



ANNE LAWTON
Associate Professor of Law

February 27, 2010

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,

A handwritten signature in black ink, appearing to read "Anne Lawton".

Anne Lawton