

**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  
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**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**

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**REQUEST**

1. Pursuant to Rule 39(4) of the ECCC Internal Rules (the 'Rules')<sup>1</sup> and Article 8.4 of the Practice Direction on 'Filing of Documents Before the ECCC',<sup>2</sup> 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'),<sup>3</sup> 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',<sup>4</sup> 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



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<sup>1</sup> 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'.

<sup>2</sup> *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.'

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

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