UNITED STATES BANKRUPTCY COU SOUTHERN DISTRICT OF NEW YOR		
In Re:	:	
	:	
Application for Exemption from the	:	General Order M-395
Electronic Public Access Fees by Anne	:	
Lawton.	:	
	X	

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 19, 2009, 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 27, 2010, 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, 2010 through March 31, 2011

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 8, 2010

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



February 27, 2010

ANNE LAWTON Associate Professor of Law

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

Dear Judge Gonzalez:

I am writing to request a one-year extension until March 31, 2011, 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 2004 dataset – comprised of 10,163 cases – is finished, and I am currently working on completing the 2007 dataset. When both datasets are complete, I will take a random sample from each year in order to answer a number of questions about the plan confirmation process, as well as the impact, if any, of BAPCPA on that process. I expect to finish the entire project within the next six to nine months, but out of an abundance of caution am asking for a one-year extension of the current waiver.

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, 2010, and ending on March 31, 2011. (The current waiver ends on March 31, 2010.) 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 or return a paper copy in the enclosed envelope.

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

Thank you for considering my request.

Sincerely,

Anne Lawton