

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

C.A. No. 4:07-cv-3299-TLW-TER

AVX CORPORATION,)
)
Plaintiff,)
)
vs.)
)
HORRY LAND COMPANY, INC. and)
THE UNITED STATES OF AMERICA,)
)
Defendants.)

AVX CORPORATION'S
LOG OF PROTECTED DOCUMENTS
WITH BATES NUMBERS

The plaintiff AVX Corporation ("AVX") identifies the following documents that have not been produced as to which attorney-client, work product, anticipation of litigation, audit and business proprietary privileges are claimed as described in AVX's briefs filed with the Court. As previously indicated, environmental sampling data has been produced to the defendant, Horry Land Company, Inc. ("Horry Land").

As previously indicated, AVX contends that all documents on its privilege log are protected from discovery. In an attempt to resolve the discovery dispute, however, AVX provided certain of the documents listed in its privilege log to Horry Land's counsel in redacted form pursuant to a non-disclosure agreement. AVX did not provide the other documents on AVX's privilege log to Horry Land's counsel because AVX contends that those documents are entirely protected and there should be no access to those documents by Horry Land, in redacted form or otherwise. Again, AVX believes the redacted documents are also completely protected and requests that the Court so find as AVX only provided the redacted documents to Horry Land in redacted form in an attempt to resolve the discovery dispute. Environmental sampling data from 1981 to 1995 (and thereafter) has separately been provided to Horry Land.

The redacted documents that AVX previously provided to Horry Land's counsel are labeled with bates numbers AVXRED00001 - AVXRED01524. They are labeled "AVXRED" because they have been redacted and provided to Horry Land's counsel in redacted form. These documents are provided to the Court in the box with this log that is labeled "AVX Redacted Documents AVXRED00001 - 01524 - for the Court's *In Camera* Review Only". The highlighted text on these documents constitutes the redactions made to the documents provided to Horry Land. The last column on this privilege log provides the AVXRED bates numbers. Please note that the AVXRED bates numbers appear on some but not all of the documents on the privilege log (the AVXRED bates numbers are highlighted on this privilege log). Again, this is because AVX provided those documents with the opinions redacted.

The remainder of the documents (without AVXRED bates numbers) on AVX's privilege log are those that were not redacted because AVX contends that those documents are also entirely protected and no redactions would be appropriate as Horry Land is not entitled to any access of those materials. These documents are labeled AVXPRIV00001-AVXPRIV01025 and listed by the bates number on the attached privileged log. These "AVXPRIV" documents are included with this letter in this box with a separate label "AVX Privileged Documents 'AVXPRIV00001-AVXPRIV01025 - For the Court's *In Camera* Review Only.'" These two boxes comprise the documents specifically identified on AVX's privilege log.

AVX Corporation's Log of Protected Documents with Bates Numbers

Document date	To	From	Document Description	Bates Number
04/19/1989	Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Soil sampling report	AVXRED00001- AVXRED00009
06/08/1989	Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Soil sampling report	AVXRED00010- AVXRED00029
03/27/1989	File	Law Firm Consultant	Soil sampling memorandum	AVXRED00030- AVXRED00031
03/03/1989	Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Soil sampling report	AVXRED00032- AVXRED00047
10/21/1988	Prager, Joan (AVX)	Law Firm Consultant	Groundwater analysis report	AVXRED00048- AVXRED00063
12/01/1989	Prager, Joan (AVX)	Law Firm Consultant	Groundwater sampling correspondence	AVXRED00064
09/16/1985	Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Soil and groundwater report	AVXRED00065- AVXRED00068
04/03/1990	Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Summary report on groundwater studies	AVXRED00069- AVXRED00091
09/04/1985	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Summary report on groundwater studies	AVXRED00092- AVXRED00097
05/07/1984	Wearstler, Terry (AVX)	Law Firm Consultant	Groundwater sampling report	AVXRED00098- AVXRED00109
11/19/1991	Prager, Joan (AVX); Law Firm Consultant	Ford, Libby (Nixon Hargrave Law Firm Employee)	Well form correspondence	AVXRED00110
		State of South Carolina Water Resource Commission	Produced to Horry Land with no redactions	AVXRED00111- AVXRED00158
11/14/1991	Witmer, G. Robert (Nixon Hargrave Lawyer); Ford, Libby (Nixon Hargrave Law Firm Employee)	Prager, Joan (AVX)	Groundwater report correspondence	AVXPRIV00001- AVXPRIV00002
07/31/1991	Ford, Libby (Nixon Hargrave Law Firm Employee)	Prager, Joan (AVX)	Well drilling correspondence	AVXPRIV00003
07/03/1991	Law Firm Consultant; Witmer, Robert G. (Nixon Hargrave Lawyer); Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Sampling memorandum	AVXPRIV00004- AVXPRIV00006
05/13/1991	Ford, Libby (Nixon Hargrave Law Firm Employee); Nozik, Michael E. (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	Witmer, G. Robert (Nixon Hargrave Lawyer)	Well installation correspondence and memorandum	AVXPRIV00007- AVXPRIV00011

