

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  
DISCOVERY REQUESTS OF GAMEFLY, INC.  
(GFL/USPS-T3-29(f))  
(August 13, 2010)

On August 4, 2010, GameFly, Inc. submitted thirty-one discovery requests, with subparts, to Postal Service witness Troy R. Seanor. Pursuant to 39 U.S.C. §§ 3001.26(c) and 3001.27(c), the Postal Service provides objections to discovery request GFL/USPS-T3-29(f), reproduced below.

**GFL/USPS-T3-29.** On page 21, line 21, you state: “Yes, as I understand the conditions specified in the letter.”

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(f) Please identify each of the conditions specified in the letter from Andrew German to David Levy dated May 17, 2010, regarding the processing of GameFly DVD mail whose meaning might not be obvious to GameFly or the Postal Regulatory Commission from the text of the letter itself.

The Postal Service objects to GFL/USPS-T3-29(f) on the grounds that the discovery request is speculative and not relevant. The request directs the

witness to speculate regarding how GameFly or the Postal Regulatory Commission is likely to interpret a letter. The witness could not be expected to have any knowledge regarding how GameFly or the Commission would interpret the letter. This request is beyond the scope of the witness' testimony, as the testimony does not address an interpretation of the letter by GameFly, the Commission, or any other party.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

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