

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

IN RE: APPLICATION FOR EXEMPTION
FROM THE ELECTRONIC PUBLIC
ACCESS FEES BY JONAH BERGER

Administrative Order
No. 21-MS-020

This matter is before the Court upon the application and request by Jonah Berger for exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Courts.

The Court finds that Jonah Berger, a professor at the University of Pennsylvania, falls within the class of users listed in the fee schedule as being eligible for a fee exemption. Additionally, Berger has demonstrated that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information.

Accordingly, Berger shall be exempt from the payment of fees for access via PACER to the electronic case files maintained in this Court, to the extent such use is incurred in the course of conducting a study on how the language lawyers use impact the decisions juries reach. Specifically, Berger anticipates using trial transcripts and case outcomes from 21,000 cases nationwide so that the sample will be large enough to generate statistically significant conclusions. Berger will focus on the language used during arguments made by lawyers in each case and identifying the case outcomes. He will then use this information to draw conclusions about whether and how the language used impacts jury decisions.

Berger shall 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 Berger (PACER Account #6710677), and is valid only for the purposes stated above;
2. This fee exemption applies only to the electronic case files of this Court that are available through the PACER system;
3. By accepting this exemption, Berger agrees not to sell for profit any data obtained as a result of receiving this exemption;
4. Berger 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 until March 26, 2022.

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

IT IS SO ORDERED.

FOR THE COURT:



Dated: March 26, 2021

ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE