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July 22, 1993

BY FACSIMILE

Paul E. Merrell, Esq.
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700 Valley Bank Plaza
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Re: Nevada Power Litigation

Dear Paul:

This concerns the July 21 2 p.m. draft of the stipulation. There are several aspects of the proposed stipulation that GE cannot agree to.

Items 7, 8, and 10 belong in category B, not category A. Item 10, the deposition of Manny Neal, was in category B in the last draft, but has now inexplicably drifted up to category A. Items 7 and 8, continuation of the two GE 30(b)(6) depositions, belong in category B for the reasons stated in my letter to you yesterday. We also request that you use the term "continuation" rather than "re-taking" with respect to these 30(b)(6) depositions, because, as you know, we dispute Nevada Power's right to revisit certain issues in those examinations.

GE also objects to the description of the two 30(b)(6) depositions. For one thing, contrary to the current language of the draft, the deposition listed as item 7 was not noticed by Nevada Power; rather, GE offered to provide this deponent in lieu of Manny Neal. Moreover, as I have previously conveyed to you, the subject matter of that deposition is GE's document retention policies and practices with respect to PCB-related documents, not "alleged evidence destruction." (If the latter phrase appeared in a notice of deposition, it would plainly be objectionable as overly

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vague.) GE also objects to the description of the deposition under item 8, for the reasons stated in my July 19 letter to you. If you excise the phrase "to trade associations" (and move it to category B) we can live with it for now, and talk later about the scope and conditions of the deposition.

I look forward to seeing the next draft of the stipulation.

Sincerely yours,



Robert J. Shaughnessy

cc: Arvin Maskin
J. Bruce Alverson
John L. Thorndal
Bruce A. Featherstone
John Kim
David McCrea
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