

RULING NO. C2008-3/23

UNITED STATES OF AMERICA  
POSTAL REGULATORY COMMISSION  
WASHINGTON, DC 20268-0001

Complaint of Capital One Services, Inc.

Docket No. C2008-3

PRESIDING OFFICER'S RULING  
GRANTING MOTION FOR EXTENSION OF TIME

(Issued September 19, 2008)

The Postal Service seeks a further extension of time to supplement privilege logs concerning the Jessica Dauer Lowrance material.<sup>1</sup> The Postal Service asserts that the privilege logs associated with the first and second days of Ms. Lowrance's deposition have been supplemented as directed by P.O. Ruling No. C2008-3/17, except for material pertaining to the e-mails on Ms. Lowrance's computer. It indicates that reviewing the hundreds of e-mails is requiring a significant effort on the part of the Postal Service, and proposes providing the Commission with an update of progress made on September 26, 2008.

The Postal Service indicates that it is engaging in informal discussions with Capital One Services, Inc. (Capital One) to narrow the scope of discovery in this case. It submits that granting an extension of time with regard to the privilege logs, while informal discussions continue, would be an efficient use of resources and would reduce unnecessary motions practice. The Postal Service represents that Capital One consents to this Motion.

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<sup>1</sup> Consent Motion of the United States Postal Service for Extension of Time to Further Supplement Privilege Logs, September 18, 2008 (Motion).

The Motion for extension of time is granted. It is encouraging that the Postal Service and Capital One are discussing the possibility of narrowing the scope of discovery in this case. At the same time, the Postal Service is encouraged to conclude its work related to the privilege logs without unnecessary delay. The Postal Service shall file a status report every Friday until this task is complete.

#### RULING

1. The Consent Motion of the United States Postal Service for Extension of Time to Further Supplement Privilege Logs, filed September 18, 2008, is granted.
2. The Postal Service shall file a weekly status report with the Commission until the work related to the privilege logs is complete. Status reports shall be filed every Friday.

Dan G. Blair  
Presiding Officer