

**BEFORE THE U.S. POSTAL RATE COMMISSION  
WASHINGTON, D.C. 20268-0001**

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**COMPLAINT ON ELECTRONIC POSTMARK**

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**DOCKET NO. C2004-2**

**AUTHENTIDATE, INC.'S RESPONSE TO  
PRESIDING OFFICER'S RULING  
REGARDING PRELIMINARY PROCEDURAL MATTERS  
Ruling No. C2004-2/1  
(May 1, 2006)**

AuthentiDate, Inc. ("AuthentiDate") responds to the issues identified by the Commission's above-referenced ruling as follows:

- a. AuthentiDate desires discovery of Mr. Borger's testimony and seeks three months to complete written discovery;
- b. AuthentiDate reserves the right to cross-examine Mr. Borger's oral testimony and will be better positioned to determine whether such cross-examine is necessary once additional discovery is had; and
- c. AuthentiDate reserves the right to submit rebuttal testimony and will be better positioned to determine whether such rebuttal testimony is necessary once additional discovery is had. AuthentiDate seeks six weeks from the close of written discovery to prepare its rebuttal testimony, if any.

Respectfully submitted,

/s/ Scott M. Heimberg \_\_\_\_\_

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 1st day of May, 2006 a copy of AuthentiDate Inc.'s Response To Presiding Officer's Ruling Regarding Preliminary Procedural Matters was served upon the following:

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