

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

July 7, 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 Bob:

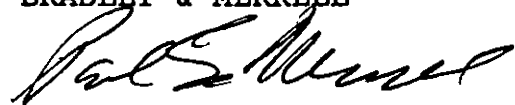
I have and thank you for your letter of July 7, 1993, which accurately reflects some of the agreements we discussed yesterday.

As you will recall, we also discussed the problem of timing regarding Mr. Mansfield Neal's deposition with the approaching fact witness deposition cut-off date. We had discussed the possibility of a stipulation to resolve that situation.

To that end, I offer the attached first-cut of a stipulation along the lines we discussed. I'd appreciate it if you would review it with your client and get back to me soon.

Sincerely,

BRADLEY & MERRELL



PAUL E. MERRELL
Coordinating Attorney

PEM:bms
Enclosure

pem\power\shaughns.101

1 J. RANDALL JONES, ESQ.
CHARLES H. McCREA, SR., ESQ.
2 DOUGLAS M. COHEN, ESQ.
JONES, JONES, CLOSE
3 & BROWN, CHARTERED
700 Bank of America Plaza
4 300 South Fourth Street
Las Vegas, Nevada 89101-6026
5 Telephone: (702) 385-4202

6 RALPH A. BRADLEY, ESQ.
PAUL E. MERRELL, ESQ.
7 BRADLEY & MERRELL
c/o JONES, JONES, CLOSE
8 & BROWN, CHARTERED
700 Bank of America Plaza
9 300 South Fourth Street
Las Vegas, Nevada 89101-6026
10 Telephone: (702) 385-4202

11 Attorneys for Plaintiff
NEVADA POWER COMPANY
12 a Nevada corporation

13

14 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
15

16	NEVADA POWER COMPANY, etc.,	)	CASE CV-S-89-555-LDG (LRL)
		)	
17	Plaintiff,	)	STIPULATED ORDER
		)	
18	vs.	)	
		)	
19	MONSANTO COMPANY, etc., et al.,	)	
		)	
20	Defendants.	)	
		)	

21

22 All parties to this action, through undersigned counsel, agree
23 and stipulate:

24 1. That Nevada Power Company has noticed the deposition of Mr.
25 Mansfield Neal, a General Electric Company official, notice attached
26 hereto and incorporated herein;

27 . . .

28 . . .

1 2. That Nevada Power Company has also noticed a Rule 30(b)(6)
2 deposition of the General Electric Company official most
3 knowledgeable regarding alleged destruction of evidence, notice
4 attached hereto and incorporated herein;

5 3. That the subject matter of Mr. Neal's proposed deposition
6 and the Rule 30(b)(6) deposition mentioned above would at least
7 substantially overlap;

8 4. That Mr. Neal is an attorney within General Electric's
9 office of General Counsel with supervisory responsibilities in this
10 case;

11 5. That General Electric has objected to the proposed
12 deposition of Mr. Neal, objections attached hereto and incorporated
13 herein;

14 6. That all parties wish to avoid subjecting Mr. Neal to a
15 deposition unless necessary;

16 7. However, the Court-set deadline for completion of fact
17 depositions is approaching quickly;

18 8. Therefore, the parties agree and stipulate that they will
19 confer on the need for Mr. Neal's deposition to be taken after
20 completion of the Rule 30(b)(6) deposition on the alleged destruction
21 of evidence referred to above, and will resolve that issue through
22 later agreement or through a motion to the Court;

23 9. Furthermore, the parties agree and stipulate that should
24 the parties ultimately agree or the Court order that Mr. Neal's
25 deposition should be taken, that said deposition should proceed

26 . . .

27 . . .

28 . . .

1 despite the expiration of the Court-set deadline for completion of
2 fact witness depositions.

3 DATED: July ___, 1993

BRADLEY & MERRELL
RALPH A. BRADLEY
PAUL E. MERRELL

6 By: _____

PAUL E. MERRELL
Coordinating Attorney
BRADLEY & MERRELL
c/o JONES, JONES, CLOSE & BROWN
300 South Fourth St., Suite 700
Las Vegas, Nevada 89101
(702) 385-4202

Attorneys for Plaintiff
NEVADA POWER COMPANY, a Nevada
corporation

13 DATED: July ___, 1993

THORNDAL, BACKUS, MAUPIN &
ARMSTRONG

16 By: _____

JOHN L. THORNDAL
THORNDAL, BACKUS, MAUPIN
& ARMSTRONG
1100 East Bridger Avenue
Las Vegas, NV 89101
(702) 366-0622

Attorneys for Defendants
MONSANTO COMPANY and
WESTINGHOUSE ELECTRIC CORPORATION

22 . . .

23 . . .

24 . . .

25 . . .

26 . . .

27 . . .

28 . . .

1 DATED: July __, 1993

ALVERSON, TAYLOR, MORTENSEN
& NELSON

By:

J. BRUCE ALVERSON
ALVERSON, TAYLOR, MORTENSEN
& NELSON
3821 W. Charleston Blvd.
Las Vegas, Nevada 89102
(702) 384-7000

Attorneys for Defendant
GENERAL ELECTRIC COMPANY

IT IS SO ORDERED.

Magistrate Judge
United States District Court

DATED: _____

BRADLEY & MERRELL
c/o JONES, JONES, CLOSE & BROWN, CHARTERED
Seventh Floor -- Bank of America Plaza
300 South Fourth Street
Las Vegas, Nevada 89101-8026
(702) 385-4202

MESSAGE FROM XEROX 7024: (702) 385-1655

DATE: July 7, 1993

TO: Robert J. Shaughnessy, Esq. FAX #: (202) 434-5029
PHONE #: (202) 434-5843
FROM: Paul E. Merrell, Esq.
CLIENT/MATTER: Nevada Power v. Monsanto, et al.
CLIENT/MATTER NO.: 11927.2
DOCUMENT(S) DESCRIPTION: Letter and Stipulated Order
NUMBER OF PAGES (including cover sheet): Six (6)
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: Operator, Ext. 615

TRANSMISSION REPORT

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

**** COUNT ****

TOTAL PAGES SCANNED : 6
TOTAL PAGES CONFIRMED : 6

*** SEND ***

No.	REMOTE STATION	START TIME	DURATION	#PAGES	MODE	RESULTS
1	STEVEN KUNEY	7- 7-83 3:36PM	1'23"	6/ 6	EC	COMPLETED 14400

TOTAL 0:01'23" 6

NOTE:

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

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: July 7, 1993

TO: Robert J. Shaughnessy, Esq. FAX #: (202) 434-5029

PHONE #: (202) 434-5843

FROM: Paul E. Merrell, Esq.

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

CLIENT/MATTER NO.: 11927.2

DOCUMENT(S) DESCRIPTION: Letter and Stipulated Order

NUMBER OF PAGES (including cover sheet): Six (6)

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: Operator, Ext. 615**