

FILED
DISTRICT COURT OF GUAM

MAR 10 2018



JEANNE G. QUINATA
CLERK OF COURT

DISTRICT COURT OF GUAM

In Re:

APPLICATION OF ANN LAWTON,
Professor of Law

General Order 10-0004

ORDER GRANTING APPLICATION OF
ANN LAWTON FOR EXEMPTION FROM
THE ELECTRONIC PUBLIC ACCESS FEE
SCHEDULE ADOPTED BY THE JUDICIAL
CONFERENCE OF THE
UNITED STATES COURTS

This matter is before the Court upon the application and request of Michigan State University College of Law Professor Ann Lawton, for a renewal of her exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Courts, relating to her research on the Court's Chapter 11 Bankruptcy filings.

The Court finds that Professor Lawton continues to fall within a class of users listed in the Judicial Conference's Electronic Public Access fee schedule as being eligible for a fee exemption, namely an "individual researcher associated with an educational institution". Accordingly, Professor Lawton shall be exempt for the payment of fees for access via PACER to the electronic case files maintained in this court for case files, to the extent such use is incurred in the course of her research. 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 Ann Lawton, and is valid for only for the purposes stated above;

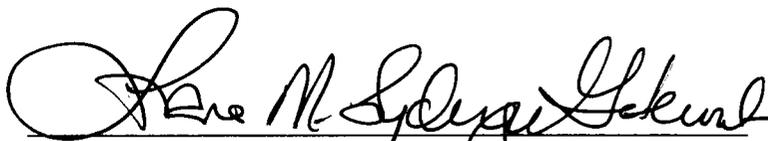
2. This fee exemption applies only to the electronic case files of this Court that are available through the PACER system;

3. By accepting this exemption, Professor Lawton agrees not to sell for profit any data obtained as a result of receiving this exemption.

4. This exemption is valid until 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.

SO ORDERED this 10th day of March, 2010.


FRANCES M. TYDINGCO-GATEWOOD
Chief Judge

CBW

February 27, 2010

ANNE LAWTON
Associate Professor of Law

Jeanne G. Quinata
United States Bankruptcy Court for the District of Guam
U.S. Courthouse
520 Soledad Ave., 4th Floor
Hagatna, GU 96910

Dear Ms. Quinata:

I am writing to request a one-year extension until March 31, 2011, of a waiver of PACER fees that the court 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.

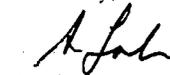
PACER fees may be waived “to avoid unreasonable burdens and to promote public access to such information.” My request satisfies both criteria. First, the cost of searching on PACER to create the relevant datasets, coupled with the cost of obtaining dockets, plans, and other relevant case orders, is prohibitive. 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. If the waiver is granted, please notify the PACER service center (address below) to grant an extension of the waiver of access fees for your district for **account number ms6605**. I have sent a similar waiver extension letter, as well as a proposed order and return envelope, to the chief bankruptcy judge of your district. If the waiver extension is granted, please return a paper copy of the order in the envelope provided to your chief bankruptcy judge or send an electronic copy to alawton@law.msu.edu.

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

Thank you for considering my request.

Sincerely,



Anne Lawton

RECEIVED
MAR 08 2010
DISTRICT COURT OF GUAM
HAGATNA, GUAM