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July 19, 1993

VIA FAX

Bruce Featherstone, Esq.
Kirkland & Ellis
Fax: (303) 291-3334

Re: Nevada Power Company v. Monsanto Company, et al.
USDC, District of Nevada Case CV-S-89-555-LDG (LRL)

Dear Bruce,

I spoke with Ralph Bradley regarding the upcoming deposition on the PCB Environmental Pollution Abatement Plan, plaintiff's exhibit 1118. You have requested that Nevada Power narrow the issues to be covered. Although there is no absolute guarantee as to what questions will arise in the course of the deposition, Ralph anticipates questioning the witness on the following topics relating to exhibit 1118:

- the report summarizing the PCB pollution problems referred to in the introduction
- all documents refining and/or implementing the plan of action referred to in the introduction
- all documents of the Corporate Development Committee (CDC) or that organization known by any other name that relates to exhibit 1118 or to the report or plan of action referred to in the introduction to exhibit 1118
- all documents from any member of any committee that reviewed exhibit 1118 including, but not limited to, documents reviewed by the then chairman of the board at the time the PCB Environmental Pollution Abatement Plan was written
- legal liability as discussed in section V. A. on page 5
- the anticipated costs of direct lawsuits referred to on page 5 under legal liability

Addressee

[DATE]

Page 2

- all documents relied upon to come up with language on page 6 that "although Monsanto is most probably responsible for the U.S. contamination and jointly responsible with MCL for the United Kingdom problem, we cannot accept responsibility for the World," all documents supporting this statement, and any document that develops a plan of action aimed at or relating to the conclusion that Monsanto is most probably responsible of the U.S. contamination

- all charts ever prepared discussing the courses of action described on pages 10 and 11

- all financial analysis whether they be in memos, reports, letters, or other documents that discuss the costs of different courses of action and cost/benefit tradeoffs of different courses of action

- the meaning on page 13 under C. 4. of action "that will not unduly alarm the market but reduce the exposure in terms of liability"

- the meaning on page 16 section XV of "develop costs for the duplementation of the Recommended course of action.

- the meaning on page 16 section XV of "prepare for "precipitious [sic] pullout" or drastic legislative action"

It would increase the efficiency of the deposition if you would bring the relevant above mentioned documents to the deposition for reference by the deponent.

Sincerely,

BRADLEY & MERRELL



DEBORAH N. MAILANDER

DNM:bms

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MESSAGE FROM XEROX 7024: (702) 385-1655

DATE: 7-19-93

TO: Bruce A. Featherstone, Esq.

FAX #: (303) 291-3334

PHONE #: (303) 291-3000

FROM: Deborah Mastrandrea

CLIENT/MATTER: Nevada Power v. Monsanto, et al.

CLIENT/MATTER NO.: 11927.2

DOCUMENT(S) DESCRIPTION:

issues for deposition on exhibit 1118

NUMBER OF PAGES (including cover page): 3

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