

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

In Re: Application for Exemption from	§	
the Electronic Public Access Fees for	§	Misc. Case No. 14-mc-240
<i>Pro Bono</i> Counsel <i>Pro Bono</i> Counsel	§	
Martha H. Eskesen, Esq.	§	

This matter is before the Court's Determining Officer, as authorized and delegated from the Clerk of the Court and the Chief Judge, upon the application and request by attorney Martha H. Eskesen, Esq. for exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Courts.

The Determining Officer finds Ms. Eskesen has entered her appearance as pro bono counsel in Civil Acton No. 14-cv-01594-BNB *Willie Dwayne Clark v. Colorado Department of Corrections, et al.*, and her appearance falls within the class of users listed in the fee schedule as being eligible for a fee exemption. Counsel also has demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information, and she has appropriately demonstrated this fact to this Determining Officer. Accordingly, Ms. Eskesen shall be exempt from the payment of fees for access via PACER to electronic case files, to the extent such use is incurred in connection to her appearance and needs in case number 14-cv-01594-BNB, whether PACER usage occurs in that case or during appropriate research in related or similar cases. Counsel will 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 Martha H. Eskesen, Esq. and is valid only for the purpose stated above;
2. This fee exemption applies only to the electronic case files that are available through the PACER system;
3. By accepting this exemption, Ms. Eskesen agrees not to sell for profit any data obtained as a result of receiving this exemption; nor to transfer any data obtained as a result of the exemption, without express authorization by the court;
4. This exemption is valid until either the termination of the pro bono appearance in Civil Acton No. 14-cv-01594-BNB *Willie Dwayne Clark v. Colorado Department of Corrections, et al.*, or the closing of the case, whichever event occurs first.

This exemption may be revoked at the discretion of the Court through the Determining Officer at any time. A copy of this Order will be sent to the PACER Service Center.

Dated at Denver, Colorado this 31st day of October, 2014.

By: s/Edward P. Butler
Edward P. Butler, Determining Officer
U.S. District Court, District of Colorado