

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

September Term, 2025

Filed On: December 4, 2025

BEFORE: Srinivasan, Chief Judge, Henderson, Millett, Pillard, Wilkins,
Katsas, Rao, Walker, Childs, Pan, and Garcia, Circuit Judges

ORDER

It is **ORDERED** by the en banc court that Circuit Rule 39 be amended as set out in the attachment to this order, effective December 4, 2025.

Per Curiam

FOR THE COURT:
Clifton B. Cislak, Clerk

/s/

Clifton B. Cislak

Circuit Rule 39

Costs

(a) Allowable Items. Costs will be allowed ~~as set forth in FRAP 39. for the docketing fee and for the cost of reproducing the number of copies of briefs and appendices to be filed with the court or served on parties, intervenors, and amici curiae, plus 3 copies for the prevailing party.~~ The costs of reproducing the required copies of briefs and appendices will be taxed at actual cost or at a rate periodically set by the clerk to reflect the per page cost for the most economical means of reproduction available in the Washington metropolitan area, whichever is less. Charges incurred for covers and binding may also be claimed, at actual cost not to exceed a rate similarly determined by the clerk. The rates set by the clerk will be published by posting in the clerk's office and on the court's web site, and publication in The Daily Washington Law Reporter.

(b) Procedure for Requesting Taxation of Costs. Forms furnished by the clerk's office, or facsimiles thereof, must be used in requesting taxation of costs. Parties submitting bills of costs that are not itemized as required by the clerk or not presented on clerk's office forms or reasonable facsimiles thereof will be directed to provide a conforming request.

(c) No Costs Taxed for Briefs for Amici or Intervenors. No taxation of costs for briefs for intervenors or amici curiae or separate replies thereto will be assessed unless allowed by the court on motion.

(d) Costs of Producing Separate Briefs and Appendices Where Record is Sealed. The costs under Circuit Rule 47.1 of preparing 2 sets of briefs, and/or 2 segments of appendices, may be assessed if such costs are otherwise allowable.