

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In Re: :  
: :  
Application for Exemption from the : General Order M-414  
Electronic Public Access Fees by Anne :  
Lawton. :  
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This matter is before the Court upon the application and request by Anne Lawton (the "Applicant") for the extension of a prior exemption, granted by order dated March 8, 2010, 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 the Applicant, dated February 26, 2011, that the Applicant has demonstrated that the extension of the 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 the project described in the attached letter. She 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 Applicant agrees not to sell for profit any data obtained as a result of receiving this exemption.
4. This exemption is valid from April 1, 2011 through March 31, 2012.

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  
March 7, 2011

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/s/ Arthur J. Gonzalez  
ARTHUR J. GONZALEZ  
Chief United States Bankruptcy Judge



MICHIGAN STATE  
UNIVERSITY  
COLLEGE OF LAW

February 26, 2011

The Honorable Arthur J. Gonzalez  
U.S. Bankruptcy Court for the Southern District of New York  
Alexander Hamilton U.S. Custom House  
One Bowling Green, 6th Floor  
New York, NY 10004-1408

ANNE LAWTON  
Associate Professor of Law

Dear Judge Gonzalez:

I am writing to request a one-year extension until March 31, 2012, of a waiver of PACER fees that you granted to me last spring.

I am creating a large dataset of chapter 11 cases — both pre- and post-BAPCPA - in order to examine a number of issues surrounding the plan confirmation process. The project is well underway, and I and my research assistants are currently coding and inputting the cases drawn from the 10% random sample for 2004. If you are interested, I will e-mail you a copy of my data collection instrument.

PACER fees may be waived “to avoid unreasonable burdens and to promote public access to such information.” My request satisfies both criteria. First, the cost of searching on PACER to create the relevant datasets, coupled with the cost of obtaining dockets, plans, and other relevant case orders, is prohibitive. My home academic institution has provided research assistance, but cannot absorb the cost of PACER fees for 94 judicial districts. Second, I plan to publish the results of my research, thereby not only providing public access to the data but also promoting greater understanding of the plan confirmation process.

Therefore, I request an extension of my current waiver of PACER fees for one year, starting on April 1, 2011, and ending on March 31, 2012. (The current waiver ends on March 31, 2011.) I agree not to sell any data that I obtain from PACER or to share such information with any person who might derive a financial benefit from using such data. For your convenience, I am enclosing a proposed order that is similar to one used by some bankruptcy courts for waiver of PACER fees. If the waiver is granted, please notify the PACER service center (address below) to grant an extension of the current waiver of access fees for your district for **account number ms6605**. In addition, please send an electronic copy of the waiver order to [alawton@law.msu.edu](mailto:alawton@law.msu.edu) or return a paper copy in the enclosed envelope.

PACER Service Center  
P.O. Box 780549  
San Antonio, TX 78278  
(800) 676-6856

The project has taken longer than anticipated. But, to quote Robert Burns, “the best laid schemes o’ mice an’ men gang aft a-gley.” Thank you for considering my request, and I appreciate your support for this project.

Sincerely,

Anne Lawton  
Associate Professor