

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.,  
FOR ACCESS BY OF DAVID HODESS  
TO NONPUBLIC MATERIALS  
(June 21, 2010)**

Pursuant to Rule 3007.40 of the Commission's Rules, GameFly, Inc. ("GameFly") hereby requests that the David A. Hodess, the CEO and President of GameFly, gain access to the non-public materials produced by the Postal Service in discovery in this case, and non-public portions of the pleadings and other secondary documents by GameFly, the Postal Service, other participants, and the Commission commenting on those non-public discovery materials. GameFly filed Mr. Hodess' certificate of compliance with the Commission on June 18, 2010.

GameFly had refrained from designating Mr. Hodess as reviewing representative because some of the material produced under seal in this docket concerns Blockbuster, Inc., a competitor of GameFly. It has become clear, however, that shielding Mr. Hodess from information that the Postal Service has placed under seal—particularly information involving the Postal Service and Netflix—is impairing his ability to participate intelligently in key strategic decisions in the case.

GameFly hereby stipulates that its outside counsel will redact from the documents disclosed to Mr. Hodess any information about Blockbuster that the Postal

Service has designated as proprietary pursuant to the protective conditions imposed by the Commission in this case, except when the Commission has approved the unsealing of that information.

A copy of this motion has been served by email today on counsel for Blockbuster.

Respectfully submitted,

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June 21, 2010