

BRADLEY & MERRELL
c/o JONES, JONES, CLOSE & BROWN, CHARTERED
Seventh Floor — Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101-6026
(702) 385-4202

MESSAGE FROM XEROX 7024: (702) 385-1655

DATE: July 14, 1993

TO: Konrad L. Cailteaux, Esq.

FAX #: (212) 310-8516

PHONE #: (212) 310-8904

FROM:

Paul Merrell

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

CLIENT/MATTER NO.: 11927.2

DOCUMENT(S) DESCRIPTION: revised Table of Contents
re: today's telephonic hearing

NUMBER OF PAGES (including cover page):

Two Three (3)

MESSAGE:

THIS TELECOPY IS INTENDED ONLY FOR THE ADDRESSEE NAMED ABOVE. IT MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF YOU HAVE RECEIVED THE TELECOPY IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, DESTROY ALL COPIES, AND DO NOT DISSEMINATE THE INFORMATION TO ANYONE. THANK YOU FOR YOUR ASSISTANCE.

IF YOU EXPERIENCE PROBLEMS WITH THIS TRANSMISSION,
please call (702) 385-4202 and ask for: Randy Andreini, Ext. 615

TABLE OF CONTENTS

Documents for July 14, 1993 Hearing on Plaintiff Nevada Power Company's July 8, 1993 Motion to Compel Entry upon Westinghouse's Headquarters for Purposes of Inspection, Copying, and Depositions

**Telephonic Conference
4:00 p.m.**

- 1. Outline of Issues**
- 2. Magistrate Lawrence R. Leavitt's April 5, 1993 denial of Westinghouse's Motion for Protective Order**
- 3. Plaintiff Nevada Power Company's March 12, 1993 Notice of Taking Depositions (of C.W. Bickerstaff, Jeffrey Bair and person identified as "you" in Exhibit 1212)**
- 4. Plaintiff Nevada Power Company's April 13, 1993 Re-Notice of Depositions and Request for Permission to Enter Upon Land for Purposes of Inspection, Copying and Depositions (of C.W. Bickerstaff, Jeffrey Bair and person identified as "you" in Exhibit 1212)**
- 5. Plaintiff Nevada Power Company's May 14, 1993 Request for Permission to Enter Upon Land for Purposes of Inspection and Copying**
- 6. Plaintiff Nevada Power's Second May 14, 1993 Request for Permission to Enter Upon Land for Purposes of Inspection and Copying to Defendant Westinghouse**
- 7. Excerpt from Westinghouse Electric Corporation's Response to Nevada Power's Motion for Entry of Default (Westinghouse Industrial Hygiene had PCB-related documents in 1986 and waiver of privilege)**
- 8. Waivers**
- 9. Plaintiff Nevada Power Company's July 8, 1993 Motion to Compel Entry upon Westinghouse's Headquarters for Purposes of Inspection, Copying, and Depositions**
 - a. April 13, 1993 letter of Paul E. Merrell, attorney for Nevada Power Company, accompanying their request to inspect property**
- 10. Motion to Compel Discovery Relevant to Alleged Destruction of Documents by Westinghouse**
- 11. Motion for Hearing on Plaintiff's Planned Depositions of Certain Westinghouse Employees**
- 12. Subpoena Duces Tecum and Plaintiff Nevada Power Company's March 12, 1993 Notice of Taking Deposition of Defendant Westinghouse Electric Corporation Pursuant to FRCP 30(b)(6)**

13. Defendant Westinghouse Electric Corporation's Written Response to Nevada Power Company's March 18, 1993 Subpoena Duces Tecum
14. July 13, 1993 letter from Deborah N. Mailander to Konrad Cailteux and Peggy Leen re: Westinghouse's response to Request No. 26 of Nevada Power Company's March 18, 1993 Subpoena Duces Tecum
15. Plaintiff Nevada Power's Second May 14, 1993 Request for Permission to Enter Upon Land for Purposes of Inspection and Copying to Defendant Westinghouse
16. Defendant Westinghouse Electric Corporation's Response to Plaintiff Nevada Power Company's Second May 14, 1993 Request for Permission to Enter Upon Land for Purposes of Inspection and Copying
17. July 13, 1993 memorandum from Paul Merrell and David Schalk to Konrad Cailteux, with cc: to Peggy Leen re: proposed deposition dates
18. July 13, 1993 memorandum via telefax from Paul Merrell to Peggy Leen and Konrad Cailteux attaching a page (page 9) from Westinghouse's response to Nevada Power's Motion for Default
19. Defendant Westinghouse Electric Corporation's Response to Plaintiff's Motion to Compel Entry Upon Westinghouse's Headquarters for Purposes of Inspection, Copying and Depositions and Plaintiff's Motion to Compel Discovery Relevant to Alleged Destruction of Documents by Westinghouse
20. July 12, 1993 memorandum from Deborah N. Mailander via fax to Konrad Cailteux enclosing references to dioxin and furan documents mentioned in Bair/Bickerstaff memos
21. Plaintiff Nevada Power Company's July 14, 1993 Motion to Compel Westinghouse Electric Corporation to Provide Adequate Responses to Prior Discovery Requests