

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

COMPLAINT OF GAMEFLY, INC.

Docket No. C2009-1

**OBJECTIONS OF THE UNITED STATES POSTAL SERVICE TO GAMEFLY, INC.'S
RESPONSE TO PRESIDING OFFICER'S RULING NO. C2009-1/17**
(May 5, 2010)

On April 15, 2010, the Presiding Officer issued a ruling on Postal Service claims of confidentiality and privilege.¹ This ruling provides that

GameFly shall redact the information that is ordered to remain under seal from the discovery material that was previously provided to GameFly by the Postal Service subject to protective conditions. GameFly shall serve a copy of such redacted materials on the Postal Service no later than five (5) days after the date of this Ruling. The Postal Service shall have five (5) days from the date of receipt of the redacted materials served upon it by GameFly to object to those redactions, if any, that the Postal Service believes fail to adhere to the findings in this Ruling or the Appendix.

POR No. C2009-1/17, at 27-28. GameFly served the Postal Service with a copy of the redacted materials on April 28, 2010, eight days after the deadline established by POR-17. The Postal Service objects to GameFly's redactions to the extent that GameFly failed to redact "the names, title, and identifying characteristics (*i.e.*, addresses, telephone number, *etc.*)" of employees², or otherwise failed to comply with POR-17. In accordance with POR-17, the Postal Service respectfully requests that the Presiding

¹ See Presiding Officer's Ruling on Postal Service Claims of Confidentiality and Privilege, April 15, 2010.

² Id. at 28.

Officer order the redaction of the phrases listed in the attached Appendix, filed under seal with the Presiding Officer.

Respectfully submitted,

UNITED STATES POSTAL SERVICE
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May 5, 2010

APPENDIX

Page	Requested Redaction	Pseudonym (If applicable)	Supporting Authority
0000003	REDACTED	US129	POR-17, pg. 16 FN 26, pg. 28 § 4.
0000006	REDACTED	US172	POR-17, pg. 16 FN 26, pg. 28 § 4.
0000101	REDACTED		POR-17, pg. 16 FN 26, pg. 28 § 4.
0000276	REDACTED	NF019	POR-17, pg. 16 FN 26, pg. 28 § 4.
0000317	REDACTED	US083	POR-17, pg. 16 FN 26, pg. 28 § 4.
0000327	REDACTED	US083	POR-17, pg. 16 FN 26, pg. 28 § 4.
0000328	REDACTED		POR-17, pg. 16 FN 26, pg. 28 § 4.
0000347	REDACTED	BB008 US153	POR-17, pg. 16 FN 26, pg. 28 § 4.
0000348	REDACTED	US036	POR-17, pg. 16 FN 26, pg. 28 § 4.
0000428	REDACTED	US098	POR-17, pg. 16 FN 26, pg. 28 § 4.
0000474	REDACTED	US165	POR-17, pg. 16 FN 26, pg. 28 § 4.
0000511	REDACTED		POR-17, Appendix, pg. 18
0000505	REDACTED	US173 US004 US036	POR-17, pg. 16 FN 26, pg. 28 § 4.
0000553- 0000557	REDACTED		POR-17, Appendix, pg. 20

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Page	Requested Redaction	Pseudonym (If applicable)	Supporting Authority
0000685	REDACTED	US110 US109 US102	POR-17, pg. 16 FN 26, pg. 28 § 4.
0000687	REDACTED		POR-17, pg. 16
0000794	REDACTED	US109 US110 US173 US051 US102 US003 US026 US160 US082 US153 US093 US117	POR-17, pg. 16 FN 26, pg. 28 § 4.
0001077	REDACTED	US027 US153 US159	POR-17, pg. 16 FN 26, pg. 28 § 4.
0001078	REDACTED		POR-17, pg. 16 FN 26, pg. 28 § 4.
0001115	REDACTED		POR-17, pg. 16; Notice of GameFly, Inc. concerning Unresolved Privilege Issues (January 28, 2010), Attachment C.
0001117	REDACTED	US100 US183	POR-17, pg. 16 FN 26, pg. 28 § 4.
0001118	REDACTED	US160	POR-17, pg. 16 FN 26, pg. 28 § 4, Appendix, pgs. 30-31.

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Page	Requested Redaction	Pseudonym (If applicable)	Supporting Authority
0001158	REDACTED	US213	POR-17, pg. 16 FN 26, pg. 28 § 4.
0001180	REDACTED	US110	POR-17, pg. 16 FN 26, pg. 28 § 4; Notice of GameFly, Inc. concerning Unresolved Privilege Issues (January 28, 2010), Attachment C.
0001360	REDACTED		POR-17, Appendix, pg. 29 FN 15, pg. 33 FN 16.
0001480	REDACTED	US110	POR-17, pg. 16 FN 26, pg. 28 § 4.
0001484	REDACTED		POR-17, pg. 16 FN 26, pg. 28 § 4.
0002422	REDACTED	US045	POR-17, pg. 16 FN 26, pg. 28 § 4.
0007285	REDACTED	US059	POR-17, pg. 16 FN 26, pg. 28 § 4.
0074251	REDACTED	US159 US066	POR-17, pg. 16 FN 26, pg. 28 § 4.
0074252	REDACTED	US077	POR-17, pg. 16 FN 26, pg. 28 § 4.
0074290	REDACTED	US110	POR-17, pg. 16 FN 26, pg. 28 § 4.
0074293	REDACTED	US110	POR-17, pg. 16 FN 26, pg. 28 § 4.
0074294	REDACTED		POR-17, Appendix,

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Page	Requested Redaction	Pseudonym (If applicable)	Supporting Authority
			pgs. 24, 38.
0074297	REDACTED	US159	POR-17, pg. 16 FN 26, pg. 28 § 4.
0074299	REDACTED	NF016	POR-17, pg. 16 FN 26, pg. 28 § 4.