

NEVADA POWER COMPANY
INTEROFFICE MEMORANDUM



TO: All Managers
FROM: Richard Hinckley *TH* Mail Station #3
DATE: October 19, 1989 *ex. 5626*
RE: PCB Litigation

We have endeavored to collect throughout the Company all files dealing with PCB's. I would appreciate receiving notification of any and all remaining files regarding PCB's that may still be in your possession. A reply is needed no later than Wednesday, October 25, 1989.

If you do not have any information in this regard, please so indicate on the bottom of this Memorandum and return to my office.

If you have any questions, please contact me at extension 5626 or Ellen Blair at extension 5632. Thank you.

Any and all information I have on PCB's is in the possession of Don Fekki.

W. F. Jones
11/3/89

Niki

RECEIVED NOV - 7 1989

10:45 a.m.

Ann

ALVERSON, TAYLOR & MORTENSEN

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October 13, 1989

The Honorable Lawrence R. Leavitt
U.S. Magistrate
Foley Federal Building
300 Las Vegas Boulevard South
Las Vegas, Nevada 89101

HAND DELIVERED

Re: Nevada Power Co. v. Monsanto Co., et al
Case No. CV-S-89-555-LDG (LRL)
Our File: 5025

Dear Magistrate Leavitt:

Today's status check was ordered in open court by Judge George on September 27, 1989, pursuant to the discovery schedule adopted at that time. The following represent's the Defendant's proposed agenda for the status check.

Plaintiff Nevada Power seeks to recover certain costs allegedly incurred to comply with regulations applicable to exchange of electrical equipment containing polychlorinated biphenyls (PCB's). Allegedly, that equipment was manufactured by General Electric and/or Westinghouse and the PCB's were manufactured by Monsanto. From the Defendants' records, the equipment in question was purchased by Nevada Power no later than 1978. On September 27, 1989, Judge George adopted the Defendants' proposed discovery schedule which limited all discovery in this matter to the issue whether the Plaintiff's claims in its complaint are barred by the applicable statutes of limitations and statutes of repose.

The proposed agenda for the status check includes the following issues:

1. The adequacy of Nevada Power's answers to the interrogatories and request for admissions propounded by the Defendants.

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2. The scope of the deposition scheduled for October 16, 1989, of a representative of Nevada Power pursuant to Federal Rules of Civil Procedure 30(b)(6).

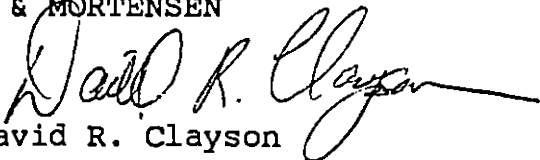
3. The status of the custodian of record depositions scheduled for October 17, 1989 to October 19, 1989.

4. The discovery request propounded by Nevada Power on September 9, 1989.

For the Court's reference, the following exhibits are attached: the Court's proposed order, signed by all counsel and waiting Judge George's final execution (Exhibit "A"); a copy of the transcript of the hearing before Judge George on September 27, 1989 (Exhibit "B"); defense counsel's September 22, 1989 correspondence to Judge George proposing a plan for limited discovery (Exhibit "C"); General Electric Company and Monsanto's discovery letter to Nevada Power, dated October 9, 1989 (Exhibit "D"); and Westinghouse's discovery correspondence to Nevada Power, dated October 12, 1989 (Exhibit "E").

Very truly yours,

ALVERSON, TAYLOR
& MORTENSEN


David R. Clayson

DRC:dc

Enclosures

cc: All local counsel of record