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January 15, 1991

David S. McCrea, Esq.
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119 S. Walnut Street
Bloomington, Indiana 47402

FEDERAL EXPRESS

Re: Nevada Power v. Monsanto, et al

Dear David:

Herewith a copy of the answering brief of the defendants in the above case.

On Monday I called John Thorndal and spoke with his secretary in his absence. She informed me that the defendants' reply brief would be mailed from New York on Monday. This would conform strictly to rule, but would have meant that in due course we might receive it as much as a week later. I then spoke with Peggy Leen, who said she expected a copy today by Federal Express and graciously said she would have it copied and sent over to us as soon as she received it. That amounts to turning the other cheek for Peggy, because Tom Kotoske was exceedingly rude to her during the depositions of some of the Nevada Power witnesses. But Tom is nothing if not consistent; he was equally rude and contemptuous of co-counsel, among other things suggesting to Nik Skrinjaric that he (Nik) could report to Tom without keeping Randall and me informed because we were "a couple of fops" anyhow. Try to believe that Tom's departure from the case was not instrumental in improving relations with opposing counsel, to our considerable benefit.

We need to start thinking about who should argue this case at the Ninth Circuit. I am available for that assignment but my nose will not be out of joint if my co-counsel would prefer to have someone else do it.

Sincerely,



Charles H. McCrea, Sr.

CHM:jlq

cc: Bill Snyder
chm\mccrea.ltr