

BRADLEY & MERRELL
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: 7-29-93

TO: Steven Andersen

FAX #: (512) 244-3977

PHONE #: (512) 244-3977

FROM: Deborah Mailander

CLIENT/MATTER: Nevada Power v. Monsanto

CLIENT/MATTER NO.: 11927.2

DOCUMENT(S) DESCRIPTION:

Draft expert ~~an~~ statement

NUMBER OF PAGES (including cover page): 3

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MEMORANDUM

TO: Chuck McCrea, David McCrea, Fred Baron, Mike Gallagher (c/o John Kim)

FROM: Paul Merrell *PM*

RE: Nevada Power v. Monsanto, et al.

DATE: July 29, 1993

This is to correct the date in the last sentence of the first paragraph of my previous memo. The July 24, 1993 date should read July 31, 1993. The corrected memo is attached to this memo.

MEMORANDUM

TO: Chuck McCrea, David McCrea, Fred Baron, Mike Gallagher (c/o John Kim)

FROM: Paul Merrell 

RE: Nevada Power v. Monsanto, et al

DATE: July 29, 1993

In preparation for the meeting with the client today, I felt it only fair that I advise you of my position. It remains basically that laid out in my memorandum of Monday, July 26, 1993. Issues of financing and coordination must be resolved to my satisfaction in executed agreements and checks written, all by 5 p.m. Saturday, July 31, 1993, or I will file a motion to withdraw on Monday.

The attached draft agreement negotiated between John Kim and JJC&B is an unsatisfactory resolution, without delving into other reasons, because: [i] John Kim has neither authorization to execute it, authority to write checks, nor any apparent plans to provide us with the same by the deadline I established; [ii] our ability to communicate directly with Mike Gallagher show no improvement, even with the case teetering over the precipice of disaster.

I intend to advise the client that in my professional opinion, this agreement is not in the best interests of the client.