

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

IN RE: EXEMPTION FROM
THE ELECTRONIC PACER
PUBLIC ACCESS FEES BY
YANBAI ANDREA WANG

Administrative Order
No. 18-MS-041

ADMINISTRATIVE ORDER

This matter is before the Court upon the application and request by Yanbai Andrea Wang, Stanford Law School, for the exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Courts. A copy of the request is attached to this Administrative Order.

This Court finds that Yanbai Andrea Wang, an individual researcher associated with an educational institution, falls within the class of users listed in the fee schedule as being eligible for a fee exemption. Additionally, Yanbai Andrea Wang has demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information. Accordingly, Yanbai Andrea Wang shall be exempt from the payment of the 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 educational research. 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 Yanbai Andrea Wang and is valid only for the purposes stated above and recited in the request;
2. This fee exemption applies only to the electronic case files of this Court that are

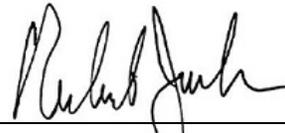
available through the PACER system;

3. By accepting this exemption, Yanbai Andrea Wang agrees not to sell for profit any data obtained as a result of receiving this exemption;
4. This exemption is valid commencing May 7, 2018 and ending April 30, 2020.

This order 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.

IT IS SO ORDERED.

Dated: May 7, 2018



Robert J. Jonker
Chief United States District Judge

From: "Yanbai Andrea Wang" <yawang@law.stanford.edu>
Date: May 5, 2018 at 7:14:35 PM EDT
To: robert_jonker@miwd.uscourts.gov
Subject: PACER fee exemption request

Dear Chief Judge Jonker,

I am an academic researcher at Stanford Law School. I'm writing to request an exemption from PACER user access fees for the Western District of Michigan to conduct the below-described scholarly research.

The Judicial Conference of the United States has promulgated rules expressly authorizing courts to grant PACER fee waivers for academic research. Under those rules, issued in accordance with 28 U.S.C. § 1913, “[c]ourts may exempt certain person or classes of persons”—including “individual researchers associated with educational institutions”—“from payment of the user access fee.” See U.S. Judicial Conference, Electronic Public Access Fee Schedules 3 (effective Apr. 1, 2013), available at http://pacer.psc.uscourts.gov/documents/epa_feesched.pdf; see also 28 U.S.C. § 1913. I am attaching the linked document with the relevant language highlighted on page 3.

The scholarly project for which I am seeking this fee exemption is limited in scope to a handful of legal doctrines concerning litigation involving foreign parties. Most prominently, I am collecting data on 28 U.S.C. § 1782, which governs the provision of discovery assistance to foreign and international tribunals. I anticipate that this research project will take approximately two years, and request that the fee waiver extend from the present until April 30, 2020.

My research aims to improve the administration of justice across borders. I have not received any grants or awards supporting this research, and thus need the fee exemption to avoid unreasonable financial burden. I am attaching an example of an order I have received from another district court granting my request. My PACER account number is 5554355.

Please let me know if I can provide any further information. You can reach me by email at yawang@law.stanford.edu or by cell phone at (650) 353-8162.

Sincerely,

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