



GameFly's counsel and experts can review the material and determine promptly whether a further response, or a motion to strike, warranted.

Pursuant to Appendix A to Part 3007 of 39 C.F.R., GameFly designates the following individuals as its reviewing representative:

David M. Levy, Partner, Venable LLP (legal counsel for GameFly)

Matthew D. Field, Of Counsel, Venable LLP (legal counsel for GameFly)

Robert P. Davis, Of Counsel, Venable LLP (legal counsel for GameFly)

Lawrence Buc, President, SLS Consulting (economic consultant to GameFly)

Sander Glick, Vice President, SLS Consulting (economic consultant to GameFly)

David Hodess, CEO, GameFly, Inc.

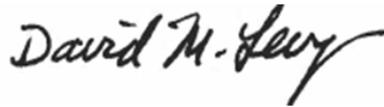
These are the **same** reviewing representatives that received access to nonpublic library reference USPS-MC2013-57/NP1 in Order No. 1801 (issued August 8, 2013). Copies of their executed certificates of compliance are attached.

We are authorized to state that the Postal Service and Netflix do not oppose allowing GameFly's reviewing representatives to gain access to the nonpublic material.

GameFly learned for the first time late on Friday that some of the material filed under seal assertedly contains proprietary information about postal customers *other than* GameFly and Netflix. This claim did not appear in the Postal Service's August 22 notice of the nonpublic filing, and GameFly did not learn of the claim until just before the Commission's time window for filing pleadings closed at 4:30 pm on Friday. If the Commission is unwilling to grant access to the Excel spreadsheets without first hearing from those customers, GameFly asks that the Commission at least grant GameFly's

reviewing representatives immediate access, subject to the protective conditions prescribed by the Commission in 39 C.F.R. Part 3007, to the IBISWorld report on the “DVD, game, and video rental market in the United States.” The only proprietary interests identified by the Postal Service in that report are those of IBISWorld, the commercial market research firm from which the Postal Service purchased the report. The Postal Service has not contended that any mailer has a proprietary interest in the report.

Respectfully submitted,

A handwritten signature in black ink that reads "David M. Levy". The signature is written in a cursive style with a prominent loop at the end of the last name.

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*Counsel for GameFly, Inc.*

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