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June 29, 1987

Evan M. Slavitt, Esquire
Assistant United States Attorney
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SDMS DocID 64689

Dear Evan:

You will recall our correspondence concerning production by the government of sampling data contained on Battelle's computer. These data should have been produced pursuant to document requests timely served. I indicated a willingness to pay costs of that production in order to expedite the matter and to avoid a trip to Court. On March 3, I received a letter from Battelle consisting of a proposed contract between it and Ropes & Gray and calling for payment of approximately \$60,000 to obtain the data. This is hardly what was intended or contemplated. Ropes & Gray is not about to enter into a contract with Battelle in order to obtain data to which it was entitled in the normal course of discovery. Nor is Ropes & Gray or Aerovox about to pay \$60,000 to the government or Battelle for production of such data. I request that you instruct Battelle to prepare and submit the data to Ropes & Gray without this foolishness. We are still prepared to pay reasonable costs, but \$60,000 hardly is reasonable. If you are unable to satisfy me in this matter, I will go to the Court with a motion to compel.

Very truly yours,

Paul B. Galvani

Paul B. Galvani

PBG/jmm

Jim

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