

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Complaint of Capital One Services, Inc.

Docket No. C2008-3

PRESIDING OFFICER'S RULING
CERTIFYING CAPITAL ONE MOTION TO COMPEL
AND EXTENSION OF DEADLINES TO THE COMMISSION

(Issued April 29, 2009)

On April 9, 2009, a Motion of Capital One Services, Inc. to Compel Submission of Postal Service Privilege Logs and to Continue (COS/USPS-DR-1-17, 19-21, 22) was filed. The motion makes certain requests pertaining to privilege logs, discovery of both privileged and non-privileged materials, and extending the schedule of this proceeding. A ruling on this motion potentially may effect the due process afforded one or more parties in proceeding with this litigation and will have a material impact on the ultimate termination of this proceeding. See 39 CFR 3001.32(b). Because of the importance of this matter, I certify this motion to the full Commission for consideration pursuant to my discretionary authority provided by 39 CFR 3001.23(a)(8).

RULING

The Motion of Capital One Services, Inc. to Compel Submission of Postal Service Privilege Logs and to Continue (COS/USPS-DR-1-17, 19-21, 22), filed April 9, 2009, is certified to the Commission for its consideration and disposition.

Dan G. Blair
Presiding Officer