

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

COMPLAINT OF CAPITAL ONE SERVICES, INC.

Docket No. C2008-3

**RESPONSE OF THE UNITED STATES POSTAL SERVICE TO
P.O. RULING NO. C2008-3/23, PROVIDING FIRST STATUS REPORT
REGARDING SUPPLEMENT TO PRIVILEGE LOG
(September 26, 2008)**

The United States Postal Service hereby provides its first status report in response to P.O. Ruling No. C2008-3/23, regarding the supplement to the privilege log for the e-mails on Jessica Dauer Lowrance's computer. The Postal Service has continued its efforts throughout this week to review the e-mail files of Ms. Lowrance and compile its privilege log, with appropriate privileges and exemptions. This task has involved a number of administrative assistants and attorneys not normally focused on this docket.

The Postal Service and Capital One have also continued discussions this week to help narrow discovery in this case, and are working on developing an action plan for handling the privilege log as well as other discovery requests. The Postal Service will file an additional status report next Friday, October 3, 2008, if not sooner, that will apprise the Commission of further developments. The Postal Service submits that the ongoing informal discussions between the Postal Service and Capital One have been and continue to be productive, and the parties endeavor to continue to make progress on reaching common ground to narrow the scope of discovery in this case.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Daniel J. Foucheaux, Jr.
Chief Counsel, Pricing and Product Support

Elizabeth A. Reed

475 L'Enfant Plaza, S.W.
Washington, D.C. 20260-1135
(202) 268-3179; Fax -6187
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