Document date	To	From	Document Description	Bates Number
07/01/1991	Witmer, G. Robert (Nixon Hargrave Lawyer); Prager, Joan (AVX); Law Firm Consultant	Ford, Libby (Nixon Hargrave Law Firm Employee)	Production well memorandum	AVXPRIV00012-AVXPRIV00013
07/02/1991	Witmer, G. Robert (Nixon Hargrave Lawyer); Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Production well memorandum	AVXPRIV00014-AVXPRIV00017
07/15/1991	AVX Corporation	Ford, Libby (Nixon Hargrave Law Firm Employee)	Project status memorandum	AVXPRIV00018-AVXPRIV00020
05/29/1991	Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Handwritten notes concerning impressions of counsel	AVXPRIV00021-AVXPRIV00023
02/28/1994	Ford, Libby (Nixon Hargrave Law Firm Employee)	Law Firm Consultant	Monitoring well memorandum	AVXPRIV00024-AVXPRIV00025
08/24/1992	Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Environmental analysis report	AVXPRIV00026
	AVX Corporation	Law Firm Consultant	Well analysis outline	AVXPRIV00027
07/25/1990	Witmer, G. Robert (Nixon Hargrave Lawyer); Law Firm Consultant	Prager, Joan (AVX)	Well data correspondence	AVXPRIV00028 (AVXRED00159)
02/11/1993	Prager, Joan (AVX) and Nixon Hargrave Lawyers and Employees	DeRosa, Jerry (Nixon Hargrave Law Firm Employee)	Soil disposal correspondence	AVXPRIV00029-AVXPRIV00030
12/23/1992	Prager, Joan (AVX); Witmer, Robert G. (Nixon Hargrave Lawyer) and Ford, Libby (Nixon Hargrave Employee)	DeRosa, Jerry (Nixon Hargrave Law Firm Employee)	Soil analysis correspondence	AVXPRIV00031-AVXPRIV00032
01/08/1993	Witmer, G. Robert (Nixon Hargrave Lawyer); Ford, Libby (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	DeRosa, Jerry (Nixon Hargrave Law Firm Employee)	Soil sample analysis	AVXPRIV00033
02/19/1993	Floro, Allan (Nixon Hargrave Lawyer); Ford, Libby (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	DeRosa, Jerry (Nixon Hargrave Law Firm Employee)	Correspondence re: soil treatment	AVXPRIV00034-AVXPRIV00036 (AVXRED00160-AVXRED00163)
12/07/1992	Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Sampling data correspondence	AVXPRIV00037
02/08/1993	DeRosa, Jerry (Nixon Hargrave Law Firm Employee)	Law Firm Consultant	Waste disposal correspondence	AVXPRIV00038-AVXPRIV00039

Document date	To	From	Document Description	Bates Number
02/09/1993	DeRosa, Jerry (Nixon Hargrave Law Firm Employee)	Law Firm Consultant	Proposal correspondence	AVXPRIV00040
08/00/1984	AVX Corporation	Law Firm Consultant	Preliminary engineering report	AVXRED00164- AVXRED00196
10/26/1992	Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Sampling data analysis	AVXPRIV00041
04/30/1992	Witmer, G. Robert (Nixon Hargrave Lawyer); Ford, Libby (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	DeRosa, Jerry (Nixon Hargrave Law Firm Employee)	Soil sampling report	AVXPRIV00042
04/30/1992	Witmer, G. Robert (Nixon Hargrave Lawyer); Prager, Joan (AVX)	DeRosa, Jerry (Nixon Hargrave Law Firm Employee)	Soil sampling report	AVXPRIV00043- AVXPRIV00044
08/27/1990	Law Firm Consultant	Prager, Joan (AVX)	Groundwater evaluation plan correspondence	AVXPRIV00045
06/00/1981	AVX Corporation	Law Firm Consultant	Preliminary groundwater evaluation report	AVXRED00197- AVXRED00229
10/00/1981	AVX Corporation	Law Firm Consultant	Preliminary groundwater evaluation report	AVXRED00230- AVXRED00241
03/05/1982	Wearstler, Terry (AVX)	Law Firm Consultant	Groundwater sampling report	AVXRED00242- AVXRED00246
04/24/1981	AVX Corporation	Insurance Company	Report on AVX Corporation	AVXRED00247- AVXRED00263
00/00/1982	AVX Corporation	Law Firm Consultant	Addendum to groundwater evaluation	AVXRED00264- AVXRED00270
07/27/1995	Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Handwritten note concerning impressions of counsel	AVXPRIV00046
07/12/1995	AVX Corporation	Law Firm Consultant	Preliminary risk assessment report with notes conveying impressions of counsel (Draft)	AVXPRIV00047- AVXPRIV00078
04/15/1992	Ford, Libby (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	Law Firm Consultant	Groundwater analysis report	AVXPRIV00079- AVXPRIV00081 (AVXRED00271- AVXRED00272)
11/30/1992; 12/10/1992; 12/14/1992	AVX Corporation	Law Firm Consultant; Ford, Libby (Nixon Hargrave Law Firm Employee); DeRosa, Jerry (Nixon Hargrave Law Firm Employee)	Handwritten notes concerning impressions of counsel	AVXPRIV00082- AVXPRIV00085
01/04/1993	Witmer, G. Robert (Nixon Hargrave Lawyer); Ford, Libby (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	DeRosa, Jerry (Nixon Hargrave Law Firm Employee)	Soil sample analysis report	AVXPRIV00086- AVXPRIV00087

