

INDIVIDUAL PROCEDURES

JUDGE DONALD C. POGUE

CHAMBERS

United States Court of International Trade
One Federal Plaza, Room 666
New York, New York 10278
Fax Number (212) 264-3201

CASE MANAGER

Scott M. Warner
(212) 264-2030

GENERAL RULES

1. Attorneys

All Counsel proceeding before the Judge must ensure that the clerk's office possesses an up-to-date record of Counsel's address and telephone number. Notices of appearance must be filed. Where a change occurs, Counsel must alert the clerk's office of any change in firm name, address or telephone number immediately. The placement of any change on documents submitted to the Court is not sufficient.

2. Communications

(A) Communications with Chambers should be made in writing, and filed with the Clerk's Office, except for urgent matters requiring immediate attention. Counsel are not to call the Judge's law clerks or executive assistant. Counsel may contact the case manager with specific procedural questions. Counsel are advised to consult the Rules of the United States Court of International Trade prior to any request or inquiry.

(B) Counsel should submit copies of correspondence to all interested parties.

(C) Any Affidavit or Certificate of Service must identify the served documents by title. Affidavits or Certificates that do not identify the documents may be deemed insufficient by the Court.

3. Memoranda of Law

(A) Two courtesy copies of all motions and accompanying Memoranda of Law are to be submitted to Chambers. Chambers' copies should be exact duplicates of the filed documents, including signatures, where applicable. In addition, Counsel are to submit copies of Agreed Statement of Facts on 3½ inch floppy disks, formatted, if possible, for Corel WordPerfect 8.0.

(B) Any error in citation or otherwise that comes to Counsel's attention should be communicated to the Court in the form of an Errata Memorandum.

4. Extensions of Time

Pursuant to CIT Rule 6(b), motions for extension of time must be filed before the period in question expires. Any such request for enlargement or extension of time should be received by a courtesy copy to the Court's chambers prior to the date from which the enlargement or extension is sought and upon which the original document is due. Any such motion not made in writing, and

received by the Court prior to the expiration of the period in question, may be denied. Motions must set forth the basis for good cause and that communication has been made with all parties.

5. Order Governing Preparation for Trial and Pretrial Order

A joint proposed order governing preparation for trial should accompany any request for trial. The form for a draft order governing preparation for trial is annexed hereto, together with a form for the pretrial order. A joint proposed pretrial order must be submitted at least two (2) weeks prior to the date set for any pretrial conference.

6. Documentary Evidence

Prior to any trial or evidentiary hearing, the parties are encouraged to agree with respect to which evidence is necessary for any determination by the Court. In the absence of such agreement, the plaintiff must serve upon all interested parties a designation of all relevant exhibits. If any interested party considers other evidence to be necessary, it must serve a cross-designation upon all interested parties. Each designation must list all documents which the party intends to cite in Memoranda of Law or Oral Argument. The custodian of the record must submit photo copies of all designated documents, in their entirety, to the Court. This compilation must be received by the Court prior to any trial or hearing in which the evidence is to be considered, or when the first Memoranda of Law citing documentary evidence is submitted. All proposed evidence should be premarked for identification.

7. Changes to a Trial Transcript

Any proposed changes to a trial transcript must be made by written motion.