

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

COMPLAINT OF CAPITAL ONE
SERVICES, INC.

Docket No. C2008-3

**MOTION OF CAPITAL ONE SERVICES, INC. FOR AN EXTENSION
OF TIME TO FILE RESPONSES TO POSTAL SERVICE MOTIONS TO STRIKE
PORTIONS OF THE LOWRANCE DEPOSITION TRANSCRIPT**

(September 16, 2008)

Capital One Financial Services, Inc. (Capital One) respectfully requests an extension of time to file its responses to two Postal Service Motions to Strike Portions of the Lowrance Deposition Transcript. The first Postal Service motion – Motion of the United States Postal Service to Strike Portions of Lowrance Deposition Transcript Volume 1, Pursuant to P.O. Ruling No. C2008-3/7 – was filed on September 9, 2008. Under Commission Rule 21(c),¹ Capital One's response would be due today. The second motion -- Motion of the United States Postal Service to Strike Portions of Lowrance Deposition Transcript Volume 2, Pursuant to P.O. Ruling No. C2008-3/7 – was filed on September 12, 2008. A response to that motion would be due on September 19, 2008.

Capital One believes that it would be more efficient, would avoid repetitive arguments, and would consolidate the arguments presented to the Commission, if Capital One could respond in the following way: Capital One would file two pleadings –

¹ 39 C.F.R. §3001.21(c).

one for transcript portions from the open session, which spanned two days, and a separate one, under seal, for transcript portions from the closed session. Because a portion of the open session occurred on the second day, an extension of time is needed due to the waiting period required before legal staff members for Capital One can gain access to the sealed transcript.

Accordingly, Capital One respectfully requests that the Presiding Officer set a due date of September 26, 2008, for Capital One's responses to both of the Postal Service's Motions to Strike. Capital One has discussed this extension of time with counsel for the Postal Service and has been authorized to state that the Postal Service has no objection to this request or to the September 26 due date.

Respectfully submitted,

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