Document date	To	From	Document Description	Bates Number
02/26/1996	Ford, Libby (Nixon Hargrave Law Firm Employee)	Prager, Joan (AVX)	Monitoring well report	AVXPRIV00088 (AVXRED00273- AVXRED00277)
01/18/1996	Witmer, G. Robert (Nixon Hargrave Lawyer); Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Background document report	AVXPRIV00089- AVXPRIV00091 (AVXRED00278- AVXRED00341)
08/28/1989	Den Braven, Gary (AVX)	Law Firm Consultant	Groundwater investigation report	AVXRED00342- AVXRED00368
08/00/1984	AVX Corporation	Law Firm Consultant	Preliminary engineering soil and groundwater report	AVXRED00369- AVXRED00408
04/12/1996	Oldland, Dennis (AVX) and others at AVX	Ford, Libby (Nixon Hargrave Law Firm Employee)	Soil screen procedure correspondence	AVXPRIV00092- AVXPRIV00097 (AVXRED00409- AVXRED00417)
05/21/1996	Ford, Libby (Nixon Hargrave Law Firm Employee); Witmer, G. Robert (Nixon Hargrave Lawyer); AVX Employees	Oldland, Dennis (AVX)	Status report memorandum and correspondence	AVXPRIV00098- AVXPRIV00101
06/20/1996	Ford, Libby (Nixon Hargrave Law Firm Employee); Blue, Larry (AVX) and others at AVX	Oldland, Dennis (AVX)	Telephone conversation memorandum	AVXPRIV00102
07/25/1990	Witmer, G. Robert (Nixon Hargrave Lawyer); Law Firm Consultant	Prager, Joan (AVX)	Well correspondence	AVXPRIV00103- AVXPRIV00104
04/07/1988	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Water sampling data result report	AVXRED00418 - AVXRED00422
04/16/1985	Walker, John (AVX) and others at AVX	Law Firm Consultant	Wastewater sampling report	AVXRED00423- AVXRED00424
12/19/1984	Walker, John (AVX)	Law Firm Consultant	Wastewater sampling report	AVXRED00425- AVXRED00426
01/14/1997	Law Firm Consultant; Blue, Larry (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Groundwater sampling report (Draft with impressions of counsel)	AVXPRIV00105- AVXPRIV00108
02/24/1995	Ford, Libby (Nixon Hargrave Law Firm Employee)	Law Firm Consultant	Groundwater sampling report	AVXPRIV00109- AVXPRIV00110
04/27/1993	Ford, Libby (Nixon Hargrave Law Firm Employee)	Law Firm Consultant	Groundwater sampling report	AVXPRIV00111- AVXPRIV00171
08/06/1993; 06/25/1993	Ford, Libby (Nixon Hargrave Law Firm Employee)	Law Firm Consultant; Law Firm Memo to File with Mental Impressions	Monitoring well memorandum	AVXPRIV00172- AVXPRIV00174
06/24/1993	AVX Corporation	Ford, Libby (Nixon Hargrave Employee)	Handwritten notes concerning impressions of counsel	AVXPRIV00175

Document date	To	From	Document Description	Bates Number
06/02/1993	AVX Corporation	Ford, Libby (Nixon Hargrave Employee)	Handwritten notes concerning impressions of counsel	AVXPRIV00176- AVXPRIV00177
04/15/1992	Ford, Libby (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	Law Firm Consultant	Water analysis report	AVXPRIV00178- AVXPRIV00179 (AVXRED00427- AVXRED00428)
04/15/1992	Ford, Libby (Nixon Hargrave Employee); Prager, Joan (AVX); (and others at AVX)	Law Firm Consultant	Well water analysis report	AVXPRIV00180- AVXPRIV00182 (AVXRED00429- AVXRED00430)
07/00/1993	Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Handwritten notes and attachment concerning impressions of counsel	AVXPRIV00183 (AVXRED00431- AVXRED00435)
04/15/1992	Ford, Libby (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	Law Firm Consultant	Groundwater sampling report	AVXPRIV00184- AVXPRIV00186 (AVXRED00436- AVXRED00437)
11/01/1995	Witmer, G. Robert (Nixon Hargrave Lawyer); Law Firm Consultant; Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Risk assessment memorandum concerning impressions of counsel	AVXPRIV00187- AVXPRIV00188
11/01/1995	Witmer, G. Robert (Nixon Hargrave Lawyer); Law Firm Consultant; Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Risk assessment report with privileged notes by counsel concerning mental impressions (Draft)	AVXPRIV00189- AVXPRIV00203
08/29/1995	Witmer, G. Robert (Nixon Hargrave Lawyer); Law Firm Consultant; Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Risk assessment memorandum with privileged notes by counsel concerning mental impressions (Draft)	AVXPRIV00204- AVXPRIV00231
07/12/1995	Ford, Libby (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	Law Firm Consultant	Risk assessment correspondence	AVXPRIV00232
09/08/1995	Witmer, G. Robert (Nixon Hargrave Lawyer); Muraco, Debbie (Nixon Hargrave Law Firm Employee); Law Firm Consultant; Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Risk assessment correspondence	AVXPRIV00233
07/18/1995	Ford, Libby (Nixon Hargrave Law Firm Employee)	Law Firm Consultant	Information regarding law firm consultant	AVXPRIV00234 (AVXRED00438- AVXRED00439)
09/08/1995	AVX Corporation	Ford, Libby (Nixon Hargrave Law Firm Employee)	Handwritten notes concerning impressions of counsel	AVXPRIV00235
10/06/1995	Ford, Libby (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	Law Firm Consultant	Risk assessment report with privileged notes by counsel concerning mental impressions (Draft)	AVXPRIV00236- AVXPRIV00260

