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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

GARY L. SARGENT, et al.,

No. CIV S-10-1420-CMK

Plaintiff,

vs.

ORDER

PAUL SIMONETA, et al.,

Defendants.

_____ /

Plaintiffs, proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pursuant to the written consent of all parties, this case is before the undersigned as the presiding judge for all purposes, including entry of final judgment. See 28 U.S.C. § 636(c).

Pending before the court is plaintiff’s motion for access to the PACER system gratis in order to assist his associates with their cases (Doc. 28).

Pursuant to the Judicial Conference Electronic Public Access Fee Schedule (amended as of August 1, 2010), courts may, upon a showing of good cause, exempt indigents, bankruptcy case trustees, individual researchers associated with educational institutions, courts, section 401(c)(3) not-for-profit organizations, court appointed pro bono attorneys, and pro bono ADR neutrals from payment of fees for electronic access to court data (PACER fees). Courts

1 must find that parties from the classes of persons or entities listed above seeking exemption have
2 demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to
3 promote public access to information. Any user granted an exemption agrees not to sell for profit
4 the data obtained as a result. Any transfer of data obtained as a result of the fee exemption is
5 prohibited unless expressly authorized by the court.

6 The court finds that plaintiff fails to qualify under the express exception outlined
7 above. Plaintiff indicates his intention of using the PACER system in order to assist other parties
8 with their cases. This is not good cause for exempting plaintiff from the fees associated with use
9 of the PACER system.

10 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for exemption
11 from the payment of fees incurred in connection with the use of the PACER system (Doc. 28) is
12 denied.

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14 DATED: September 1, 2011

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16 **CRAIG M. KELLISON**
17 UNITED STATES MAGISTRATE JUDGE
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