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January 21, 2003

VIA E-MAIL

Robert C. Feldmeier
Foley & Lardner
321 N. Clark Street
Chicago, IL 60610

Re: Docket No. 02-0277

Dear Bob:

This letter further responds to yours of Jan. 3 and 13, 2003, concerning discovery matters in this docket. With regard to Commonwealth Edison Co.'s Data Request 1.05, we have conferred with counsel at Eimer Stahl Klevorn & Solberg about the referenced Cook County Circuit Court litigation and on that basis respond as follows:

- Attached hereto is a listing of public materials in Eimer Stahl's files concerning the Cook County litigation. As stated in our prior conversations, I believe you already have in your possession these and all other non-privileged documents from the litigation. Nonetheless, in the event you wish to review Eimer Stahl's non-privileged materials from the litigation, please let me know and we will arrange with Eimer Stahl for such a review.
- PDV Midwest Refining, LLC and Citgo Petroleum Corp. did not produce documents in the Cook County litigation.
- Eimer Stahl has no documents produced in response to any subpoena served upon Seneca Petroleum in the Cook County litigation.
- No experts or consultants were retained by PDV Midwest or Citgo in connection with the Cook County litigation.

I trust, with this information, that we can remove these items from our discussions.

Additionally, as stated in our telephone call of last Thursday, I am unaware of any non-privileged "internal analyses" responsive to this request. I further note that, as phrased, your request for confirmation on this point is outside the scope of Data Request 1.05.

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I have not addressed here your request for documents pertaining to any settlement of the Cook County litigation or any joint defense agreement in this docket, which are the subject of your pending motion.

Please feel free to contact me with any questions regarding these matters. Thank you.

Very truly yours,

SONNENSCHN NATH & ROSENTHAL



By:

Thomas A. Andreoli

TAA/js

Attachment

cc: Service List (w/att. via e-mail)
Scott Solberg (w/att. via e-mail)
Christine Johnson (w/att. via e-mail)