

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In Re: :
: :
Application for Exemption from the : General Order M- 370
Electronic Public Access Fees by the New :
York Appellate Division, Third Department. :
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This matter is before the Court upon the application and request by the New York Appellate Division, Third Department (the "Applicant") for exemption from the fees imposed by the Electronic Public Access Fee Schedule adopted by the Judicial Conference of the United States Courts.

The Court finds, based upon the attached letter from Joseph L. Legnard, Chief Investigator, dated January 27, 2009, that the Applicant has demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information.

Accordingly, the Applicant shall be exempt from the payment of fees for access via PACER to the electronic case files maintained in this Court, to the extent such use is incurred in connection with accessing PACER for status updates and decisions involving attorneys who are the subject of grievance investigations. The Applicant shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this Court.

Additionally, the following limitations apply:

1. This fee exemption applies only to the Applicant, and is valid only for the purposes stated above.
2. This fee exemption applies only to the electronic case files of this Court that are available through the PACER system;
3. By accepting this exemption, the Applicants agree not to sell for profit any data obtained as a result of receiving this exemption.
4. This exemption is valid from the date of this order through December 1, 2010.

This exemption may be revoked at the discretion of the Court at any time. A copy of this Order shall be sent to the PACER Service Center.

Dated: New York, New York
February 5, 2009

s/ Stuart M. Bernstein
STUART M. BERNSTEIN
Chief United States Bankruptcy Judge

State of New York
Supreme Court, Appellate Division
Third Judicial Department
Committee on Professional Standards
40 Steuben Street, Suite 502
Albany, NY 12207-2109

<http://www.nycourts.gov/ad3/cops>

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January 27, 2009

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U.S. Bankruptcy Court
Southern District of New York
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Attn: Ms. Kathleen Farrell-Willoughby
Clerk of Court

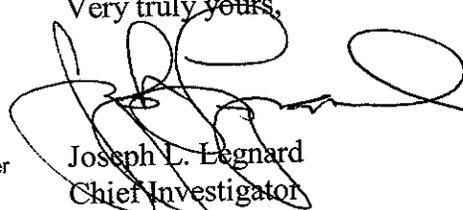
Re: Renewal of Pacer Fee Waiver

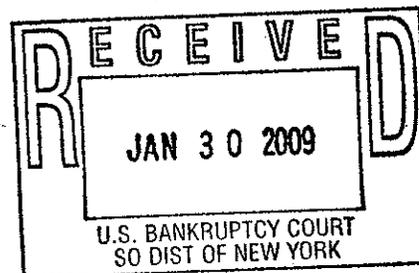
Dear Ms. Farrell-Willoughby:

This office is an agency of the New York State Court System, Appellate Division, Third Judicial Department. By an order dated June 27, 2006 (copy of same is attached hereto), Chief Judge Bernstein granted this agency an exemption of the fees for Pacer searches of U.S. Bankruptcy Court, Southern District of New York matters. We access Pacer for status updates and decisions involving attorneys in who are the subject of attorney discipline/ grievance investigations.

In that the exemption granted expired on December 1, 2008, we respectfully request renewal of same. Your assistance in this matter will be greatly appreciated. If you have any questions please do not hesitate to contact me at the number referenced above.

Very truly yours,


Joseph L. Legnard
Chief Investigator



UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In Re: :
: :
Application for Exemption from the : General Order M-328
Electronic Public Access Fees by the New :
York Appellate Division, Third Department. :
-----X

This matter is before the Court upon the application and request by the New York Appellate Division, Third Department (the "Applicant") for exemption from the fees imposed by the Electronic Public Access Fee Schedule adopted by the Judicial Conference of the United States Courts.

The Court finds, based upon the attached letter from Joseph L. Legnard, Chief Investigator, dated June 16, 2006, that the Applicant has demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information.

Accordingly, the Applicant shall be exempt from the payment of fees for access via PACER to the electronic case files maintained in this Court, to the extent such use is incurred in connection with accessing PACER for status updates and decisions involving attorneys who are the subject of grievance investigations. The Applicant shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this Court.

Additionally, the following limitations apply:

1. This fee exemption applies only to the Applicant, and is valid only for the purposes stated above.
2. This fee exemption applies only to the electronic case files of this Court that are available through the PACER system;
3. By accepting this exemption, the Applicants agree not to sell for profit any data obtained as a result of receiving this exemption.
4. This exemption is valid from the date of this order through December 1, 2008.

This exemption may be revoked at the discretion of the Court at any time. A copy of this Order shall be sent to the PACER Service Center.

Dated: New York, New York
June 27, 2006

s/ Stuart M. Bernstein
STUART M. BERNSTEIN
Chief United States Bankruptcy Judge