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EDWARD BENNETT WILLIAMS (1928-1988)
PAUL E. CONNOLLY (1922-1978)

TELECOPY

Paul Merrell

TO:

~~ROBERT J. SHAUGHNESSY~~ ESQUIRE

FIRM:

TELECOPY NUMBER: (702) ~~222-2222~~ 385-1655

FROM: ROBERT SHAUGHNESSY

TELEPHONE: (202) 434-5564

DATE: 7-7-93

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MESSAGE:

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EDWARD BENNETT WILLIAMS (1920-1988)
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July 7, 1993

BY FACSIMILE

Paul E. Merrell, Esq.
Bradley & Merrell
c/o Jones, Jones, Close & Brown
700 Valley Bank Plaza
300 South Fourth Street, Suite 700
Las Vegas, Nevada 89101-6206

Re: Nevada Power Litigation

Dear Paul:

The draft stipulation you sent this afternoon is fine with GE if the following change is made. The stipulation should include a new paragraph 9 to be inserted between paragraph 8 and the current paragraph 9. The new paragraph 9 to read: "Furthermore, the parties agree and stipulate that, in the event plaintiff elects to re-notice Mr. Neal's deposition, plaintiff will provide General Electric with at least five days advance notice of the deposition, to enable General Electric, if necessary and appropriate, to call the matter to the Court's attention in writing."

In paragraph 2, you refer to a Nevada Power 30(b)(6) notice for a witness knowledgeable on "alleged destruction of evidence." I have not seen such a notice; perhaps it's on the way. In any event, GE views the subject-matter of the deposition as document retention, not "alleged destruction of evidence." It could scarcely be otherwise -- we don't know what sort of destruction of evidence is being "alleged." The semantic difference probably does not matter. We simply raise the issue now so you know what you'll be getting next week. We don't want to hear that our 30(b)(6) designee was inadequate if he does not know enough

WILLIAMS & CONNOLLY

Paul E. Merrell, Esq.
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about the unspecified destruction of documents that Nevada Power
apparently suspects took place.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Bob", written in dark ink.

Robert J. Shaughnessy