

# EXHIBIT 1

**If you paid fees to access federal court records on PACER at any time between April 21, 2010 and April 21, 2016, a class action lawsuit may affect your rights.**

Nonprofit groups filed this lawsuit against the United States government, claiming that the government has unlawfully charged PACER users more than necessary to cover the cost of providing public access to federal court records. The lawsuit, *National Veterans Legal Services Program, et al. v. United States*, Case No. 1:16-cv-00745-ESH, is pending in the U.S. District Court for the District of Columbia. The Court decided this lawsuit should be a class action on behalf of a “Class,” or group of people that could include you. There is no money available now and no guarantee that there will be.

**Are you included?** Records of the Administrative Office of the U.S. Courts indicate that you paid to access records through PACER (the Public Access to Court Electronic Records system) between April 21, 2010 and April 21, 2016. The Class includes everyone that paid PACER fees between April 21, 2010 and April 21, 2016, excluding class counsel in this case and federal government entities.

**What is this lawsuit about?** The lawsuit claims that Congress has authorized the federal courts to charge PACER fees only to the extent necessary to cover the costs of providing public access to court records, and that the federal courts are charging more than necessary to recover the costs of PACER. The lawsuit further alleges that the federal courts have used the excess PACER fees to pay for projects unrelated to providing public access to court records. The lawsuit seeks the recovery of the excessive portion of the fees. The government denies these claims and contends that the PACER fees are lawful. The Court has not decided who is right. The lawyers for the Class will have to prove their claims in court.

**Who represents you?** The Court has appointed Gupta Wessler PLLC and Motley Rice LLC to represent the Class as “Class Counsel.” You don’t have to pay Class Counsel or anyone else to participate. If Class Counsel obtains money or benefits for the Class, they will ask the Court for an award of fees and costs, which will be paid by the United States government or out of any money recovered for the Class. By participating in the Class, you agree to pay Class Counsel up to 30 percent of the total recovery in attorneys’ fees and expenses with the total amount to be determined by the Court.

**What are your options?** If you are a Class Member, you have a right to stay in the Class or be excluded from the lawsuit.

**OPTION 1. Do nothing. Stay in the lawsuit.** If you do nothing, you are choosing to stay in the Class. You will be legally bound by all orders and judgments of the Court, and you won’t be able to sue the United States government for the claims made in this lawsuit. If money or benefits are obtained, you will be able to obtain a share. There is no guarantee that the lawsuit will be successful.

**OPTION 2. Exclude yourself from the lawsuit.** Alternatively, you have the right to not be part of this lawsuit by excluding yourself or “opting out” of the Class. If you exclude yourself, you cannot get any money from this lawsuit if any is obtained, but you will keep your right to separately sue the United States government over the legal issues in this case. If you do not wish to stay in the Class, you must request exclusion in one of the following ways:

1. Send an “Exclusion Request” in the form of a letter sent by mail, stating that you want to be excluded from *Nat’l Veterans Legal Services Program v. United States* Case No. 1:16-cv-00745-ESH. Be sure to include your name, address, telephone number, email address, and signature. You must mail your Exclusion Request, **postmarked by July \_\_, 2017**, to: PACER Fees Class Action Administrator, P.O. Box 43434, Providence, RI 02940-3434.
2. Complete and submit online the Exclusion Request form found [here](#) by **July \_\_, 2017**.

3. Send an Exclusion Request Form, available [here](#), by mail. You must mail your Exclusion Request form, **postmarked by July \_\_, 2017**, to: PACER Fees Class Action Administrator, P.O. Box 43434, Providence, RI 02940-3434.

If you choose to exclude yourself from the lawsuit, you should talk to a lawyer soon because your claims may be subject to a statute of limitations which sets a deadline for filing the lawsuit within a certain period of time.

**How do I find out more about this lawsuit?** For a detailed notice and other documents about this lawsuit and your rights, go to [www.PACERFeesClassAction.com](http://www.PACERFeesClassAction.com), call 1-844-660-2215, write to PACER Fees Class Action Administrator, PO Box 43434, Providence, RI 02940-3434 or call Class Counsel at 1-866-274-6615.

**1-844-660-2215 OR [www.PACERFeesClassAction.com](http://www.PACERFeesClassAction.com)**