
ORDER

Misc. File No. 3:24-mc-546-TMC

**In Re: Application for Exemption from the Electronic Public Access Fees by
Dr. Arthur Smith**

This matter is before the Court upon the application and request by **Dr. Arthur Smith** 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 **Dr. Arthur Smith**, 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, **Dr. Arthur Smith** has demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information. Accordingly, **Dr. Arthur Smith** 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 researching Judgments in criminal cases for the use of developing a machine learning model to analyze sentencing trends in federal health care fraud and controlled substance violations.

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 **Dr. Arthur Smith** 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, **Dr. Arthur Smith** agrees not to sell for profit any data obtained as a result of receiving this exemption;
4. **Dr. Arthur Smith** is prohibited from transferring any data obtained as a result of receiving this exemption, including redistribution via internet based databases;
5. this exemption is valid **for 12 months from the date of this Order.**

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 23 day of July, 2024



Chief Judge Timothy M. Cain