Document date	To	From	Document Description	Bates Number
07/12/1995	Ford, Libby (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	Law Firm Consultant	Risk assessment report (Draft)	AVXPRIV00261- AVXPRIV00294
02/03/1994	Ford, Libby (Nixon Hargrave Law Firm Employee)	Law Firm Consultant	Groundwater sampling report	AVXPRIV00295- AVXPRIV00297
11/13/1990	Witmer, G. Robert (Nixon Hargrave Lawyer); Ford, Libby (Nixon Hargrave Law Firm Employee)	Law Firm Consultant	Soil gas and groundwater sampling correspondence	AVXPRIV00298- AVXPRIV00304
11/14/1990	Witmer, G. Robert (Nixon Hargrave Lawyer); Ford, Libby (Nixon Hargrave Law Firm Employee)	Law Firm Consultant	Soil gas and groundwater sampling correspondence	AVXPRIV00305- AVXPRIV00308
05/29/1991	AVX Corporation	Ford, Libby (Nixon Hargrave Law Firm Employee)	Handwritten notes concerning impressions of counsel	AVXPRIV00309
09/30/1986	Walker, John (AVX) and others at AVX	Law Firm Consultant	Water sampling data report	AVXRED00440- AVXRED00443
01/26/1987	Walker, John (AVX) and others at AVX	Law Firm Consultant	Water sampling data report	AVXRED00444- AVXRED00448
03/14/1986	Den Braven, Gary (AVX)	Law Firm Consultant	Wastewater engineering report	AVXRED00449- AVXRED00457
04/17/1986	Walker, John (AVX) and others at AVX	Law Firm Consultant	Water sampling report	AVXRED00458- AVXRED00459
01/19/1989	Wyche, Bradford (Wyche Burgess Lawyer); Prager, Joan (AVX) and others at AVX	Law Firm Consultant	Groundwater characteristics sampling report	AVXRED00460- AVXRED00469
08/27/1987	Wyche, Bradford (Wyche Burgess Lawyer); Prager, Joan (AVX) and others at AVX	Law Firm Consultant	Groundwater study report	AVXRED00470- AVXRED00478
06/26/1987	Wyche, Bradford (Wyche Burgess Lawyer); Prager, Joan (AVX) and others at AVX	Law Firm Consultant	Water sampling report	AVXPRIV00310
06/29/1987	Walker, John (AVX) and others at AVX	Law Firm Consultant	Wastewater sampling report	AVXRED00479 AVXRED00480
03/31/1987	Walker, John (AVX) and others at AVX	Law Firm Consultant	Wastewater sampling report	AVXRED00481- AVXRED00483
03/31/1987	Walker, John (AVX) and others at AVX	Law Firm Consultant	Water sampling report	AVXRED00484- AVXRED00488
	AVX Corporation	Law Firm Consultant	Groundwater distribution analysis	AVXRED00489- AVXRED00491
06/14/1995	Prager, Joan (AVX) (and others at AVX)	Law Firm Consultant	Soil and groundwater report with privileged notes by counsel concerning mental impressions (Draft)	AVXPRIV00311- AVXPRIV00341

Document date	To	From	Document Description	Bates Number
12/11/1984	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Soil and groundwater report	AVXRED00492- AVXRED00500
08/22/1984	Walker, John (AVX)	Law Firm Consultant	Water sampling report	AVXRED00501- AVXRED00542
09/12/1984	Walker, John (AVX)	Law Firm Consultant	Wastewater analytical report	AVXRED00543- AVXRED00544
12/19/1984	Walker, John (AVX)	Law Firm Consultant	Wastewater sampling correspondence	AVXRED00545- AVXRED00546
09/12/1984	Walker, John (AVX)	Law Firm Consultant	Wastewater sampling correspondence	AVXRED00547- AVXRED00553
01/00/1983	Wearstler, Terry (AVX)	Law Firm Consultant	Groundwater quality report	AVXRED00554- AVXRED00557
02/00/1985	AVX Corporation	Law Firm Consultant	Groundwater studies report	AVXRED00558- AVXRED00562
06/20/1984	Den Braven, Gary (AVX)	Law Firm Consultant	Groundwater sampling results	AVXRED00563- AVXRED00565
03/08/1985	Den Braven, Gary (AVX)	Law Firm Consultant	Well pump correspondence	AVXRED00566- AVXRED00567
07/24/1989	Prager, Joan (AVX)	Law Firm Consultant	Groundwater studies report	AVXRED00568- AVXRED00581
08/02/1984	Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Remedial action plan correspondence	AVXRED00582- AVXRED00583
09/12/1983	Wearstler, Terry (AVX)	Law Firm Consultant	Analytical sampling report	AVXRED00584- AVXRED00586
11/27/1984	Wyche, Bradford (Wyche Burgess Lawyer)	Prager, Joan (AVX)	Soil and groundwater sampling correspondence	AVXPRIV00342
10/18/1984	Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Soil and groundwater studies correspondence	AVXRED00587
	AVX Corporation	Law Firm Consultant	Groundwater summary report	AVXRED00588- AVXRED00607
08/28/1989	Den Braven, Gary (AVX)	Law Firm Consultant	Groundwater sample correspondence	AVXRED00608
06/30/1986	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Remedial action correspondence	AVXPRIV00343- AVXPRIV00345
10/00/1989	AVX Corporation	Law Firm Consultant	Groundwater assessment analysis	AVXRED00609- AVXRED00622
03/00/1990	AVX Corporation	Law Firm Consultant	Groundwater studies report	AVXRED00623- AVXRED00644
11/16/1987	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Sampling data summary report	AVXRED00645- AVXRED00658
02/22/1988	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Sampling data summary report	AVXRED00659- AVXRED00671
04/06/1988	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Sampling data summary report	AVXRED00672- AVXRED00686

