



David R. Stone
Chief, PACER Support Branch

(800) 676-6856
FAX: (210) 301-6441

PACER SERVICE CENTER
P.O. Box 780549
San Antonio, TX 78278-0549

01/25/2023

To: Don Kozich
Don Kozich
Pob 2032
Ft. Lauderdale, FL 33303

Account number: 2792766

Subject: Receipt of Payment

This letter is to confirm that payment in the amount of \$38.80 was received at the PACER Service Center on 08/08/2009 and applied to account 2792766.

Thank you for making a payment on this account¹. If you have any questions, please call the PACER Service Center at (800) 676-6856 and a representative will assist you.

Thank you,

PACER Service Center

¹Per the *Guide to Judiciary Policies and Procedures* Chapter VII Part C. Para 2.1.8; "...the receipt of an instrument other than cash does not itself discharge the payer's debt or obligation to pay. Only when the instrument has been cleared by the depository is payment actually complete. Therefore, checks or instruments which are rejected or returned unpaid by the depository will require certain action by the court." Additional fees may also apply.

E x A
1/3



David R. Stone
Chief, PACER Support Branch

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P.O. Box 780549
San Antonio, TX 78278-0549

01/25/2023

To: Don Kozich
Don Kozich
Pob 2032
Ft. Lauderdale, FL 33303

Account number: 2792766

Subject: Receipt of Payment

This letter is to confirm that payment in the amount of \$13.36 was received at the PACER Service Center on 10/29/2009 and applied to account 2792766.

Thank you for making a payment on this account¹. If you have any questions, please call the PACER Service Center at (800) 676-6856 and a representative will assist you.

Thank you,

PACER Service Center

¹Per the *Guide to Judiciary Policies and Procedures* Chapter VII Part C.Para 2.1.8; "...the receipt of an instrument other than cash does not itself discharge the payer's debt or obligation to pay. Only when the instrument has been cleared by the depository is payment actually complete. Therefore, checks or instruments which are rejected or returned unpaid by the depository will require certain action by the court." Additional fees may also apply.

Ex A
2/3



David R. Stone
Chief, PACER Support Branch

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FAX: (210) 301-6441

PACER SERVICE CENTER
P.O. Box 780549
San Antonio, TX 78278-0549

01/25/2023

To: Don Kozich
Don Kozich
Pob 2032
Ft. Lauderdale, FL 33303

Account number: 2792766

Subject: Receipt of Payment

This letter is to confirm that payment in the amount of \$21.92 was received at the PACER Service Center on 02/04/2010 and applied to account 2792766.

Thank you for making a payment on this account¹. If you have any questions, please call the PACER Service Center at (800) 676-6856 and a representative will assist you.

Thank you,

PACER Service Center

¹Per the *Guide to Judiciary Policies and Procedures* Chapter VII Part C.Para 2.1.8; "...the receipt of an instrument other than cash does not itself discharge the payer's debt or obligation to pay. Only when the instrument has been cleared by the depository is payment actually complete. Therefore, checks or instruments which are rejected or returned unpaid by the depository will require certain action by the court." Additional fees may also apply.

Ex A
3/3



PACER

Public Access to Court Electronic Records

INVOICE

Invoice Date: 10/07/2015

Usage From: 07/01/2015 to: 09/30/2015

Account Summary

Account #:	2792766
Invoice #:	2792766-Q32015
Due Date:	11/09/2015
Amount Due:	\$354.60

Pages:	1,803
Rate:	\$0.10
Subtotal:	\$180.30
Audio Files:	0
Rate:	\$2.40
Subtotal:	\$0.00
Current Billed Usage:	\$180.30
Previous Balance:	\$174.30
Current Balance:	\$354.60

Total Amount Due: ➔ **\$354.60**

NextGen CM/ECF

In August, the Kansas District and Alaska Bankruptcy courts implemented the next generation (NextGen) CM/ECF system. Throughout fall 2015, several other courts plan to convert to the new system. monitor your court's website for additional information. To learn more about NextGen CM/ECF, and how it may affect you and your firm/office, visit the NextGen information page at pacer.gov/nextgen.

- **NextGen Help** (pacer.gov/nextgen): Provides general information about NextGen conversion
- **Electronic Learning Modules** (pacer.gov/ecfcbt/cso/index.html): Provides user training for new NextGen features
- **NextGen CM/ECF FAQs** (pacer.gov/psc/hfaq.html): Answers common NextGen-related questions

Contact Us

San Antonio: (210) 301-6440
 Toll Free: (800) 676-6856
 Hours: 8 am - 6 pm CT M-F
pacer@psc.uscourts.gov

See pacer.gov/billing for detailed billing transactions, instructions for disputing transactions, FAQs, and more.

