

KIRKLAND & ELLIS
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

John H. Tatlock
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July 22, 1993

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VIA FACSIMILE

Paul E. Merrell, Esq.
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300 South 4th Street, #610
Las Vegas, NV 89101-6026

CONFIRMATION COPY OF A DOCUMENT
PREVIOUSLY TRANSMITTED BY FACSIMILE

Re: Nevada Power v. Monsanto, et al.

Dear Paul:

We have discovered that the following privileged documents were inadvertently included in document productions made by Monsanto during June in response to the Magistrate Judge's May 18, 1993 Order.

1. NEV 040855 - 040863;
2. NEV 035011 - 035016;
3. NEV 034724; and
4. NEV 034520.

These documents have not previously been disclosed, and Monsanto has maintained the privilege for each document. We request that you return all copies of these documents to us immediately. We also request that you retain no copies and make no further use or disclosure of these documents. Monsanto is supplementing its privilege log to include these inadvertently produced documents.

Please advise me immediately whether Nevada Power will return these privileged documents, destroy any copies of these documents in its possession, and make no further disclosures of the documents, or whether we need to advise the Magistrate that this subject will also be raised at the 10:00 a.m. hearing on July 23.

Sincerely,


John H. Tatlock

JHT/tlk

cc: Bruce A. Featherstone, Esq.
John L. Thorndal, Esq.