

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 NINTH STATUS REPORT
REGARDING SUPPLEMENT TO PRIVILEGE LOG
(November 21, 2008)**

The United States Postal Service hereby provides its ninth 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 process of reviewing the highlighted entries in the privilege log, and comparing them to the documents obtained via an electronic search has continued this week, and will continue next week.

Because of the press of other business and scheduling difficulties, the parties have not made as much progress this week as they had in past weeks. Nevertheless, the Postal Service and Capital One are continuing to communicate informally, have scheduled an additional teleconference for early next week, and expect to continue to make progress on narrowing the scope of discovery in this case. The Postal Service

will file an additional status report next Friday, November 28, 2008, to apprise the Commission of further developments.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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