

**BEFORE THE TRIAL CHAMBER
EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA**

FILING DETAIL

Case no: 002/19-09-2007-ECCC/TC
Filing party: Nuon Chea Defence Team
Filed to: Trial Chamber
Original language: English
Date of document: 10 February 2011

ឯកសារដើម	
ORIGINAL DOCUMENT/DOCUMENT ORIGINAL	
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): 10 / 02 / 2011
ម៉ោង (Time/Heure): 11:10
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: Uch Arun

CLASSIFICATION

Classification suggested by the filing party: PUBLIC
Classification of the Trial Chamber:
Classification status: សាធារណៈ / Public
Review of interim classification:
Records officer name:
Signature:

**URGENT REQUEST FOR ADDITIONAL TIME TO FILE
REPLY TO CO-PROSECUTOR'S RESPONSE TO NUON CHEA'S
URGENT APPLICATION FOR APPOINTMENT OF A FITNESS EXPERT**

Filed by

Nuon Chea Defence Team:
SON Arun
Michiel PESTMAN
Victor KOPPE
Andrew IANUZZI
Jasper PAUW
PRUM Phalla
Göran SLUITER
Annebrecht VOSSENBERG (Legal Intern)

Distribution

Co-Prosecutors:
CHEA Leang
Andrew CAYLEY

All Defence Teams

REQUEST

1. Pursuant to Rule 39(4) of the ECCC Internal Rules (the 'Rules')¹ and Article 8.4 of the Practice Direction on 'Filing of Documents Before the ECCC',² counsel for the Accused Nuon Chea (the 'Defence') hereby submits this request for additional time in which to file a reply to the 'Co-Prosecutors' Response to Nuon Chea's Urgent Application for Appointment of a Fitness Expert' (the 'Response'),³ which was notified to the parties on 9 January 2011. Assuming the Trial Chamber does not intend to schedule oral argument on the application, the Defence submits that the judges would benefit from a fully considered reply. Yet given the deadlines looming pursuant to the 'Order to File Material in Preparation for Trial',⁴ the Defence will not be in a position to adequately analyze the Response and formulate its submissions in reply until Wednesday, 16 February 2011. Accordingly, an additional five days (from that date) in which to file is requested. In other words, the Defence proposes to file its reply on 21 February 2011.

CO-LAWYERS FOR NUON CHEA



SON Arun



Michiel PESTMAN & Victor KOPPE

¹ According to Rule 39(4): 'the Chambers may, at the request of the concerned party or on their own motion: (a) extend any time limits set by them'.

² *Practice Direction ECCC/01/2007/Rev5*. According to Article 8.4: 'A reply to a response shall only be permitted where there is to be no oral argument on the request, and such reply shall be filed within 5 calendar days of notification, in the ECCC official language which the party has elected under Article 2.2, of the response to which the participant is replying.'

³ Document No E-30/1, 8 February 2011, ERN 00642927-00642933.

⁴ Document No E-9, 17 January 2011, ERN 00635754-00635759, paras 1-4.