

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

**Complaint of Capital One
Services, Inc.**

Docket No. C2008-3

**AMERICAN POSTAL WORKERS UNION, AFL-CIO
MOTION FOR EXTENSION OF TIME TO FILE RESPONSES
TO POSTAL SERVICE MOTIONS TO STRIKE PORTIONS
OF THE LOWRANCE DEPOSITION TRANSCRIPT
(September 29, 2008)**

American Postal Workers Union, AFL-CIO (APWU) respectfully requests an extension of time to file its responses to two Postal Service Motions to Strike Portions of the Lowrance Deposition Transcript. Responses to the two Postal Service motions, Motion of the United States Postal Service to Strike Portions of Lowrance Deposition Transcript Volume 1 filed September 9, 2008, and Motion of the United States Postal Service to Strike Portions of Lowrance Transcript Volume 2 filed September 12, 2008 were due Friday, September 29, 2008, pursuant to a previous extension of time granted by the Presiding Officer in P.O. Ruling C2008-3/21 issued September 17, 2008. Due to technical problems, this current motion could not be filed on Friday.

On September 25, 2008, Capital One Service, Inc. filed a Consent Motion For Further Extension of Time to File Responses to Postal Service Motions to Strike Portions of the Lowrance Deposition Transcript. In that Motion Capital One seeks an indefinite extension of time to file its responses to the Postal Service motions. Given that Capital One and the Postal Service are engaged in informal discussions

to resolve several discovery disputes, APWU submits that it would be an inappropriate use of Commission time and resources to formally rule on the Postal Service Motions to Strike solely as they relate to the APWU when the issues in dispute generally overlap those in dispute between Capital One and the Postal Service. Therefore, APWU respectfully requests an indefinite extension of time for its Responses to the Postal Service Motions to Strike similar to Capital One's request. Should an informal resolution of the issues not be reached, all parties involved should be given an opportunity to fully brief the issues at the appropriate time, thereby lessening the administrative burden of the Commission. Given the Consent Motion filed on September 25, 2008, and the Commission's subsequent ruling granting the Motion (See P.O. Ruling C2008-26), APWU believes that no party will be prejudiced by this request.

Respectfully submitted,

Darryl J. Anderson
Jennifer L. Wood
Counsel for American Postal Workers Union, AFL-CIO