

Telephone: (702) 385-4202

**BRADLEY & MERRELL**  
c/o Jones, Jones, Close & Brown  
300 South Fourth Street, Seventh Floor  
Las Vegas, Nevada 89101-6026

Fax: (702) 385-1655

August 2, 1993

**VIA TELEFAX**

Robert J. Shaughnessy, Esq.  
Williams & Connolly  
725 12th Street, N.W.  
Washington, D.C. 20005

Re: Nevada Power Company v. Monsanto Company, et al.  
USDC, District of Nevada Case CV-S-89-555-LDG (LRL)

Dear Mr. Shaughnessy:

It was a pleasure meeting you in Connecticut on July 15. I am writing to remind you that during the second deposition of Richard Biernacki on July 15, 1993, the following exchange occurred:

PAGE 13

Q And were the instruction books and engineering notice, the nameplate drawings, the Nevada Power requisition folder the only documents you reviewed?

A There was also a file involving some investigation made into a number of Nevada Power transformers.

Q Why were they investigated?

A We had a request from our division counsel to review a number of Nevada Power transformers to determine how many contained PCBs.

Q What was the date of that?

A This was in '89. 1989.

MR. SCHALK: Counsel, has that been produced to us?

MR. SHAUGHNESSY: That has not yet been

Robert J. Shaughnessy, Esq.  
August 2, 1993  
Page 2

produced. We don't have it with us, but we will produce that as soon as we get back.

Would you kindly provide us with the review of Nevada Power's transformers which Mr. Biernacki described on page 13 of his deposition.

Sincerely,



DAVID E. SCHALK

DES:bms  
cc: J. Kim

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: 8-6-93

TO: Robert Shaughnessy  
~~Steven B. Kuney, Esq.~~ FAX #: (202) 434-5029  
PHONE #: (202) 434-5843

FROM: David Schalk

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

CLIENT/MATTER NO.: 11927.2

DOCUMENT(S) DESCRIPTION:

NUMBER OF PAGES (including cover sheet): - 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: Robert Osterloh, Ext. 615

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: 8-6-93

TO: Robert Shaughnessy  
~~Steven R. Kurney, Esq.~~

FAX #: (202) 434-5029

PHONE #: (202) 434-5843

FROM: David Schalk

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

CLIENT/MATTER NO.: 11927.2

DOCUMENT(S) DESCRIPTION:

NUMBER OF PAGES (including cover sheet): - 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: Robert Osterloh, Ext. 815

## TRANSMISSION REPORT

THIS DOCUMENT WAS CONFIRMED  
(REDUCED SAMPLE ABOVE - SEE DETAILS BELOW)

### \*\* COUNT \*\*

TOTAL PAGES SCANNED : 3

TOTAL PAGES CONFIRMED : 3

\*\*\* SEND \*\*\*

| No. | REMOTE STATION | START TIME     | DURATION | #PAGES | MODE | RESULTS            |
|-----|----------------|----------------|----------|--------|------|--------------------|
| 1   | STEVEN KUNEY   | 8- 6-93 2:34PM | 0'48"    | 3/ 3   | EC   | COMPLETED<br>14400 |

TOTAL 0:00'48" 3

#### NOTE:

No. : OPERATION NUMBER 48 : 4800BPS SELECTED EC : ERROR CORRECT G2 : G2 COMMUNICATION  
PD : POLLED BY REMOTE SF : STORE & FORWARD R1 : RELAY INITIATE RS : RELAY STATION  
MB : SEND TO MAILBOX PG : POLLING A REMOTE MP : MULTI-POLLING RM : RECEIVE TO MEMORY