

**UNITED STATES COURT OF APPEALS
for the
SECOND CIRCUIT**

**At a Stated Term of the United States Court of Appeals for the Second
Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in
the City of New York, on the 9th day of May, two thousand and eight,**

PRESENT: Hon. Dennis Jacobs
Hon. Guido Calabresi
Hon. José A. Cabranes
Hon. Chester J. Straub
Hon. Rosemary S. Pooler
Hon. Robert D. Sack
Hon. Sonia Sotomayor
Hon. Robert A. Katzmann
Hon. Barrington D. Parker
Hon. Reena Raggi
Hon. Richard C. Wesley
Hon. Peter W. Hall
Hon. Debra A. Livingston

IT IS HEREBY ORDERED, that the Local Rules of the United States Court of Appeals for the Second Circuit are hereby amended on an interim basis effective May 27, 2008, by the amendment of Interim Local Rule 25 and Local Rule 32, as set forth below. The Court proposes furthermore to adopt the amended Interim Local Rule 25 on a permanent basis following publication for notice and comment. The Clerk of Court shall publish the new Interim Rule and Proposed Permanent Rule inviting comment to be submitted by **June 9, 2008**. Anyone wishing to comment should do so, in writing, to:

Catherine O'Hagan Wolfe
Clerk of Court
United States Court of Appeals
40 Foley Square
New York, NY 10007.

INTERIM LOCAL RULE 25. Filing and Service

[To facilitate the Clerk's Office's ability to scan documents, any paper filing, except a paper brief accompanied by a PDF brief submitted pursuant to Local Rule 32(a)(1)(A), must include one unbound copy (papers not stapled together or otherwise attached). The use of paper clips and rubber bands is permitted. When only the original document is filed, the original copy must be unbound.]

(a) Documents in Digital Format.

1. Document Defined. For the purposes of this rule, document includes every paper submitted to the court, including forms, letters, motions, petitions and briefs but not appendices.

2. Submission Requirement. Every document filed by a party represented by counsel must be submitted in a Portable Document Format (PDF), in addition to the required number of paper copies, unless counsel certifies that submission of the paper as a PDF document would constitute hardship. A party not represented by counsel is encouraged, but not required, to submit a PDF version of every document, in addition to filing the required number of paper copies.

3. Submission of Documents.

(A). The PDF version of a document must be submitted as an email attachment to electronic mailboxes designated according to case type. Case type is determined by the two-letter code found at the end of the docket number assigned to a case. The code, and respective mailboxes, are:

(i) ag, bk, op - <agencycases@ca2.uscourts.gov>. Cases involving an administrative agency, board, commission or office; tax court; bankruptcy; original proceedings; and, cases in which the United States is a party;

(ii) cr - <criminalcases@ca2.uscourts.gov>. Criminal cases; and

(iii) cv - <civilcases@ca2.uscourts.gov>. Counseled civil cases.

(B). Documents in a case that is not yet assigned a docket number must be submitted to <newcases@ca2.uscourts.gov>.

(C). A party who is pro se and a party with counsel in a pro se case may submit documents to an electronic mail box designated exclusively for pro se filers: <prosecases@ca2.uscourts.gov>.

(D). The email in which the document is attached must set forth the following identifying information in the "Subject" or "Re" header box: the docket number; the name of the party on whose behalf the document is filed; that party's designation in the case, i.e., appellant, petitioner; and, the type of document, i.e., form, letter; and the date the document is submitted to the Court. If the document pertains to a case not yet assigned a docket number in this court, the district court docket or agency number should be included in the header box. An example of a subject line: # 01-2345 -cv, ABC Corp, Appellant, Letter.

4. **Content.** The PDF document must contain the entire paper, including exhibits and any supplemental material that is bound with the paper copy filed with the court. The exhibits or supplemental material may be attached to the email as a separate, clearly identified, document. A manual signature need not be included on the PDF copy.

5. **Time for Filing.** The PDF version of a document submitted pursuant to this rule must be emailed no later than the time for filing the required copies of the paper with the clerk.

6. **Virus Protection.** Each party submitting a PDF document must provide a signed certificate which certifies that the PDF document has been Scanned for viruses and that no virus has been detected. The signed certificate must be filed along with the paper copies of the document with the clerk. A PDF version of the certificate, which need not include a manual signature, must be attached to the email that includes the PDF document.

7. **Corrections.** If a document is corrected, a new email attachment with the corrected version must be submitted, and the identifying information in the header box shall identify the document as corrected and include the date the corrected version of the document is submitted to the clerk.

8. Email Service. The PDF version of a document must be emailed to all parties represented by counsel and to those parties not represented by counsel who elected to submit PDF paper.

(b). Documents in Other Formats.

1. Filing Requirement. Any party, whether represented by counsel or not, who does not provide a document in PDF format, must file one unbound copy (papers not stapled or otherwise attached) of each multi-page document with the clerk. The use of paper clips or rubber bands is permitted. When only the original document is filed, the paper that comprises the document must be unbound.

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LOCAL RULE 32. BRIEFS AND APPENDIX

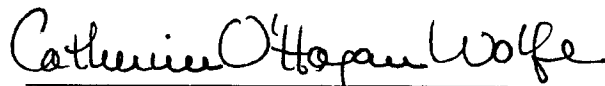
(a) Form of Brief.

(1) Briefs in Digital Format. The digital format of a brief is governed by Interim Local Rule 25.

[The text of (A) through (H) is otherwise deleted.]

IT IS ORDERED.

FOR THE COURT



Catherine O'Hagan Wolfe
Clerk of Court

May 9, 2008

[] - Matter deleted
Underlined - Matter added