



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា

Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

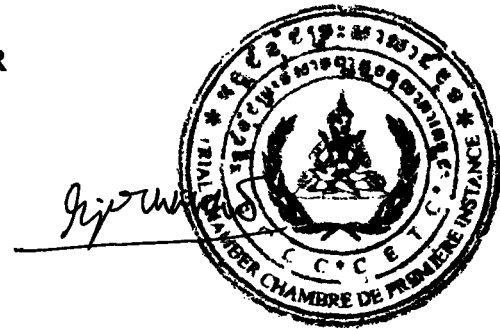
Kingdom of Cambodia
Nation Religion King
Royaume du Cambodge
Nation Religion Roi

សាធារណៈ / Public

Date: 05 November 2012

MEMORANDUM - TRIAL CHAMBER

TO: IENG Sary Defence;
FROM: NIL Nonn, President, Trial Chamber;
CC: All Trial Chamber Judges; all parties, Case 002;
Trial Chamber Senior Legal Officer
SUBJECT: IENG Sary Defence's Motion to Strike Co-Prosecutors' Notice on Key Issues
to be discussed at 17 August 2012 Trial Management Meeting and its Annex
or, in the alternative, Request to Respond (E218/3)



The IENG Sary Defence request that the Co-Prosecutors' submission E218/2 be stricken or alternatively, that the IENG Sary Defence be granted leave to respond to it, on grounds that this filing impermissibly introduced new issues in advance of the Trial Management Meeting held on Friday 17 August 2012 (E218/3). Having requested the Co-Prosecutors and the other parties to provide it with information of this sort at the Trial Management Meeting, and as foreshadowed in an email sent to all parties by the Trial Chamber Senior Legal Officer on 16 August 2012, the Trial Chamber has not stricken this filing. It has, however, subsequently remedied any possible prejudice from this advance filing by permitting later or supplementary filings on the issues raised in E218/2 from those parties who sought them. Some parties, including the IENG Sary Defence, have since availed themselves of that opportunity. The relief sought in motion E218/3 is accordingly denied.

Whilst the Chamber appreciated the information provided by the Co-Prosecutors in E218/2, the Chamber would be grateful, for planning purposes, to be consulted should parties see the need to file written submissions on areas on which oral argument has been scheduled.

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ORIGINAL DOCUMENT/DOCUMENT ORIGINAL
ថ្ងៃ ខែ ឆ្នាំ ទទួល (Date of receipt/Date de reception): 05 11 2012
ម៉ោង (Time/Heure):..... 15 : 20
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: ANN RADA