

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

COMPLAINT OF CAPITAL ONE SERVICES, INC.

Docket No. C2008-3

**RESPONSE OF THE UNITED STATES POSTAL SERVICE TO  
P.O. RULING NO. C2008-3/23, PROVIDING FIFTH STATUS REPORT  
REGARDING SUPPLEMENT TO PRIVILEGE LOG  
(October 24, 2008)**

The United States Postal Service hereby provides its fifth status report in response to P.O. Ruling No. C2008-3/23, regarding the supplement to the privilege log for the e-mails on Jessica Dauer Lowrance's computer. This week, the Postal Service has continued the task of reviewing the e-mail files of Ms. Lowrance and further supplementing its privilege log. The Postal Service and Capital One continue to be engaged in productive discussions about the best approach to take regarding these documents, and have held multiple teleconferences over the course of this week. These discussions will continue early next week.

Also this week, Capital One has advised the Postal Service of its initial review of the partial privilege log of Ms. Lowrance's e-mails, and provided the Postal Service with a list of specific entries where Capital One has identified the need for additional information. The Postal Service is in the process of reviewing those entries, and

determining how best to proceed. The Postal Service will file an additional status report next Friday, October 31, 2008, to apprise the Commission of further developments.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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