It's quick and easy to pay your bill online with a credit card. Visit the **Manage My Account** section of the PACER Service Center website at pacer.gov.

The PACER Federal Tax ID is:
74-2747938

Questions about the invoice?
 Visit pacer.gov/billing

Please detach the coupon below and return with your payment. Thank you!



PACER

Public Access to Court Electronic Records

Account #	Due Date	Amount Due
2792766	11/09/2015	\$354.60

Do not send cash. Make checks or money orders drawn on a U.S. Bank in U.S. dollars payable to: PACER Service Center. Include your account ID on the check or money order.

Visit pacer.gov for address changes.

Don Kozich
 Don Kozich
 619 No. Andrews Avenue, #408
 Ft. Lauderdale, FL 33311

PACER Service Center
 P.O. Box 71364
 Philadelphia, PA 19176-1364

*Ex B
 1/1*



don kozich <dtkctr@gmail.com>

PACER Fees Class Action

2 messages

Rublee, Laura <lrublee@motleyrice.com>
To: "dtkctr@gmail.com" <dtkctr@gmail.com>
Cc: PACER Litigation <pacertiligation@motleyrice.com>

Mon, Sep 11, 2023 at 3:37 PM

Mr. Kozich,

Thank you for speaking with me today. I understand that you have not received a notice of the settlement of this matter. If you would like the claims administrator to check to see if you are a member of the class, please send your PACER account number and the associated email address to pacertiligation@motleyrice.com. It would also be useful to include the mailing addresses, both current and present.

Information about the settlement, as well as a link to the email address I just provided, can be found at <https://www.pacerveesclassaction.com/Home.aspx>. As I explained, class members do not have to file a claim. If the Court approves the proposed Settlement and Plan of Allocation, checks will be automatically sent to class members based on PACER billing records of the Administrative Office of the United States Courts.

As we discussed, we cannot help you with your individual complaint that PACER cut off access to your account for non-payment or with reopening your PACER account. The class action focused only on the excessiveness of the fees, which is the difference in the amount of the fees collected and the actual cost of running the PACER system, that affected all class members, i.e., those who paid PACER fees during the class period.

Regards,

Laura Rublee



Laura Rublee Attorney at Law

28 Bridgeside Blvd., Mt. Pleasant, SC 29464

o. 843.216.9192

lrublee@motleyrice.com

Ex C
1/3

Confidential & Privileged

Unless otherwise indicated or obvious from its nature, the information contained in this communication is attorney-client privileged and confidential information/work product. This communication is intended for the use of the individual or entity named above. If the reader of this communication is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error or are not sure whether it is privileged, please immediately notify us by return e-mail and destroy any copies--electronic, paper or otherwise--which you may have of this communication.

don kozich <dtkctr@gmail.com>
To: "Rublee, Laura" <lrublee@motleyrice.com>
Cc: PACER Litigation <pacertiligation@motleyrice.com>

Mon, Sep 11, 2023 at 9:50 PM

----- Forwarded message -----

From: **Rublee, Laura** <lrublee@motleyrice.com>
Date: Mon, Sep 11, 2023 at 3:37 PM
Subject: PACER Fees Class Action
To: dtkctr@gmail.com <dtkctr@gmail.com>

Mr. Kozich,

Thank you for speaking with me today. I understand that you have not received a notice of the settlement of this matter. If you would like the claims administrator to check to see if you are a member of the class, please send your PACER account number and the associated email address to pacertiligation@motleyrice.com. It would also be useful to include the mailing addresses, both current and present.

Information about the settlement, as well as a link to the email address I just provided, can be found at <https://www.pacerveesclassaction.com/Home.aspx>. As I explained, class members do not have to file a claim. If the Court approves the proposed Settlement and Plan of Allocation, checks will be automatically sent to class members based on PACER billing records of the Administrative Office of the United States Courts.

As we discussed, we cannot help you with your individual complaint that PACER cut off access to your account for non-payment or with reopening your PACER account. The class action focused only on the excessiveness of the fees, which is the difference in the amount of the fees collected and the actual cost of running the PACER system, that affected all class members, i.e., those who paid PACER fees during the class period.

