

# KIRKLAND & ELLIS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

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## VIA FACSIMILE

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CONFIRMATION COPY OF A DOCUMENT  
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Re: Nevada Power v. Monsanto, et al.

Dear Paul:

During our July 18 telephone conversation you asked whether Monsanto would waive its privilege claim for the October 15 Report identified in the introduction to the "PCB Environmental Pollution Abatement Plan" prepared by the Ad Hoc Committee (Pl. Ex. 1118) or produce the Report in redacted form. Since I was unable to reach you on Monday by telephone, this letter serves as Monsanto's response to your inquiry.

As I advised you in my July 16 letter, the Report is addressed to a Monsanto attorney, Rodney Harris, and clearly identified as subject to the attorney-client privilege. The Report has never been disclosed and the privilege has been maintained.

Monsanto continues to assert its claim of privilege for the Report.

Sincerely,



John H. Tatlock

JHT/tlk

cc: Bruce A. Featherstone, Esq.  
John Thorndal, Esq. (via telecopy)