

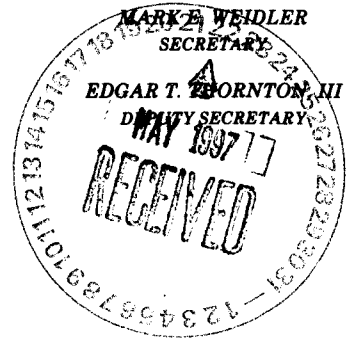
GARY E. JOHNSON
GOVERNOR

State of New Mexico
ENVIRONMENT DEPARTMENT
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, New Mexico 87502

OFFICE OF GENERAL COUNSEL

PHONE: 505-827-2990
FAX: 505-827-1628

Stu



May 22, 1997

Mr. James Fitzgerald
Attorney at Law
P. O. Box 1888
Albuquerque, New Mexico 87103

**RE: Public Records Inspection Request - Sparton Technology, Inc. -
9621 Coors Road NW, Albuquerque, New Mexico**

Dear Mr. Fitzgerald:

The New Mexico Environment Department ("NMED") is in receipt of your letter dated May 15, 1997 regarding a public inspection request on the Sparton Technology, Inc. ("Sparton") facility files. Since this matter is in litigation, it has been our preference to defer discovery to the Rules of Civil Procedure For the District Court rather than the Public Records Act, since any request under the Public Records Act will be duplicative of what is provided to Sparton under the rules of discovery.

Your request is also burdensome in that it will take some time to locate the information you request in the voluminous files that exist. If NMED is to comply with your request under the Public Records Act, additional time is needed to respond to your request.

If you are not in agreement with this procedure, please call me to discuss your concerns. I will be out of my office from May 27, 1997 through May 30, 1997.

In the future, please do not contact my client directly. All contact with NMED on the Sparton matter needs to be sent or directed through NMED's attorney assigned to this matter.

Very truly yours,

Ana Marie Ortiz

ANA MARIE ORTIZ
Assistant General Counsel

cc: Ed Kelley
Benito Garcia
Marcy Leavitt