Regards,

Laura Rublee

Ex C
2/3

Laura Rublee Attorney at Law

28 Bridgeside Blvd., Mt. Pleasant, SC 29464

o. 843.216.9192

lrublee@motleyrice.com

Please see attached for my PACER billing.
 My current mail address is: POB 2032, Fort Lauderdale, FL 33303
 My current residence address is: 4537 Poinciana St., Fort Lauderdale, FL 33308
 My phone number is: 9547090537
 My email address is: dtkctr@gmail.com
 I appreciate your prompt attention to this matter.
 Thanks
 Don Kozich

[Quoted text hidden]

3 attachments



EC
7/3



don kozich <dtkctr@gmail.com>

PACER ACCOUNT

12 messages

don kozich <dtkctr@gmail.com>
To: pacerlitigation@motleyrice.com

Mon, Sep 11, 2023 at 9:55 PM

Thank you for speaking with me today. I understand that you have not received a notice of the settlement of this matter. If you would like the claims administrator to check to see if you are a member of the class, please send your PACER account number and the associated email address to pacerlitigation@motleyrice.com. It would also be useful to include the mailing addresses, both current and present.

Please see attached for my PACER billing.

My current mail address is: POB 2032, Fort Lauderdale, FL 33303

My current residence address is: 4537 Poinciana St., Fort Lauderdale, FL 33308

My phone number is: 9547090537

My email address is: dtkctr@gmail.com

I appreciate your prompt attention to this matter.

Thanks

Don Kozich

 230911 PACER FEES \$354.60 TO MOTLEY-RICE.pdf
215K

Rublee, Laura <lrublee@motleyrice.com>
To: don kozich <dtkctr@gmail.com>, PACER Litigation <pacerlitigation@motleyrice.com>

Thu, Sep 14, 2023 at 9:55 AM

Dear Mr. Kozich,

I received your voicemail this morning and am following up. I had forwarded your information to the claims administrator. They searched by name, address and account number, but you are not showing up in the data as a member of the class.

Please let me know if you have any additional questions.

Regards,

Laura Rublee

Laura Rublee Attorney at Law

28 Bridgeside Blvd., Mt. Pleasant, SC 29464

END
1/12



o. 843.216.9192

lrublee@motleyrice.com

From: don kozich <dtkctr@gmail.com>
Sent: Monday, September 11, 2023 9:56 PM
To: PACER Litigation <pacertlitigation@motleyrice.com>
Subject: PACER ACCOUNT

CAUTION:EXTERNAL

[Quoted text hidden]

Confidential & Privileged

Unless otherwise indicated or obvious from its nature, the information contained in this communication is attorney-client privileged and confidential information/work product. This communication is intended for the use of the individual or entity named above. If the reader of this communication is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error or are not sure whether it is privileged, please immediately notify us by return e-mail and destroy any copies—electronic, paper or otherwise—which you may have of this communication.

don kozich <dtkctr@gmail.com>
To: "Rublee, Laura" <lrublee@motleyrice.com>
Cc: PACER Litigation <pacertlitigation@motleyrice.com>

Thu, Sep 14, 2023 at 10:14 AM

Laura,
Why am I not showing up as a member of the class?
I paid PACER previous billings.
I want to submit a claim. How do I accomplish submitting a claim?
Please let me know what you find out.
Thanks
Don Kozich

[Quoted text hidden]

Ek/D
2/12

2 attachments



Rublee, Laura <lrublee@motleyrice.com>
To: don kozich <dtkctr@gmail.com>
Cc: PACER Litigation <pacertiligation@molleyrice.com>

Fri, Sep 15, 2023 at 5:02 PM

Dear Mr. Kozich,

I wanted to let you know that we are following up with the administrator and we will get back to you as soon as possible.

Regards,

Laura



Laura Rublee Attorney at Law

28 Bridgeside Blvd., Mt. Pleasant, SC 29464

o. 843.216.9192

lrublee@motleyrice.com

Ex 12
3/12

From: don kozich <dtkctr@gmail.com>
Sent: Thursday, September 14, 2023 10:15 AM
To: Rublee, Laura <lrublee@motleyrice.com>
Cc: PACER Litigation <pacerlitigation@motleyrice.com>
Subject: Re: PACER ACCOUNT

CAUTION:EXTERNAL

[Quoted text hidden]
[Quoted text hidden]

Rublee, Laura <lrublee@motleyrice.com>
To: don kozich <dtkctr@gmail.com>
Cc: PACER Litigation <pacerlitigation@motleyrice.com>

Tue, Sep 19, 2023 at 11:35 AM

Dear Mr. Zorich,

We are continuing to look into this matter, but hope that you can provide us with some additional information about your PACER account history. Can you call me at your earliest convenience? My direct number is 843-216-9192.

