

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In Re: :  
: :  
Application for Exemption from the : General Order M-379  
Electronic Public Access Fees by Elizabeth :  
Warren. :  
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This matter is before the Court upon the application and request by Elizabeth Warren (the "Applicant") to extend the exemption, granted by order dated January 8, 2008, 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 September 18 2009, that the Applicant has demonstrated that the continuing 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 January 1, 2010 through December 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  
October 29, 2009

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

# HARVARD LAW SCHOOL



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September 18, 2009

The Honorable Stuart M. Bernstein  
U.S. Bankruptcy Court  
Southern District of New York  
One Bowling Green  
New York, NY 10004-1408

Dear Judge Bernstein:

I am writing thank you for your earlier help and to request an order extending exemption for the Bankruptcy Project from PACER fees in your jurisdiction. According to our records, our waiver in your district expires on December 31, 2009. I am a professor who works with several other professors, including Drs. David Himmelstein and Steffie Woolhandler of the Harvard Medical School, Professor Melissa Jacoby of the University of North Carolina, Professor Robert Lawless of the University of Illinois, Professor Katherine Porter of the University of Iowa, Professor John Pottow and Provost Teresa Sullivan of the University of Michigan, Dr. Deborah Thorne of Ohio University, and Professor Jay Westbrook of the University of Texas in collecting data and writing about the businesses and individuals who file for bankruptcy. We have incurred PACER charges in order to advance our academic research about the bankruptcy system.

Our research is made public and is shared with the courts, the Office of the United States Trustee and the Administrative Office of the United States Courts. We do not use PACER for any purpose other than academic research. We do not use PACER for the practice of law for clients or use PACER for any other fee-generating purposes.

Our collective and individual research has been published in several law review articles, including a recent article in the Harvard Law Review. We have also integrated the research into various books. Without access to these data, this work might never have been completed. Everyone associated with the project is very grateful to the judges who have made it possible.

We currently have active waivers in all but one district. Some courts have given us permanent waivers, applicable so long as we are doing academic research under the same terms; others have given us year-to-year or two-year exemptions which they have renewed. I request that the fee waiver be applicable for all data collection through December 31, 2011 and, if possible, beyond. Our PACER ID is BB0099.

If I can answer any questions, please feel free to get in touch with me. Thank you for your help.

Very truly yours,

A handwritten signature in black ink, appearing to read "E. Warren". The signature is fluid and cursive, with a long horizontal stroke at the end.

Elizabeth Warren  
Leo Gottlieb Professor of Law