

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

Postal Regulatory Commission  
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COMPLAINT OF CAPITAL ONE  
SERVICES, INC.

Docket No. C2008-3

**FIFTH WEEKLY STATUS REPORT**  
**OF CAPITAL ONE SERVICES, INC. ON INFORMAL DISCUSSIONS**  
**WITH THE POSTAL SERVICE CONCERNING DISCOVERY ISSUES**

(October 31, 2008)

Pursuant to Presiding Officer's Ruling Granting Extension of Time to File Responses, C2008-3/26 (September 26, 2008), Capital One Services, Inc. (Capital One) submits this report on the status of its informal discussions with the Postal Service concerning discovery issues:

The Postal Service and Capital One have continued their discussions on document production in a series of conference calls this week. These discussions have identified specific documents and categories of documents for negotiation. Specific protective conditions for sensitive documents have also been discussed.

The Postal Service and Capital One have discussed certain entries in the partial privilege log of Jessica Lowrance's emails.

Capital One and the Postal Service have scheduled further negotiations early next week.

Respectfully submitted,

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