

BEFORE THE  
POSTAL REGULATORY COMMISSION  
WASHINGTON, D.C. 20268-0001

COMPLAINT OF CAPITAL ONE  
SERVICES, INC.

Docket No. C2008-3

**JOINT PROPOSAL OF THE UNITED STATES POSTAL SERVICE  
AND CAPITAL ONE SERVICES, INC. OF PROCEDURAL SCHEDULE**

(March 27, 2009)

The United States Postal Service and Capital One Services, Inc. (Capital One) hereby propose the procedural schedule outlined below for future litigation in this docket. Since the Prehearing Conference held on March 3, 2009, Capital One and the Postal Service have been engaged in discussions to develop a revised proposed litigation schedule. The parties have conferred and have agreed upon the schedule set forth below.

The parties initially proposed a procedural schedule in this docket in a Joint Motion filed March 2, 2009. At the March 3 Prehearing Conference, the Commission expressed concern with the parties' initial proposal, and the Presiding Officer directed the parties to propose a new schedule. The parties' initial proposal stretched the briefing period in this docket until late July. With this revised schedule outlined below, the parties have proposed to move up the end of the litigation schedule while also allowing for sufficient time for discovery during the period of direct testimony and rebuttal testimony for both parties. The parties respectfully contend that the revised schedule outlined below strikes an appropriate balance between the interests of the

parties in developing a complete factual record, and the Commission's interest in swiftly and efficiently resolving the issues in this docket.

Accordingly, Capital One and the Postal Service propose the following revised schedule:

End of Initial Discovery Period	April 20
Direct Testimony of Capital One	May 11
End of Discovery on Direct Testimony	May 25
Hearings on Capital One Direct Testimony	June 8
Rebuttal Testimony of Postal Service	June 16
Hearings on Rebuttal Testimony	June 22
Initial Briefs	June 29
Reply Briefs	July 3.

WHEREFORE, the parties respectfully request that the Presiding Officer issue a ruling establishing the proposed procedural schedule contained herein.<sup>1</sup>

---

<sup>1</sup> In the event there may be an additional delay in establishing a final procedural schedule in this docket, which might compress the initial discovery deadline in the instant proposal, the parties respectfully request that any additional time be incorporated into this schedule, in order to maintain the proposed gaps between other dates in later stages of the proceeding. This would be to ensure, for example, that the parties would have sufficient time to incorporate discovery responses into the preparation of testimony, or to prepare for hearings.

Respectfully submitted,

---

Joy M. Leong  
Timothy Hawkes  
The Leong Law Firm PLLC  
2020 Pennsylvania Avenue, N.W., Suite 229  
Washington, D.C. 20006  
(202) 640-2590  
*Attorneys for Capital One Services, Inc.*

---

Elizabeth A. Reed  
United States Postal Service  
475 L'Enfant Plaza West, S.W.  
Washington, D.C. 20260-1137  
(202) 268-3179; Fax -6187