

From: Adams, Angela W. (SLC)
Sent: Tuesday, November 02, 2004 8:59 AM
To: Kubota, Dawn (SLC)
Subject: FW: Rule 30(b)(6) Depositions

-----Original Message-----

From: Adams, Angela W. (SLC)
Sent: Thursday, June 03, 2004 11:14 AM
To: Charles A. Zdebski Esq. (E-mail)
Cc: Genevieve D. Sapir (E-mail); John Davidson Thomas (E-mail); Michael D. Woods (E-mail); Oldroyd, Jerold G. (SLC)
Subject: Rule 30(b)(6) Depositions

Charlie,

As Dave indicated yesterday, we will be producing Gary Goldstein, Marty Pollock, and Steve Brown in response to the Rule 30(b)(6) Deposition Notice served by PacifiCorp. I am writing in response to your email to Dave requesting information regarding the areas of inquiry for which each witness will be offered. Gary Goldstein and Marty Pollock will be offered to answer questions regarding the following numbered paragraphs in the Notice: 1-5 and 12. Steve Brown will be offered to answer questions relating to numbered paragraphs 10-11.

Comcast will not be producing a witness to respond to the areas of inquiry contained in numbered paragraphs 6-9. As indicated in Comcast's responses to PacifiCorp's discovery requests, these areas are irrelevant to the current dispute and, likewise, are not reasonably calculated to lead to the discovery of admissible evidence. As you pointed out in your March 25, 2004 letter to Dave and Genevieve, "there is only one overarching factual issue; whether Comcast has unauthorized attachments on PacifiCorp's facilities." While we do not agree entirely with your statement of the issues, it raises the point that the issues are, in fact, limited. Easements, rights-of-way, construction and safety standards, and the pace of Comcast's build-out are entirely unrelated to the issues that the parties have raised before the Public Service Commission. Accordingly, we will not be producing a witness to respond to these areas of inquiry.

Please do not hesitate to contact me if you have any questions.

Angela W. Adams

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