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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: 7/21/93

TO: ✓ Bill Snyder

FAX #: (615) 791-6567

PHONE #: (615) 791-6625

FROM:

Paul Merrell

CLIENT/MATTER: Nevada Power/Monsanto

CLIENT/MATTER NO.: 11927.2

DOCUMENT(S) DESCRIPTION: *Copy of case calendar*

NUMBER OF PAGES (Including cover page):

14

MESSAGE:

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IF YOU EXPERIENCE PROBLEMS WITH THIS TRANSMISSION,
please call (702) 385-4202 and ask for: Robert Osterloh, Ext. 615

e1

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MESSAGE FROM XEROX 7024: (702) 385-1855

DATE: 7/21/93

TO: Bill Snyder

FAX #: (815) 791-8567

PHONE #: (815) 791-8825

FROM:

Paul Merrell

CLIENT/MATTER: Nevada Power/Monsanto

CLIENT/MATTER NO.: 11927.2

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TRANSMISSION REPORT

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TOTAL PAGES SCANNED : 13

TOTAL PAGES CONFIRMED : 13

*** SEND ***

No.	REMOTE STATION	START TIME	DURATION	#PAGES	MODE	RESULTS
1	SNYDER	7-21-83 2:54PM	8'36"	13/ 13		COMPLETED 9600

TOTAL 0:08'36" 13

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

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MESSAGE FROM XEROX 7024: (702) 385-1655

DATE: 7/21/93

TO: Ralph A. Bradley, Esq.
c/o Husch & Eppenberger

FAX #: (314) 421-0239

PHONE #: (314) 421-4800

FROM: Paul Merrell

CLIENT/MATTER: Nevada Power v. Monsanto

CLIENT/MATTER NO.: 11927.2

DOCUMENT(S) DESCRIPTION:

copy of CASE CALENDAR

NUMBER OF PAGES (including cover page): 14

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c/o Husch & Eppenberger

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PHONE #: (314) 421-4800

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1		7-21-83 3:15PM	8'28"	13/ 13		COMPLETED 9600

TOTAL 0:08'28" 13

NOTE:

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(702) 385-4202

MESSAGE FROM XEROX 7024: (702) 385-1655

DATE: July 21, 1993

TO: David McCrea

FAX #: (812) 336-5307

PHONE #: (812) 336-4840

FROM: Paul Merrell

CLIENT/MATTER: Nevada Power/Monsanto

CLIENT/MATTER NO.: 11927.2

DOCUMENT(S) DESCRIPTION: Copy of case calendar

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MESSAGE FROM XEROX 7024: (702) 385-1656

DATE: July 21, 1993

TO: David McCrea

FAX #: (812) 336-6307

PHONE #: (812) 336-4840

FROM: Paul Merrell

CLIENT/MATTER: Nevada Power/Monsanto

CLIENT/MATTER NO.: 11927.2

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No.	REMOTE STATION	START TIME	DURATION	#PAGES	MODE	RESULTS
1	D. MCCREA	7-21-83 2:44PM	8'45"	13/ 13		COMPLETED 9600

TOTAL 0:08'45" 13

NOTE:

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MESSAGE FROM XEROX 7024: (702) 385-1655

DATE: July 21, 1993

TO: Michael T. Gallagher

FAX #: (713) 654-5070

PHONE #: (713) 654-4433

FROM: Paul Merrell

CLIENT/MATTER: Nevada Power v. Monsanto

CLIENT/MATTER NO.: 11927.2

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MESSAGE FROM XEROX 7024: (702) 385-1655

DATE: July 21, 1993

TO: Michael T. Gallagher

FAX #: (713) 654-5070

PHONE #: (713) 654-4433

FROM: Paul Merrell

CLIENT/MATTER: Nevada Power v. Monsanto

CLIENT/MATTER NO.: 11927.2

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1	GALLAGHER	7-22-93 9:15AM	10'19"	13/ 13		COMPLETED 7200

TOTAL 0:10'19" 13

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MESSAGE FROM XEROX 7024: (702) 385-1655

DATE: July 21, 1993

TO: John H. Kim

FAX #: (713) 654-5070

PHONE #: (713) 654-4433

FROM: Paul Merrell

CLIENT/MATTER: Nevada Power v. Monsanto

CLIENT/MATTER NO.: 11927.2

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1	KIM	7-22-93 9:26AM	7'28"	11/ 13		COMMUNICATION ERROR E204 9600 0513
2	KIM	9:35AM	1'52"	2/ 13		COMPLETED END OF RESEND 7200

TOTAL 0:09'20" 13

NOTE:

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300 South Fourth Street, Suite 610

Las Vegas, NV 89101-6026

Nevada Power Company v. Monsanto Company, et al.

