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*Counsel for Amici Curiae*

**Nos. 19-1081 (L) & 19-1083**

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**UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT**

**CERTIFICATE OF INTEREST**

**American  
Civil Liberties Union; American Association of Law Libraries;  
American Library Association; Cato Institute; and Knight First  
Amendment Institute at Columbia University.**

**N/A.**

**None.**

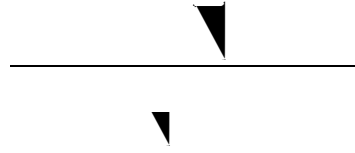
**Relman, Dane & Colfax PLLC**

**(by Sasha Samberg-Champion and Stephen M. Dane) for Amicus**

**Curiae American Association of Law Libraries in the District Court**

**for the District of Columbia.**

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**TABLE OF CONTENTS**

1. Introduction 1-10

2. Literature Review 11-25

3. Methodology 26-45

4. Results 46-65

5. Discussion 66-85

6. Conclusion 86-95

7. References 96-110

8. Appendix 111-125

9. Glossary 126-135

10. Index 136-150

## TABLE OF AUTHORITIES

### Cases

*Application of Storer Commcn's, Inc.*

*El Vocero de P.R. v. Puerto Rico*

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*Fernandes v. Limmer*

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*First Nat'l Bank of Bos. v. Bellotti*

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*Globe Newspaper Co. v. Fenton*

er h .....Bl.....) 9 .... P8..? .989 (1;98)

*In re Violation of Rule 28(D)*



*In re Wash. Post*

*Kleindienst v. Mandel*



*Kwong v. Bloomberg*

*Leucadia, Inc. v. Applied Extrusion Techs., Inc.*



*Lugosch v. Pyramid Co. of Onondaga*



*Marbury v. Madison*



*Murdock v. Pennsylvania*



*N.Y. Civil Liberties Union v. N.Y.C. Transit Auth.*

*Ne. Ohio Coal. for the Homeless v. Cleveland*



*Newman v. Gaddick* # Y v dN. 8

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*Writings of James Madison*

*Unlocking America's Courthouse Doors: Restoring a  
Presumption of First Amendment Access as a Means of Reviving Public  
Faith in the Judiciary*

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*Particulars*      *Online Access to Court Records: From Documents to Data,*  
*g*                      *M im..# n*

## **INTERESTS OF AMICI CURIAE**

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*Id.*

*Id.*

*Id.*

*Id.*

*Id.*

*see Globe Newspaper*

*Co. v. Super. Ct.*

*structural*

*Richmond Newspapers*

*Id.*

*Marbury v. Madison*





2 *Richmond*

*See Globe Newspaper*



*Snp. a eds s \_*



*Courthouse News Serv. v.*

*Planet* \_\_\_\_\_

*Richmond Newspapers*

\_\_\_\_\_  
*See, e.g. N.Y.C. Transit Auth.*

*Lugosch v. Pyramid Co. of Onondaga*

*Publicker Indus., Inc. v. Cohen*

*Magazine, Inc.* \_\_\_\_\_

\_\_\_\_\_  
*Pellegrino*

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*Rushford v. New Yorker*

*See, e.g. Associated Press v. U.S. Dist. Ct.*

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*Leucadia, Inc. v. Applied Extrusion Techs., Inc.*

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*Rep. of Phil. v. Westinghouse Elec. Corp.*

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*Ibrahim v. DHS*

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)

*Richmond Newspapers*

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*presumptive*



**II. The First Amendment right of access attaches to PACER.**

- A. PACER is a digital index of and platform for obtaining more than one billion judicial records that are themselves subject to the First Amendment right of access.**



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*See* \_\_\_\_\_ *Electronic Public Access Program Summary December 2012*

*See* \_\_\_\_\_ *Why Pacer Should (and Should Not) Be Like Edgar*

\_\_\_\_\_ *2014 Year-End Report on the Federal Judiciary*

*See* \_\_\_\_\_

*See id.* \_\_\_\_\_

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**B. PACER satisfies the “experience and logic” tests.**

A









*Newspaper Co. v. Fenton*

*Fenton*

*Boston Globe*

*See id.*

\_\_\_\_\_

*Id.*

*See id.*

*Fenton*

*See id.*

*effective*

*Id.*

*id.*

*Fenton*



*Nat'l Veterans Legal Servs. Program v. United States*

*Id.*

*see*

*Nat'l Veterans Legal Servs. Program v. United States*

*Sullivan v. City of Augusta*

*Murdock v.*

*Pennsylvania*

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*See, e.g.*

*PACER Spending Survey*

*see also*



*E. Conn. Citizens Action Grp. v. Powers*

\_\_\_\_\_ *see Fernandes v. Limmer* \_\_\_\_\_

*Cox v. New Hampshire* \_\_\_\_\_

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*laethieu*

*lio ha oMttö auÂd.deta e o ym so h p̂ \_ens i ewii*









**CONCLUSION**

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*Counsel for Amici Curiae*

**Nos. 19-1081 (L) & 19-1083**

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**UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT**

**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMITATION**

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*Counsel for Amici Curiae*