

ALVERSON, TAYLOR, MORTENSEN & GOULD

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December 22, 1989

VIA FEDERAL EXPRESS

Thomas Kotoske, Esq.
540 University Avenue
Third Floor
Palo Alto, California 94301

J. Randall Jones, Esq.,
Jones, Jones, Close & Brown
300 S. Fourth St.
Seventh Floor
Las Vegas, Nevada 89101

Re: GE adv. Nevada Power
Our File No.: 5025

Dear Gentlemen:

This correspondence shall memorialize the telephone conference held this day with Bruce Alverson, David Clayson, and Thomas Kotoske concerning outstanding discovery requests propounded by Nevada Power and addressed to General Electric Company in this matter. As a matter of convenience, the documents will be referred to by the page numbers provided in Exhibit "1" to Plaintiff's Request for Admissions to General Electric.

General Electric is prepared to admit that pages 1-2 and 106-107 are genuine.

With regards to the following documents, which constitute the balance of the documents which are still in dispute, General Electric is prepared to make the following response as to pages 3-14, 62-72, and 80-86. As previously disclosed, General Electric has made a reasonable inquiry and good faith search to locate these documents within its own records. This good faith search

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Continuing Letter:

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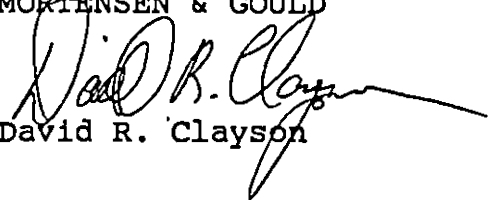
has resulted in General Electric not being able to locate these documents within its records. As a result of this search, General Electric is unable to admit or deny whether the documents are genuine. Nevertheless, General Electric is aware that these documents were produced by Monsanto Company during litigation in Adams v. Kentucky Power. After reviewing the copies of the records produced in the Adams case, General Electric has no reason to believe that these documents are not genuine.

Mr. Kotoske indicated during the telephone call that he has already produced and sent notice that he intends to file a motion to compel concerning this matter. He stated he would review his position in light of representations made during the telephone call and after reviewing the instant correspondence. As you are aware, Judge George ordered you to provide defense counsel with notice on December 26, 1989 whether or not a motion to compel will be filed. Written confirmation on your decision would also be appreciated.

We look forward to hearing from you after you have received this correspondence.

Very truly yours,

ALVERSON, TAYLOR,
MORTENSEN & GOULD


David R. Clayson

DRC:dc

cc: John Thorndal, Esq.
Bruce Featherstone, Esq.
Mansfield Neil, Esq.