USDC, District of Nevada Case CV-S-89-555-LDG (LRL)

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(702) 385-4202

Fax: (702) 385-1655

July 1993						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5	6	7	8 PEM call John Tatlock regarding Zornes deposition.	9 9:00 Conference call w/ Tatlock re: authentication Status report to Chuck McCrea for 7/13 meeting File M/Compel inspection of property Follow-up with Sue Fogelboch if haven't heard back from her about getting an affidavit from Zorne's doctor.	10

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July 1993						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
11 11	12	13 Phone conference with Tatlock re Kelly, Zornes, Brown video on Hazards; 30(b)(6) on reliance; authentication of 150 documents; set time to discuss privilege log; stipulate or protective order; get doctor's note or ??; PEM discuss with Tatlock Monsanto's 30(b)(6) dep requesting everything PEM to get extension on M/amend GE & WEC must serve supplement to Privilege log GE must inform Nevada Power which 15 of the remaining 30 interrogatories it wants us to answer. Def's. response to m/compel inspection of property due by 4:00 Decide experts with Hinckley	14 4:00 Phone conference with Leavitt & Counsel	15 Connecticut GE 30(b)(6) dep re: document retention dep re: "trade associations" PEM to call Joe Yost (202) 508-5104 re: EEI deposition 7/22 PEM to discuss with Tatlock Monsanto's 30(b)(6) dep. requesting everything PEM to make set-up calls on M/compel on stat. of lim. interrogatories PEM to make set-up calls on m/comepl on damages Strategy with DNM, RJS, BJB & PEM on Motions to compel on 24 discovery responses	16 Connecticut GE 30(b)(6) dep re: hazards GE dep John Brown Dep James H. Zornes 1:30 LV - VACATED/TO BE RESCHEDULED RJS attempting to submit authentication responses to Defs Monsanto's 30(b)(6) dep requesting everything - VACATED/TO BE RESCHEDULED Choose 150 documents from 300 interrogs	17 Receive documents from Konrad Cailleux including Bickerstaff deposition & his dep. from insurance litigation; docs WEC has waived privilege appended to Ex. 1212. WEC located docs referenced in our Op. to WEC m/Protective Order; will be shipped today or brought to deposition [check with DAVID SCHALK for these documents] WEC PMK dep/ 1st cut re scope of deposition
		9:00 Deposition of Matteucci 1:30 Deposition of McCarthy				

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July 1993						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
18 PEM discussions with Tatlock re: 30(b)(6)	19 2:30 (tent) Leavitt may be available for dispute/conference re retake of depo Review Defs. response to NPC on privilege log Follow up with David McCrea re: responding to 15 interrogatories File motion to retake GE depositions	20 11:30 (tent) hearing on retake of depo Nevada Power must respond to 15 interrogatories selected by GE.	21 Check for Sue Fogelboch's response to Tatlock's letter re documents promised at Matteucci, Whisler and Dichl's depositions	22 Pl. reply to MSJ on comp damages due	23 Last day for NP to take fact witness and authentication depos D/L Submit authentication responses to Defs Documents available for Monsanto dioxin deposition	24
	Defendants respond to Pl. 6/23 m/limine or production of documents re scrap or salvage value					
St. Louis Monsanto Depositions						
		Leavitt available from 9-4 Deposition of WEC 30(b)(6) [Bair] INCOMPLETE - TO BE CONTINUED	Depo of NP's person in response to Rogs #10 & 11 RESCHEDULE WITH KIERNAN Leavitt available from 1:2 and 3-4 Continued deposition of WEC 30(b)(6) [Pins]	WEC Edison Electric Institute 30(b)(6) deposition of Joe Yost EEL QUASHING Depo of NP's person in response to Interrogatory #27 TO BE RESCHEDULED Leavitt available from 1:30 to 4 Continued deposition of WEC 30(b)(6) [Lawrence] - Bring back Bair?	Monsanto dep of NPC 30(b)(6) 9:00 re damages Dep of Manny Neal; 9:00 a.m. in Trumbull, CT DEFERRED Leavitt available from 9:30- 12:00 Bair to have completed review of typescript and compare with handwritten notes and provided to NP	

