



June 7, 1990

Michael Chapman, Esq.
Sutin Thayer & Browne
Post Office Box 2187
Santa Fe, NM 87504

General

Re: Court of Appeals Cause No. 12190

Dear Michael:

This letter confirms our telephone conversation of June 4, 1990, in which I informed you the State and EID would not agree to the **Motion For Extension of Time to Submit Record** as drafted. I told you that the State and EID will agree to an extension of ten days from June 4th. Further, I told you that if your client wishes to include within those ten days discussions with me regarding submission of a record different from that specified in my May 30, 1990 letter to John Bannerman, I would be available, but that such discussions would not extend the ten days' extension to which my client will agree.

Although we did not discuss any other changes to the **Motion**, I would also want the following changes: (1) given that the obligation to file the record is the appellant's, please redraft to reflect that the motion is the University's and that EID and the EIB do not object to the motion; and (2) please delete representations that preparation of the record is an unnecessary, expensive, and administrative burden on EID and on the process. If you wish to discuss these points further, please call.

If this is agreeable to your client, please forward to me a redrafted **Motion** for my consideration. If it is acceptable, I can telephone to you or to John Bannerman my oral approval, i.e., my client's position that it does not oppose the **Motion**.

Sincerely,

GINI NELSON
Assistant General Counsel

cc: Randy Van Vleck, Esq., Office of the Attorney General
~~William Gordon~~, EID Hazardous Waste Program

