

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

-----X
In Re:

Application for Exemption from the
Electronic Public Access Fees by
Ekaterina Potemkina, Doctoral Student in
Management, Samuel Curtis Johnson
College of Business, Cornell University

Administrative Order
No. 20 - 07

-----X
ORDER WAIVING PACER FEES

This court has reviewed the June 2, 2020 application and letter request of Ekaterina Potemkina, Doctoral Student in Management, Samuel Curtis Johnson College of Business, Cornell University ("Ms. Potemkina") for exemption from the fees imposed by the Electronic Public Access ("EPA") fee schedule adopted by the Judicial Conference of the United States Courts ("fee schedule") for individual researchers associated with an educational institution. Ms. Potemkina also requests this court to direct she be refunded EPA fees charged to her personal account ep495cornell for the period May 5 – 30, 2020.

As described by Ms. Potemkina, her research will examine the conditions that trigger a firm's bankruptcy filing and its ultimate resolution. Her focus will be on recent business filings resulting from the COVID-19 pandemic in comparison to filings that took place from 2017 to 2019.

The court finds that Ms. Potemkina's research project as defined in her application and letter request is intended for academic research and that she falls within the class of users listed in the fee schedule as being eligible for a fee exemption. Additionally, Ms. Potemkina requires an exemption in order to avoid unreasonable burdens and to promote public access to information.

Accordingly, it is hereby Ordered that Ms. Potemkina is exempt from the payment of fees for access via PACER account ep495cornell to the electronic case files maintained in this court, to the extent such use is incurred in the performance of her research as detailed in her application and supporting documents. Ms. Potemkina shall not be exempt from 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 is valid only for the purposes stated above;
2. the fee exemption applies only to the electronic case files of this court that are available through the PACER system;
3. by accepting the exemption, Ms. Potemkina agrees not to sell for profit any data obtained as a result of receiving this exemption;
4. Ms. Potemkina 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 through and including January 31, 2021.

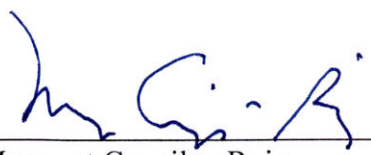
The exemption may be revoked at the discretion of the court at any time.

The court further grants Ms. Potemkina's request that she be issued a refund of EPA fees incurred between May 5 and 30, 2020 and charged to account ep495cornell.

The Clerk of Court shall provide a copy of this Order to the PACER Service Center.

So Ordered.

Dated: July 10, 2020



Margaret Cangilos-Ruiz
Chief United States Bankruptcy Judge