

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

COMPLAINT OF GAMEFLY, INC.                    )  
  )  
  )                   Docket No. C2009-1

**OBJECTIONS OF THE UNITED STATES POSTAL SERVICE TO  
DISCOVERY REQUESTS OF GAMEFLY, INC.  
(GFL/USPS-225-235)  
(August 26, 2010)**

On August 16, 2010, GameFly, Inc. submitted eleven discovery requests, with subparts, to the United States Postal Service. Pursuant to 39 U.S.C. §§ 3001.26(c) and 3001.27(c), the Postal Service provides objections to discovery requests GFL/USPS-225-235, reproduced below.

**GFL/USPS-225.** Please update the Postal Service's response to GFL/USPS-24(d).

**GFL/USPS-226.** Please update the Postal Service's response to GFL/USPS-25.

**GFL/USPS-227.** Please update the Postal Service's response to GFL/USPS-26.

**GFL/USPS-228.** Please update the Postal Service's response to GFL/USPS-27.

**GFL/USPS-229.** Please update the Postal Service's response to GFL/USPS-41.

**GFL/USPS-230.** Please update the Postal Service's response to GFL/USPS-43.

**GFL/USPS-231.** Please update the Postal Service's response to GFL/USPS-44.

**GFL/USPS-232.** Please update the Postal Service's response to GFL/USPS-50.

**GFL/USPS-233.** Please update the Postal Service's response to GFL/USPS-68(b).

**GFL/USPS-234.** Please update the Postal Service's response to GFL/USPS-164(c).

**GFL/USPS-235.** This request relates to the weekly reports Netflix provides to the USPS (*see, e.g.,* GFL71761, 71929). Please update the Postal Service's production of such reports.

The Postal Service objects to the above discovery requests because they are duplicative and unduly burdensome. To the extent that these requests instruct the Postal Service to conduct new and extensive searches of Postal Service documents, they impose an undue burden. In responding to GameFly's earlier document requests, the Postal Service undertook a thorough search of its documents that took several months and produced tens of thousands of responsive documents. There is no reason to believe that additional responsive information exists. These discovery requests address the same subjects as earlier discovery requests, and for subjects not related to Postal Service witness

testimony, discovery is closed and has not been reopened. However, the Postal Service recognizes that it has a continuing obligation to produce newly discovered documents responsive to GameFly discovery requests, and the Postal Service will produce additional responsive documents as they are discovered.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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August 26, 2010