

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON DC 20268-0001

Postal Rate Commission
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Postal Rate and Fee Changes, 2006]

DOCKET NO. R2006-1

DAVID B. POPKIN MOTION TO COMPEL RESPONSE TO INTERROGATORIES
DBP/USPS-676, 697, AND 698

I move to compel response to the interrogatories submitted to the United States Postal Service.

November 17, 2006

Respectfully submitted,

R20061MTC31A676698

DAVID B. POPKIN, POST OFFICE BOX 528, ENGLEWOOD, NJ 07631-0528

On October 16, 2006, I submitted Interrogatory DBP/USPS-676. On November 2, 2006, I submitted Interrogatories DBP/USPS-697 and 698¹. Responses to these Interrogatories were due 14 days from the date of filing. As of today, the response to Interrogatory DBP/USPS-676 is 18 days late and the responses to Interrogatories DBP/USPS-697 and 698 are one day late.

By not filing these on time and by delaying the response to late this afternoon or later, the Postal Service is precluding any follow-up response by me due to today's deadline for submission of discovery on the Postal Service.

Based on the comments made on page 4 of the OBJECTIONS OF THE UNITED STATES POSTAL SERVICE TO INTERROGATORIES OF DAVID POPKIN (DBP/USPS-694 THROUGH 696) filed on November 7, 2006,

At this time, it seems fair to view Mr. Popkin's renewal of DBP/USPS-253 and 254, via DBP/USPS-695 and 696, respectively, as an attempt to vex and harass the Postal Service until the discovery deadline finally and mercifully arrives. It should not be tolerated.

¹ On November 7, 2006, I submitted Interrogatories DBP/USPS-699 and 700 and responses are due November 21, 2006.

it would appear that the failure of the Postal Service to respond to my Interrogatories in a timely basis is a part of their litigation strategy and should not be tolerated.

For the reasons stated, I move to compel response to the referenced interrogatories since it is reasonably calculated to lead to the discovery of admissible evidence.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon all participants of record in this proceeding in accordance with section 12 of the rules of practice.

David B. Popkin November 17, 2006
