

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

COMPLAINT OF GAMEFLY, INC.

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Docket No. C2009-1

**MOTION OF GAMEFLY, INC.,
TO UNSEAL UNREDACTED VERSION OF
SEVENTH DISCOVERY REQUESTS (GFL/USPS-201-211)
(October 8, 2009)**

Pursuant to Rule 3007.31 of the Commission's Rules of Practice, GameFly, Inc. ("GameFly") respectfully moves to unseal the unredacted version of GameFly's Seventh Discovery Requests (GFL/USPS-201-211), which GameFly filed under seal today.

The discovery requests concern analyses performed by an outside consultant for the Postal Service concerning the Postal Service's costs of handling Netflix DVD mailers. The Postal Service produced the study and related documentation in response to previous GameFly discovery requests, but designated the material as proprietary under the protective conditions in the case.

GameFly believes that the material should be unsealed pursuant to 39 C.F.R. § 3007.31 for the reasons set forth in GameFly's September 25 "Motion For Order Directing Interested Parties To Show Cause Why Certain Documents And Information Designated As Proprietary By The Postal Service Should Not Be Unsealed." We incorporate the September 25 Motion by reference here.

Counsel for Netflix advised GameFly counsel earlier today that Netflix did not oppose the public filing of GFL/USPS-201-201. Since the only colorable basis for sealing the material was to protect the proprietary interests of Netflix, the company's lack of opposition should be dispositive.

The Postal Service has advised GameFly counsel that the Postal Service lawyer with primary responsibility for the matter is away from his office today, and the Postal Service cannot take a position on whether the material should be unsealed until his return next week.

Respectfully submitted,

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October 8, 2009