

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re: :
: :
REVISED ORDER REGARDING :
EXEMPTION FROM ELECTRONIC : GENERAL ORDER # M-251
ACCESS FEES. :
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WHEREAS, paragraph 23 of the Bankruptcy Court Miscellaneous Fee Schedule (the “Miscellaneous Schedule”), promulgated pursuant to 28 U.S.C. § 1930(b), prescribes a charge of \$0.07 per page (the “Fee”) for public access to Court information and data through the Court’s Internet web site, www.nysb.uscourts.gov, but at its March 2001 session, the Judicial Conference of the United States, inter alia, removed the Fee from the Miscellaneous Schedule and incorporated it into a newly-created Fee Schedule for Electronic Public Access, effective July 1, 2001; and

WHEREAS, the Court is authorized to exempt persons and classes of persons from the payment of the Fee in order to avoid unreasonable burdens and to promote public access to such information; and

WHEREAS, trustees appointed or elected in chapter 7 cases require access to the Court’s electronic database to fulfill their statutory obligations, the vast majority of chapter 7 estates lack the assets to reimburse the trustee for the payment of the Fee incurred in the case, requiring the trustee of such a “no-asset” chapter 7 estate to pay the Fee would impose an unreasonable financial burden on the trustee, and there is no practical method of limiting the exemption granted under this order to “no-asset” chapter 7 cases and requiring the trustee to pay the Fee (and seek reimbursement from the estate) in an “asset” chapter 7 case; it is

ORDERED, trustees duly appointed or elected in chapter 7 cases are exempt from payment of the Fee, and it is further

ORDERED, that General Order # M-250 is vacated.

Dated: New York, New York
June 25, 2001

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