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DISTRICT COURT OF GUAM
DISTRICT OF GUAM

JEANNE G. QUINATA
CLERK OF COURT

In Re:

APPLICATION OF MATTHEW REID
KRELL, J.D.,
Ph.D. Candidate

GENERAL ORDER 17-00⁰⁵
ORDER GRANTING APPLICATION OF
MATTHEW KRELL 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 University of Alabama Ph.D. candidate Matthew Reid Krell, J.D., for an exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Courts, relating to his research on litigation outcomes.

The Court finds that Mr. Krell falls 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, Mr. Krell 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 his research. He 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 1. This fee exemption applies only to Matthew Krell, and is valid for only for the
2 purposes stated above;

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

5 3. By accepting this exemption, Mr. Krell agrees not to sell for profit any data obtained
6 as a result of receiving this exemption.

7 4. This exemption is valid until February 1, 2018.

8 This exemption may be revoked at the discretion of the Court at any time. A copy of this
9 Order shall be sent to the PACER Service Center.
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12 SO ORDERED this 11th day of July, 2017.
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17 FRANCES M. TYDINGCO-GATEWOOD
18 Chief District Judge
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College of Arts and
Sciences

Department of
Political Science

THE UNIVERSITY OF
ALABAMA
Arts & Sciences

June 23, 2017

The Hon. Frances Tydingco-Gatewood, Chief Judge
United States District Court
District of Guam
520 W. Soledad Ave.
Hagatna, GU 96910

Dear Judge Tydingco-Gatewood:

I write to request a PACER fee exemption under paragraph 9 of the Electronic Public Access Fee Schedule issued in accordance with 28 U.S.C § 1913 *et seq.* As an individual researcher, I am requesting the exemption in connection with my dissertation, "Litigants and Law: Determinants of Litigation Outcomes." My data collection for this project entails reviewing five documents from certain cases. I am collecting this data to extend the variables in the EEOC Litigation Project, which the Court may review at eeoclitigation.wustl.edu. Because of this, I know exactly which case files I must review. For this Court, I need access to 2 files. However, in order to pay the PACER fees associated with every file in the dataset, which consists of 2,351 case-level observations across 93 district courts, I would need to be prepared to spend \$35,265 (\$3.00 maximum for five documents per file). This is unreasonably burdensome for a graduate student, and my work will promote public access to the information because I will add the coded variables to the EEOC Litigation Project dataset.

Once the waiver is received, I will begin downloading the documents I need and save them locally for review. I anticipate being able to collect ten files' worth of documents per day, with my other obligations. I thus anticipate having downloaded all documents needed for the dataset by February 1, 2018. I will comply with the PACER term of service that forbids re-uploading the documents for any documents obtained with a fee waiver.

Please do not hesitate to contact me if Your Honor has any questions or concerns. I remain, with kindest regards,

Very truly yours,

Matthew Reid Krell, J.D.
Ph.D. Candidate
University of Alabama
Department of Political Science

322 ten Hoor Hall
Box 870213
Tuscaloosa, AL 35487
(205) 348-5580
mrkrell@ua.edu



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CHIEF JUDGE S. CHAMBERS
DISTRICT COURT OF GUAM