

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In Re: :
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Application for Exemption from the Electronic : General Order M-484
Public Access Fees by Michelle M. Harner, :
: :
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This matter is before the Court upon the application and request by Michelle M. Harner (the "Applicant") for exemption 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 received on May 20, 2015, that the Applicant has demonstrated that an 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 and application. The Applicant 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 June 1, 2015 through May 31, 2016.

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
June 2, 2015



CECELIA G. MORRIS
Chief United States Bankruptcy Judge

Michelle M. Harner
Professor of Law
Director, Business Law Program
500 W. Baltimore St.
Baltimore, MD 21201

May 20, 2015

The Honorable Cecelia G. Morris
U.S. Bankruptcy Court
Southern District of New York
355 Main Street
Poughkeepsie, NY 12601-3315

Dear Chief Judge Morris:

I hope this letter finds you well. I am a Professor of Law at the University of Maryland Francis King Carey School of Law; my research and scholarship focus primarily on corporate governance and insolvency matters. My full resume can be found at <http://www.law.umaryland.edu/faculty/profiles/faculty.html?facultyum=642>.

I am writing to request an exemption from PACER (Public Access to Court Electronic Records) fees for the purpose of academic research. Specifically, I am requesting the exemption in connection with the following two projects:

- A project that analyzes small and middle market bankruptcy cases. This project will focus on case filings since 2012, and it will target entity debtors with assets or liabilities up to and including \$50 million. I intend to select randomly a small group of case filings (no more than 100) to analyze during this study. In conducting this study, I will be reviewing the dockets and certain pleadings filed in each of the randomly selected cases.
- A project that considers (i) the prepetition management and financial decisions of debtors and (ii) the impact of such decisions on any subsequent federal bankruptcy cases. I intend to select randomly a small group of case filings (no more than 100) to analyze during this study. In conducting this study, I will be reviewing the dockets and certain pleadings filed in each of the randomly selected cases.

The requested PACER exemption is essential to each of these research projects. Without the exemption, I will not be able to understand or evaluate fully the issues most pressing for entity debtors within the context of these studies. Although I have not performed a precise calculation, I believe that the PACER fees for these studies could exceed \$10,000, and I have no grant or other funding to assist with such costs. Consequently, conducting these studies without an exemption would, I believe, impose an unreasonable burden on these research projects.

The start date for these projects is June 1, 2015, and my anticipated completion date is May 31, 2016. I would like to request an exemption for this one-year period. I likely will have one to two research assistants (law students) working with me on these projects.

In accordance with applicable policies, I agree not to sell, transfer, redistribute, or use for commercial purposes the data obtained through PACER. I also will ensure that my research assistants abide by these policies.

I believe that each of the above research projects will contribute significant and meaningful information to the bankruptcy profession. I endeavor only to help the profession better understand the issues faced by debtors and how the federal bankruptcy system might address those issues more effectively to better serve all constituencies impacted by the system. I would greatly appreciate your approval of this PACER exemption. I of course also would be happy to share any resulting academic papers with you and your colleagues in the district.

If the exemption is granted, please notify the PACER Service Center by mailing a copy of the exemption order to the address below. Please apply fee exemptions to PACER account mh2877. In addition, please send an electronic copy of the exemption order to mharner@law.umaryland.edu.

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

Please do not hesitate to contact me with any questions or concerns. Thank you for your consideration.

Respectfully,



Michelle M. Harner