Document date	To	From	Document Description	Bates Number
12/09/1991	Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Typed notes concerning impressions of counsel	AVXPRIV00346
12/12/1991	Law Firm Consultant; Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Well survey correspondence	AVXPRIV00347- AVXPRIV00348
12/20/1991	Law Firm Consultant; Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Monitoring well survey correspondence	AVXPRIV00349- AVXPRIV00350
12/20/1991	Law Firm Consultant	Prager, Joan (AVX)	Production well survey analysis	AVXRED00687- AVXRED00689
01/14/1992	Ford, Libby (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	Law Firm Consultant	Well pumping report with handwritten notes by counsel concerning mental impressions	AVXPRIV00351- AVXPRIV00357
08/13/1982	Anderson, C. (AVX)	Walker, John (AVX)	Environmental audit report	AVXRED01519
08/16/1982	AVX Dept Managers	Walker, John (AVX)	Environmental audit report	AVXRED01520
12/30/1991	AVX Corporation	Law Firm Consultant	Groundwater assessment analysis	AVXRED00690
12/31/1986	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Groundwater remediation summary report	AVXRED00691- AVXRED00698
09/30/1986	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Groundwater studies sampling report	AVXRED00699- AVXRED00707
06/05/1986	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Groundwater studies report	AVXRED00708- AVXRED00714
03/18/1986	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Groundwater studies report	AVXRED00715- AVXRED00722
12/12/1985	Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Water quality sampling data	AVXRED00723- AVXRED00727
11/21/1985	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Groundwater studies report	AVXRED00728- AVXRED00734
03/27/1987	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Groundwater studies report	AVXRED00735- AVXRED00741
05/00/1987	Wyche, Bradford (Wyche Burgess Lawyer)	Prager, Joan (AVX)	Sampling program correspondence	AVXPRIV00358- AVXPRIV00359
06/21/1989	Den Braven, Gary (AVX)	Law Firm Consultant	Groundwater studies report	AVXRED00742- AVXRED00756
04/18/1990	Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Groundwater studies report	AVXRED00757- AVXRED00779
01/10/1992	Ford, Libby (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	Law Firm Consultant	Groundwater sampling correspondence	AVXPRIV00360- AVXPRIV00361 (AVXRED00780- AVXRED00937))

Document date	To	From	Document Description	Bates Number
07/23/1992	Ford, Libby (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	Witmer, G. Robert (Nixon Hargrave Lawyer)	Sampling result report	AVXPRIV00362
01/14/1992	Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Production well analysis	AVXPRIV00363- AVXPRIV00365
09/25/1992	Ford, Libby (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	Witmer, G. Robert (Nixon Hargrave Lawyer)	Monitoring well correspondence	AVXPRIV00365. 01 – AVXPRIV00365. 02
04/16/1993	AVX Corporation	Witmer, G. Robert (Nixon Hargrave Lawyer)	Handwritten notes concerning impressions of counsel	AVXPRIV00366
10/25/1996	Blue, Larry (AVX); Law Firm Consultant	Ford, Libby (Nixon Hargrave Law Firm Employee)	Consent order correspondence concerning impressions of counsel	AVXPRIV00367- AVXPRIV00369
10/26/1996	Blue, Larry (AVX) and others at AVX	Hull, Ronald (Nixon Hargrave Law Firm Employee)	Consent order correspondence concerning impressions of counsel	AVXPRIV00370- AVXPRIV00381
03/04/1996	Ford, Libby (Nixon Hargrave Law Firm Employee)	Prager, Joan (AVX)	Sediment sampling correspondence	AVXPRIV00382- AVXPRIV00383
02/00/1991	Nixon Hargrave Law Firm	Law Firm Consultant	Groundwater quality conditions report (draft)	AVXPRIV00384- AVXPRIV00444
04/02/1991	AVX Corporation	Ford, Libby (Nixon Hargrave Law Firm Employee)	Handwritten notes concerning impressions of counsel	AVXPRIV00445- AVXPRIV00448
10/00/1991	Nixon Hargrave Law Firm	Law Firm Consultant	Installation and testing report	AVXPRIV00449- AVXPRIV00495
01/18/1993	Ford, Libby (Nixon Hargrave Law Firm Employee)	Law Firm Consultant	Groundwater sampling analysis report	AVXPRIV00496- AVXPRIV00502
12/00/1982	AVX Corporation	Law Firm Consultant	Preliminary engineering groundwater report – Unrelated to Myrtle Beach facility	AVXPRIV00503- AVXPRIV00584
06/08/1989	Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Soil and water investigation report	AVXRED00938- AVXRED00957
02/28/1994	Ford, Libby (Nixon Hargrave Law Firm Employee)	Law Firm Consultant	Groundwater sampling and analysis report	AVXPRIV00585- AVXPRIV00587
08/16/1994	Ford, Libby (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	Law Firm Consultant	Groundwater sampling and analysis report	AVXPRIV00588
10/30/1992	Ford, Libby (Nixon Hargrave Law Firm Employee)	Law Firm Consultant	Groundwater analysis report (draft)	AVXPRIV00589- AVXPRIV00595
00/00/1982	File	Walker, John (AVX) and others at AVX	Environmental audit report	AVXRED00958- AVXRED00974
08/24/1982	Marshall, William (AVX) and others at AVX	AVX Consultant	Solvent analysis summary	AVXRED00975- AVXRED01053

