

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

In Re: Application for Exemption) Misc Case No.: 3:09mc5000
from the Electronic Public Access)
Fees by Robert Richards, on behalf of)
the National Archives)

This matter is before the Court upon the application and request by Robert Richards, on behalf of the National Archives, 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 that Robert Richards, on behalf of the National Archives, as a government institution responsible for the storage and retrieval of archived records for the District of South Carolina Federal Court falls within the class of users listed in the fee schedule as being eligible for a fee exemption. Additionally, Robert Richards, on behalf of the National Archives has demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information. Accordingly, Robert Richards, on behalf of the National Archives 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 the course of his work in the research and retrieval of archived court records. 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. this fee exemption applies only to the National Archives 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, Robert Richards and the National Archives agree not to sell for profit any data obtained as a result of receiving this exemption;
4. this exemption is valid until further order of the court revoking said exemption.

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 this 17th day of February, 2009.



David C. Norton
Chief United States District Judge