

KIRKLAND & ELLIS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

John H. Tatlock
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July 21, 1993

VIA FACSIMILE

Paul E. Merrell, Esq.
BRADLEY & MERRELL
Bank of America Plaza
300 South 4th Street, #610
Las Vegas, NV 89101-6026

CONFIRMATION OF FACSIMILE
[RECEIVED]

Re: Nevada Power v. Monsanto, et al.

Dear Paul:

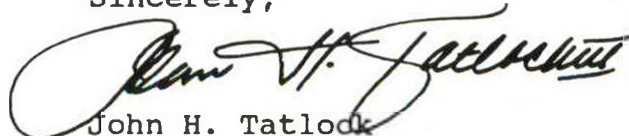
In response to your July 20 letter requesting the depositions Monsanto wants to include in the proposed stipulated order, I have enclosed a list of individual and Rule 30(b)(6) depositions that have either been previously scheduled or need to be completed.

Also please note that we need to include another category in the proposed stipulated order to provide additional time for the completion of document authentication.

Finally, in its response to Monsanto's May 14, 1993 Requests for Production, Nevada Power stated that it would make certain trade association documents in its possession available for inspection and copying. We originally planned to review those documents in connection with the Rule 30(b)(6) depositions scheduled for Friday, July 23. If those depositions do not proceed as scheduled, Monsanto wants the stipulated order to preserve its right to review and copy those documents.

I am available at your convenience to discuss the proposed stipulated order.

Sincerely,



John H. Tatlock

Enclosure

cc: Bruce A. Featherstone, Esq. (w/encl.)
John L. Thorndal, Esq. (w/encl.)

Depositions that should be allowed to be taken after the July 23, 1993 fact deposition deadline (Category A):

1. Monsanto's Rule 30(b)(6) Notice of Deposition dated July 6, 1993.
2. Monsanto's Rule 30(b)(6) Notice of Deposition dated July 15, 1993.
3. Dennis Schwehr (completion of previously noticed deposition).
4. Monsanto Rule 30(b)(6) deposition(s) of Nevada Power Custodian(s) of Records solely to authenticate documents (to the extent the documents are not otherwise authenticated through agreement of the parties and responses to Defendants' First Joint Requests for Admissions).

Requests for Admission regarding document authentication (New Category):

1. Extension of time to complete authentication of documents

Document Production (New Category):

1. Extension of time to review National Electrical Manufacturers Association (NEMA) and American National Standards Institute (ANSI) documents and other materials Nevada Power has agreed to provide for inspection and copying.