Document date	To	From	Document Description	Bates Number
06/26/1985		AVX Corporation	Environmental evaluation summary	AVXRED01054- AVXRED01059
12/01/1984	AVX Corporation	Law Firm Consultant	Generator requirements report	AVXRED01060- AVXRED01118
07/05/1984		AVX Corporation	Environmental evaluation summary	AVXRED01119- AVXRED01146
12/10/1992	Law Firm Consultant; Witmer, Robert G. (Nixon Hargrave Lawyer); Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Comments from law firm on sampling report	AVXPRIV00596- AVXPRIV00598
12/17/1991	Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Well survey analysis	AVXPRIV00599- AVXPRIV00601
01/16/1992	AVX Corporation	AVX Corporation	Handwritten notes relating to impressions of counsel	AVXPRIV00602
03/06/1992	AVX Corporation	Ford, Libby (Nixon Hargrave Employee)	Handwritten notes concerning impressions of counsel	AVXPRIV00603- AVXPRIV00604
01/24/1996	Witmer, G. Robert (Nixon Hargrave Lawyer); Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Water sampling results memorandum concerning impressions of counsel	AVXPRIV00605- AVXPRIV00621
12/21/1995	Witmer, G. Robert (Nixon Hargrave Lawyer); Law Firm Consultant; Oldland, Dennis (AVX) and others at AVX	Ford, Libby (Nixon Hargrave Law Firm Employee)	Sampling data correspondence and conference memorandum concerning mental impressions of law firm	AVXPRIV00622- AVXPRIV00632
12/01/1995	AVX Corporation	Witmer, G. Robert (Nixon Hargrave Lawyer)	Handwritten notes concerning impressions of counsel	AVXPRIV00633
10/05/1995	Prager, Joan (AVX); Witmer, Robert G. (Nixon Hargrave lawyer)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Stormwater sampling results memorandum	AVXPRIV00634- AVXPRIV00637 (AVXRED01147- AVXRED01163)
05/19/0000	Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Proposed remediation plan analysis concerning impressions of law firm	AVXPRIV00638- AVXPRIV00641
05/31/1995	Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Site summary report concerning impressions of counsel	AVXPRIV00642- AVXPRIV00650
	AVX Corporation	Witmer, G. Robert (Nixon Hargrave Lawyer)	Handwritten notes concerning impressions of counsel	AVXPRIV00651
05/16/1995	AVX Corporation	Nixon Hargrave Law Firm	Draft Outline concerning impressions of counsel	AVXPRIV00652- AVXPRIV00658
06/02/1995	Prager, Joan (AVX)	Witmer, G. Robert (Nixon Hargrave Lawyer)	Action list memorandum	AVXPRIV00659- AVXPRIV00660
	AVX Corporation	Ford, Libby (Nixon Hargrave Law Firm Employee)	Handwritten notes concerning impressions of counsel	AVXPRIV00661- AVXPRIV00665
	AVX Corporation	Garcia, R. (Nixon Hargrave Lawyer)	Handwritten notes concerning impressions of counsel	AVXPRIV00666- AVXPRIV00668

Document date	To	From	Document Description	Bates Number
06/08/1995	Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Monitoring well correspondence (Draft)	AVXPRIV00669- AVXPRIV00670
06/14/1995	Prager, Joan (AVX) and others at AVX	Law Firm Consultant	Monitoring well correspondence (Draft)	AVXPRIV00671- AVXPRIV00676
06/13/1995	Law Firm Consultant; Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Groundwater investigation correspondence with mental impressions of law firm	AVXPRIV00677- AVXPRIV00679
06/14/1995	Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Groundwater sampling correspondence	AVXPRIV00680
06/14/1995	Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Site summary report analysis concerning impressions of counsel (draft)	AVXPRIV00681- AVXPRIV00699
09/21/1989	Prager, Joan (AVX)	Law Firm Consultant	Groundwater estimate correspondence	AVXRED01164- AVXRED01167
06/07/1995	Law Firm Consultant	Ford, Libby (Nixon Hargrave Law Firm Employee)	Groundwater conditions memorandum concerning impressions of law firm	AVXPRIV00700- AVXPRIV00706
01/20/1982	Bayer, J. (AVX) and others at AVX	Walker, John (AVX)	Environmental audit report	AVXRED01168- AVXRED01170
06/14/1995	AVX Corporation	Nixon Hargrave Law Firm	Groundwater conditions memorandum containing law firm opinions	AVXPRIV00707
06/13/1995	Prager, Joan (AVX)	Law Firm Consultant	Groundwater conditions memorandum (draft) concerning mental impressions	AVXPRIV00708- AVXPRIV00730
06/06/1995	AVX Corporation	Ford, Libby (Nixon Hargrave Employee)	Handwritten notes concerning impressions of counsel	AVXPRIV00731- AVXPRIV00737
	AVX Corporation	Law Firm Consultant	Groundwater conditions memorandum (partial page)	AVXPRIV00737.01
03/05/1990	AVX Corporation	Ford, Libby (Nixon Hargrave Employee)	Handwritten notes concerning impressions of counsel	AVXPRIV00738- AVXPRIV00739
11/00/1990	Nixon Hargrave	Law Firm Consultant	Soil gas and groundwater sampling work plan report	AVXPRIV00740- AVXPRIV00746
11/00/1990	Nixon Hargrave	Law Firm Consultant	Soil gas and groundwater sampling work plan report	AVXPRIV00747- AVXPRIV00753
08/10/1990	AVX Corporation	Ford, Libby (Nixon Hargrave)	Handwritten notes concerning impressions of counsel	AVXPRIV00754- AVXPRIV00757
	AVX Corporation	Nixon Hargrave	Handwritten notes concerning impressions of counsel	AVXPRIV00758
	AVX Corporation	Nixon Hargrave	Handwritten notes concerning impressions of counsel	AVXPRIV00759
06/00/1995	Ford, Libby (Nixon Hargrave Law Firm); and Law Firm Consultant	Prager, Joan (AVX Corporation)	Draft Environmental summary report with mental impressions	AVXPRIV00760- AVXPRIV00785
06/00/1995	Ford, Libby (Nixon Hargrave Law Firm); and Law Firm Consultant	Prager, Joan (AVX Corporation)	Environmental summary report with notes for counsel and consultant with mental impressions (Draft)	AVXPRIV00786- AVXPRIV00891
12/01/1995	Ford, Libby (Nixon Hargrave Law Firm Employee)	Prager, Joan (AVX)	Environmental report analysis with mental impressions	AVXPRIV00892- AVXPRIV00897

