

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

**In Re: Application for Exemption from
 the Electronic Public Access Fees
 By John Everett**

Case No. 4:04CV00985

AMENDED ORDER

This matter is before the Court upon the application and request of John Everett, special master appointed by the Court, for an exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Court.

The Court finds that Mr. Everett is eligible for an exemptions to the public access fee schedule due to his appointment by United States District Judge William R. Wilson, Jr., to serve as a special master on discovery issues in the above-referenced case. Additionally, Mr. Everett has demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to court information. Accordingly, Mr. Everett is exempt from the payment of fees for access via PACER to electronic case files maintained in this court, to the extent such use is incurred in the course of research regarding this pending case. He shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this court or in any other court. Additionally, the following limitations apply:

1. This fee exemption applies only to Mr. Everett and is valid only for the purposes stated above;
2. This fee exemption applies only to case files available through PACER;
3. By accepting the exemption, Mr. Everett agrees not to sell for profit any data obtained as a result of the exemption; and
4. This exemption is valid for a six month period ending October 16, 2009, and may be continued, upon request, should additional time be necessary to complete his service as special master.

This exemption may be revoked at the discretion of the Court. A copy of the Order shall be sent to the PACER Service Center.

IT IS SO ORDERED THIS 15th day of April, 2009.



J. LEON HOLMES
CHIEF UNITED STATES DISTRICT JUDGE