

RULING NO. C2008-3/6

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

Complaint of Capital One Services, Inc.

Docket No. C2008-3

RULING SCHEDULING ADDITIONAL APPEARANCE

(Issued August 27, 2008)

Capital One Services, Inc. (Capital One) filed a Motion to Allow Additional Time to Depose Jessica Dauer Lowrance (Motion) at approximately 1:00 p.m. on August 27, 2008. The deposition of Ms. Lowrance was scheduled to begin at 10:00 a.m. on August 27, 2008.

Capital One states it "will likely use all available time (and could use substantially more) to question the witness, leaving no time for other parties to question the witness." Motion at 2.

Ms. Lowrance should appear to continue her deposition at 9:30 a.m. on August 28, 2008. Seven hours will be allotted to Capital One for questions and answers during this deposition as previously announced. P.O. Ruling C2008-3/3. This includes time for questioning in closed session. Time spent by counsel making or responding to legal argument does not count against the 7 hours. The Commission officer assigned to assist in this deposition will provide counsel for Capital One with notice when one hour remains for questioning.

A determination on whether other participants will be allowed to question Ms. Lowrance is deferred pending written pleadings from the Postal Service and any

other participant seeking to ask questions. Such pleadings are to be filed with the Commission by 8:00 a.m., August 28, 2008.

RULING

The deposition of Jessica Dauer Lowrance will be continued on August 28, 2008 as described in the body of this Ruling.

Dan G. Blair
Presiding Officer