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July 1993

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
25	26 Respond to Tatlock's 7/12/93 letter re: Documents promised at Matteucci, Whisler and Diehl's depositions	27	28 Pl. reply to Defendants' response to Motion to Amend	29 Def's. response due to Pl. M/Compel WEC to provide adequate responses	30 NP 26(b)(4) - expert witness disclosure with expected testimony Exhibit numbers on Defs documents	31
Leavitt unavailable for dispute resolution except if all parties want a stay for settlement Audra out of the office						
					Defense depositions of Plaintiff's experts commences	

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August 1993						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 Pl. Reply due on Motion in Limine relating to evidence re: scrap or salvage value - Monsanto and GE filed separate documents	3 Pl. response to Motion for Modification of Magistrate Judge's 6/29/93 Order re Privilege logs due 8/6	4	5	6 DEADLINE Pl. response to Motion for Modification of Magistrate Judge's 6/29/93 Order re Privilege logs due	7
Defense depositions of Plaintiff's experts						
8	9	10	11	12	13	14
					Joe & Deb out of town	
Defense depositions of Plaintiff's experts						
15	16	17	18	19	20	21
Joe & Deb out of town						
Defense depositions of Plaintiff's experts						
22	23	24	25	26	27 Defa disclose their experts and expected testimony	28
					Joe & Deb out of town	
					Plaintiffs commence deposing defense experts	
29	30	31				
Joe & Deb out of town						

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Fax: (702) 385-1655

September 1993						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17 End of Discovery	18
19	20	21	22	23	24	25
26	27	28	29	30		

no/kir 6

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Document/ Project	Initiated		Assigned to	Date Due	Review date	Suspense file number	Def. response due	Project Completed
	Date	By whom?						
Supplemental to Motion for entry of default against WEC Motion to reply and reply	6/7/93						6/23/93	
	7/9/93						7/26/93 (optional)	
PEM call John Tatlock regarding Zornes deposition; stipulate or protective order; get doctor's note or ??.	7/8/93		PEM	7/8/93	7/9/93 Follow-up with Sue Fogelboch if haven't heard back from her about getting an affidavit from Zorne's doctor.		7/13 Waiting for response from Tatlock	
	7/13		PEM	7/13/93				
Motion for reconsideration of order re: GE's exceed # interrogatories	check date of order		DNM/PEM					
Nevada Power must respond to 15 interrogatories selected by GE.	7/8/93		PEM/DNM	7/20/93				
PEM & Tatlock discuss Defs resp. to Pl's r/Admit & one never responded to (no ruling) Monsanto's 30(b)(6) notice to NVP			PEM	7/9/93 @ 9:00 a.m.				
				7/14/93 @ 8:00 p.m.				
Reply to Defs. response to m/ Amend			PEM/DES/ RJS/DNM	7/13/93	BJB call Ann Dane & get dates and copy of stip./received 7/15/93.		none	
			BJB to pull Defs. cites	7/28/93				
Reply to m/ Reconsideration (#372 (Ct 376); defs 395 & 398	6/29/93		DNM/PEM	7/14/93				
Motion re: Monsanto's 30(b)(6) dep requesting everything; PEM discuss with Tatlock	7/6/93		PEM/DNM	7/16/93 9:00 a.m. (Monsanto)	7/14/93 @ 8:00 p.m.			
Motion to compel on damages; review damage calculations			DNM/PEM	Discuss with expert when retained	Paul to make set-up calls. Deb review our contention interrogatories -- what did we ask for?			
Motion for Summary Judgment on amount of comp damages	6/23/93 7/8/93	Defs	PEM	7/22/93 Pl. reply due			7/8	