Document date	To	From	Document Description	Bates Number
10/30/1992	Ford, Libby (Nixon Hargrave Law Firm Employee)	Law Firm Consultant	Groundwater sampling report summary (draft) with mental impressions	AVXPRIV00898- AVXPRIV00987
03/13/1991	Prager, Joan (AVX)	Witmer, G. Robert (Nixon Hargrave Lawyer)	Environmental report correspondence	AVXPRIV00988
04/26/1991	Witmer, G. Robert (Nixon Hargrave Lawyer); Ford, Libby (Nixon Hargrave Law Firm Employee); Prager, Joan (AVX)	Law Firm Consultant	Groundwater quality conditions correspondence	AVXPRIV00989- AVXPRIV00990
07/19/1989	Den Braven, Gary (AVX)	Law Firm Consultant	Groundwater investigation sampling report	AVXRED01171- AVXRED01183
01/18/1993	Ford, Libby (Nixon Hargrave Law Firm Employee)	Law Firm Consultant	Production well analysis report	AVXPRIV00991- AVXPRIV00997
11/16/1987	Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Groundwater analysis data correspondence	AVXRED01184- AVXRED01198
09/16/1985	Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Groundwater analysis data correspondence	AVXRED01199- AVXRED01202
09/16/1985	Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Groundwater analysis data correspondence	AVXRED01203- AVXRED01206
03/21/1985	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Groundwater analysis data correspondence	AVXPRIV00998
03/21/1985	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Groundwater analysis data correspondence	AVXRED01207- AVXRED01212
03/21/1985	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Monitoring well sampling report	AVXRED01213- AVXRED01219
12/11/1984	Wyche, Bradford (Wyche Burgess Lawyer); Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Monitoring well sampling report	AVXRED01220- AVXRED01228
10/18/1984	Den Braven, Gary (AVX) and others at AVX	Law Firm Consultant	Soil and groundwater studies correspondence	AVXPRIV00999
01/29/1993	Prager, Joan (AVX)	Ford, Libby (Nixon Hargrave Law Firm Employee)	Sampling field activity correspondence	AVXPRIV01000
09/08/1994	Ford, Libby (Nixon Hargrave Law Firm Employee)	Law Firm Consultant	Groundwater sampling report (Draft) with mental impressions	AVXPRIV01001- AVXPRIV1003 (AVXRED01229- AVXRED01336)
10/18/1982	Wearstler, Terry (AVX)	Law Firm Consultant	Groundwater investigation proposal	AVXRED01337- AVXRED01346
	AVX Corporation	AVX Law Firm	Typewritten notes concerning impressions of counsel	AVXPRIV01004
12/2/1985	Den Braven, Gary (AVX)		Environmental Audit	AVXRED01354- AVXRED01366

