merrell	Letter agreeing with Paul's changes and further discussions re other cases to add.
02/09/91	Chuck McCrea and Paul Merrell	David McCrea	Fax handwritten memo of insert to Reply Brief after Paragraph 2 on Page 1.
02/09/91	Chuck McCrea	Paul Merrell	Fax letter transmitting markup of draft brief and second draft of the motion to supplement along with comments re same.

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DATED	TO	FROM	DESCRIPTION
02/11/91	Chuck McCrea	Paul Merrell	Fax letter enclosing new text for page 11. (Enclosure not attached.)
02/11/91	Prothonotary Office, Superior Court	Chuck McCrea	Letter requesting copy of Docket Sheet and enclosing check to cover cost of same.
02/20/91	M. Gene Matteucci	Chuck McCrea	Letter enclosing copy of Reply Brief filed in Ninth Circuit and stating that matter has not yet been set for oral argument. (Enclosure not attached.)
03/01/91	Bill Snyder, David McCrea, Paul Merrell	Chuck McCrea	Letter enclosing (1) Defendants' Joint Motion for Summary Judgment and Memorandum of Law (District Court); (2) Opposition of Nevada Power (District Court); (3) Defendants' Reply Memorandum of Law (District Court); (4) Transcript of Hearing (District Court); (5) Order of District Court granting Summary Judgment; (6) Opening Brief of Nevada Power (Ninth Circuit); (7) Brief of Defendants - Appellees (Ninth Circuit); (8) Reply Brief of Nevada Power (Ninth Circuit). (Enclosures not attached.)
03/07/91	Chuck McCrea	David McCrea	Letter commenting on excellence of Nevada Power's Reply Brief and Chuck's superb oral argument.
04/04/91	David McCrea and J. Randall Jones	Thomas Kotoske	Letter requesting update on status of case and appeal, and whether there has been a hearing date set.
04/09/91	Thomas Kotoske	David McCrea	Letter responding to request for status update.
04/17/91	Richard Hinckley	Chuck McCrea	Letter congratulating Hinckley on succeeded Matteucci, who is retiring.
05/09/91	Bill Snyder, David McCrea, Paul Merrell	Chuck McCrea	Letter enclosing copy of docket sheet in <u>Monsanto v. Aetna</u> case. (Enclosure not attached.)
06/03/91	Bill Snyder	Chuck McCrea	Fax cover sheet enclosing pages 48 to 50 of docket sheet in <u>Independent Life v. General Electric</u> case.
06/27/91	Chuck McCrea	Nik Skrinjaric	Memo re currently awaiting hearing before the Ninth Circuit.
09/03/91	Richard Hinckley, David McCrea, Paul Merrell, Bill Snyder	Chuck McCrea	Letter notifying that oral argument set for 10/10/91 in San Francisco. Encloses a copy of the notice and the Court's instructions regarding Notice of Cases Set for Hearing; Acknowledgement of Hearing Notice which David needs to complete and mail; and District Court's letter of 8/16 to Court of Appeals with enclosures.

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DATED	TO	FROM	DESCRIPTION
09/10/91	File	Dawn Blitsch, Jones, Jones	Memo re tracking and confirming timely delivery of Federal Express pack to the Ninth Circuit Court Clerk.
09/30/91	Judy Gesler, Jones, Jones	CHM	Memo re change of airline ticket.
10/10/91	Distribution	Chuck McCrea	Memo summarizing events of hearing in Ninth Circuit.
11/13/91	Judy Reilly, Jones, Jones	CHM	Memo requesting Judy to copy Opening Brief of Appellant Nevada Power, Answering Brief of Appellees Monsanto, et al., and Reply Brief of Nevada Power and send to Rob Knapp.
12/18/91	Chuck McCrea	Robert Knapp	Letter thanking Chuck for faxing District Court's Order which was helpful in oral argument and asking to be informed when Ninth Circuit rules on pending appeal.