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Document/ Project	Initiated		Assigned to	Date Due	Review date	Suspense file number	Def. response due	Project Completed
	Date	By whom?						
Motion to compel on statute of limitations interroga				Discuss with Tatlock on 7/14	Paul to make set-up calls by 7/15.			
Plan for motions to compel on 24 discovery responses	PEM to meet with DNM, RJS and BJB Thursday morning 7/15/93 to plan strategy.							
Motion in Limine; ITA production of docs re scrap or salvage value Pl. Reply due to Monsanto and GE (separate responses)	6/23/93 8/2/93						7/8 Stipulated extension to 7/19	
Choose 150 documents from 300 interroga	7/9/93		RJS	7/16				
Exhibit numbers on Defendants' documents	7/9/93		RJS/HCD?	7/30/93				
Authenticate Defs. documents			RJS	7/23/93				
Documents for GE and WEC depositions	7/9/93		EVG/RJS	ongoing				
Documents for Monsanto dioxin deposition			RJS/EVG/ HCD	7/23/93				
Summarize documents in 900,000 series			Joe	ongoing				
Review Defendants' fact list for any additional depositions needed; identify any new witnesses			DNM/HCD	7/14/93 reschedule deadline				
Respond to Tatlock's letter re: Documents promised at Matteucci, Whisler and Diehl's depositions	7/12/93	RJS	PEM/BJB	7/26/93	7/21/93 (Referred to Sue Fogelboch)			
Defendants get back to NPC on Priv. log				7/19/93				
Pl. M/Compel WEC to provide adequate responses	7/14/93	DNM					7/29/93	

(702) 385-4202

BRADLEY & MERRELL
300 South Fourth Street, Suite 610
Las Vegas, NV 89101-6026
Nevada Power Company v. Monsanto Company, et al.
USDC, District of Nevada Case CV-S-89-555-LDG (LRL)
CONFIDENTIAL - Attorney/Client Work Product

Fax: (702) 385-1655

Document/ Project	Initiated		Assigned to	Date Due	Review date	Suspense file number	Def. response due	Project Completed
	Date	By whom?						
Need to do motion for protective order based on the objections at the Matteucci deposition - notice that we will do full protective order within 5 days of receipt of transcript.	7/13/93		DNM		7/15/93			
Reply motion to reconsider magistrates order of May 17			DNM					
Review transcript of Dr. Kelly in Brown v. Monsanto; will we accept?	7/15/93	Featherstone						
File brief with magistrate re: issues to look for when conducting in-camera review of index defs. considered privileged	7/20/93	PEM	PEM	7/23/93		WEC submit balance of index to court by 7/30		
Motion for Modification of Magistrate Judge's 6/29/93 Order re: Privilege logs	7/19/93	Defendants jointly		Pl. response due 8/3 + 3 mail = DE 8/6/93				
Motion for Mini-trial	7/19/93	PEM	J. Field JJC&B	7/23/93				
Brief issues re: index being submitted to Judge in-camera	7/20/93	PEM	PEM	7/23/93				
Stipulated order tying up loose ends	7/20/93	PEM	PEM	7/23/93				

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GE's deposition of Fluor Power Services, Inc. 30(B)(6)			D. McCrea	7/23/93 @ 10:00 a.m. Chicago				
Deposition of NP's person in response to Interrogatories #10 & 11				7/21/93				
Deposition of NP's person in response to Interrogatory #27				7/22/93				
WEC Edison Electric Institute 30(b)(6) deposition Joe Yost identified as witness			D. McCrea ?Where?	7/22/93				
Discovery schedule deadlines								
Monsanto dep of NPC 30(b)(6) 9:00 re damages	7/16/93	Tatlock	PEM to discuss with Tatlock	7/23/93 @ 9:00 a.m.				
Deposition of John Brown				past 7/23 cutoff			GE provide stipulated order continuing	

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Compare defendants' contentions			Trial Lawyer					
Review all exhibits/pare down for 3-dot binders			Trial Lawyer					

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	Date	By whom?						
Pl. reply to (#362) cross-motion for P/O re GE's m/ to exceed # of interrogatories				7/8/93				7/8/93
Protective order on Matteucci and McCarthy depos			PEM?					moot
Deposition of Matteucci Check fact witness summaries for what they might be trying to get from deponent	7/6/93			7/13/93 @ 9:00 a.m.				7/13/93
Deposition of McCarthy Check fact witness summaries for what they might be trying to get from deponent	7/6/93			7/13/93 @ 1:30 p.m.				7/13/93
Review NP discovery requests re: Bair, Bickerstaff, WEC objections	7/9/93		DS, DNM	7/12/93				7/14/93
Experts - decide with Hinckley and trial attorney			CM/RJS	7/13/93				7/14/93
M/ Compel inspection of property Phone Conference with Leavitt and Counsel; Hearing	7/1/93 7/9/93		PEM/DS	7/9/93 7/14/93 @ 4:00			7/13/93 @ 4:00	7/14/93

Other things to do:
Suspense file numbers
Compare 3 defendants' contentions
Defendant fact witness list