Document date	To	From	Document Description	Bates Number
11/21/1984	Den Braven, Gary (AVX)		Typed notes concerning impressions of counsel	AVXRED01367- AVXRED01368
07/11/1984	Dexter, V. (AVX) and others at AVX	Taylor, John D. (AVX)	Material handling memorandum	AVXRED01369- AVXRED01370
06/22/1984	Dixon, Jim (AVX)	Prager, Joan (AVX)	Well Samplings	AVXRED01371- AVXRED01374
11/08/1984	Prager, Joan (AVX)	Den Braven, Gary (AVX)	Groundwater sampling correspondence	AVXRED01375
08/06/1984	Den Braven, Gary (AVX)	Walker, John (AVX);	Environmental Audit Reports; Soil Analysis	AVXRED01347- AVXRED01353
12/03/1982	Wearstler, Terry (AVX)	Law Firm Consultant	Groundwater study evaluation	AVXRED01376- AVXRED01382
01/00/1986	AVX Corporation	Law Firm Consultant	Groundwater studies report	AVXRED01383- AVXRED01387
04/20/1983	Wyche, Bradford (Wyche, Burgess Lawyer); Prager, Joan (AVX)	Law Firm Consultant	Groundwater study evaluation	AVXRED01388- AVXRED01427
03/28/1983	Wearstler, Terry (AVX)	Law Firm Consultant	Preliminary engineering report	AVXRED01428- AVXRED01478
06/06/1984	Insurance Company	Prager, Joan (AVX)	Renewal correspondence	AVXRED01479- AVXRED01481
04/20/1984	AVX Corporation	Insurance Company	Renewal report	AVXRED01482- AVXRED01507
09/30/1985	Prager, Joan (AVX)	Law Firm Consultant	Soil analysis report	AVXRED01508- AVXRED01509
08/19/1982	Den Braven, Gary (AVX)	Walker, John (AVX)	Environmental audit report	AVXRED01510 AVXRED01511
09/02/1982	Anderson, C. (AVX)	Walker, John (AVX)	Environmental audit report	AVXRED01512- AVXRED01513
11/29/1982	Den Braven, Gary (AVX)	Walker, John (AVX)	Environmental audit report	AVXRED01514- AVXRED01516
07/01/1982	Walker, John (AVX) and others at AVX	Dixon, Jim (AVX)	Environmental audit report	AVXRED01517- AVXRED01518
11/08/1983	Den Braven, Gary (AVX)	Walker, John (AVX)	Environmental audit report	AVXRED01521- AVXRED01523
12/22/1986	Den Braven, Gary (AVX)	Law Firm Consultant	Soil analysis correspondence	AVXRED01524
1/16/1991	Prager, Joan (AVX Corporation)	Karowe, Julie (Nixon Hargrave Law Firm) (AVX's Counsel)	Law Firm Consultant Invoice	AVXPRIV01005
4/8/1991	Witmer, G. Robert (Nixon Hargrave Lawyer) (AVX's Counsel)	Prager, Joan (AVX Corporation)	Law Firm Consultant Invoice	AVXPRIV01006
5/3/1991	Witmer, G. Robert (Nixon Hargrave Lawyer) (AVX's Counsel)	Law Firm Consultant working with AVX's Counsel	Law Firm Consultant Invoice	AVXPRIV01007 – AVXPRIV01014
4/1//1991	Witmer, G. Robert (Nixon Hargrave Lawyer) (AVX's Counsel)	Law Firm Consultant working with AVX's Counsel	Law Firm Consultant Invoice	AVXPRIV01015 – AVXPRIV01017

Document date	To	From	Document Description	Bates Number
4/1//1991	Witmer, G. Robert (Nixon Hargrave Lawyer) (AVX's Counsel)	Law Firm Consultant working with AVX's Counsel	Law Firm Consultant Invoice	AVXPRIV01018 – AVXPRIV01023
6/7/1991	Law Firm Consultant working with AVX's Counsel; Prager, Joan (AVX); Witmer, Robert G. (Nixon Hargrave Law Firm)	Ford, Libby (Nixon Hargrave Law Firm Employee) (AVX's Counsel)	Law Firm Consultant Invoice	AVXPRIV01024 – AVXPRIV01025

AVX Corporation's Log of Additional Protected Documents

<u>No.</u>	<u>Document</u>
1.	Documents in AVX's file prepared by AVX Corporation's counsel, Wyche Burgess and communications between AVX Corporation and its counsel, Wyche, Burgess.
2.	Documents in AVX's file prepared by AVX Corporation's counsel, Nixon Hargrave and communications between AVX Corporation and its counsel, Nixon Hargrave (formerly Nixon Peabody).
3.	Documents in AVX's file prepared by AVX Corporation's counsel, Parker Poe Adams & Bernstein LLP and communications between AVX Corporation and its counsel, Parker Poe Adams & Bernstein LLP.
4.	Communications regarding law firm consultant invoices. AVX will provide invoices of response costs for which it seeks recovery from Horry Land.

AVX's privilege log also includes the above four general categories of documents. The documents in the first three categories are those prepared by AVX's three law firms and documents between AVX and its counsel. As AVX understands, AVX and Horry Land are in agreement that all documents involving the law firm of Parker Poe Adams & Bernstein are protected. As AVX also understands, AVX and Horry Land are also in agreement that all documents involving communications between the law firms of Wyche, Burgess or Nixon Hargrave or Nixon Peabody, on one hand, and AVX, on the other, are protected. As AVX understands, AVX and Horry Land are also in agreement that all internal law firm communications are protected. The fourth general category concerns communications between AVX's legal counsel, AVX, and the law firm consultant concerning invoices and related issues. There are many of these communications regarding the same basic concept. So as not to burden the Court with a significant amount of additional paper, AVX has provided the Court a sampling of the documents AVX contends are protected concerning invoices and related issues. If the Court concludes that this category on the privilege log should be produced, AVX will produce all documents in this category to Horry Land (subject to all appeals affirming such an order). In addition, if the Court wishes for AVX to provide all of the documents in this category to the Court for the Court's *in camera* review, AVX is happy to do so. Given that the concept is the

same, it seemed to be more efficient not to burden the Court with additional documents since resolution of objections concerning individual documents provided to the Court for *in camera* review on the log will resolve issues concerning this entire category.

This 6th day of October, 2010.

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