Thank you.

[Quoted text hidden]
[Quoted text hidden]

Rublee, Laura <lrublee@motleyrice.com>
To: don kozich <dtkctr@gmail.com>
Cc: PACER Litigation <pacerlitigation@motleyrice.com>

Tue, Sep 19, 2023 at 11:50 AM

Mr. Kozich, I am so sorry that I misspelled your name! In any event, I would appreciate a call.

[Quoted text hidden]
[Quoted text hidden]

don kozich <dtkctr@gmail.com>
To: "Rublee, Laura" <lrublee@motleyrice.com>
Cc: PACER Litigation <pacerlitigation@motleyrice.com>

Fri, Sep 22, 2023 at 7:04 AM

Laura,
What is the status of your checking on my account and payment with PACER?
Thanks
Don Kozich

[Quoted text hidden]

E-D
4/12

4 attachments



Rublee, Laura <lrublee@motleyrice.com>
To: don kozich <dtkctr@gmail.com>
Cc: PACER Litigation <pacerlitigation@motleyrice.com>

Fri, Sep 22, 2023 at 8:38 AM

Dear Mr. Kozich,

We are still looking into your account and why you are not included in the class member data, but we must work with the government to get answers to your questions and, unfortunately, getting answers will take some time.

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

Laura Rublee Attorney at Law

28 Bridgeside Blvd., Mt. Pleasant, SC 29464

ED
5/12

o. 843.210.9192

lrublee@motleyrice.com

From: don kozich <dlkctr@gmail.com>
Sent: Monday, September 11, 2023 9:56 PM
To: PACER Litigation <pacerlitigation@motleyrice.com>
Subject: PACER ACCOUNT

CAUTION:EXTERNAL

Thank you for speaking with me today. I understand that you have not received a notice of the settlement of this matter. If you would like the claims administrator to check to see if you are a member of the class, please send your PACER account number and the associated email address to pacerlitigation@motleyrice.com. It would also be useful to include the mailing addresses, both current and present.

Please see attached for my PACER billing.

My current mail address is: POB 2032, Fort Lauderdale, FL 33303

My current residence address is: 4537 Poinciana St., Fort Lauderdale, FL 33308

My phone number is: 9547090537

My email address is: dlkctr@gmail.com

I appreciate your prompt attention to this matter.

Thanks

Don Kozich

EVD
6/12

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[Quoted text hidden]

don kozich <dtkctr@gmail.com>
To: "Rublee, Laura" <lrublee@motleyrice.com>
Cc: PACER Litigation <pacerlitigation@motleyrice.com>

Thu, Sep 28, 2023 at 8:10 AM

Laura,
What is the status of your checking on my account and payment with PACER?
Do I need to file my objection to the settlement?

Thanks
Don Kozich

[Quoted text hidden]

2 attachments



Rublee, Laura <lrublee@motleyrice.com>
To: don kozich <dtkctr@gmail.com>
Cc: PACER Litigation <pacerlitigation@motleyrice.com>

Thu, Sep 28, 2023 at 9:15 AM

Dear Mr. Kozich,

*Be D
7/12*

We have heard from the government after asking about your account. We were concerned because you had received notice of the class action in 2017, but you were not in the 2023 class member data. The data provided by the government used for sending notices in 2017 had been pulled from the government's billing records using "billed amount" as a parameter. Not all those who received a notice of this class action in 2017 had actually paid PACER fees; they had just been billed for PACER fees. The 2023 data, on the other hand, were pulled from the billing records using "paid amount" as a parameter, so only those who had paid PACER fees were included in that data. As you are aware, class members are those who actually paid PACER fees during the class period. The claims administrator could not locate you in the 2023 data because you had not actually paid PACER fees during the class period. This also explains why you had not received notice of the settlement.

Please let me know if you have any questions.

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

Laura Rublee Attorney at Law

28 Bridgeside Blvd., Mt. Pleasant, SC 29464

o. 843.216.9192

lrublee@motleyrice.com

From: Rublee, Laura <lrublee@motleyrice.com>
Sent: Tuesday, September 19, 2023 11:36 AM
To: don kozich <dtkctr@gmail.com>
Cc: PACER Litigation <pacerlitigation@motleyrice.com>
Subject: RE: PACER ACCOUNT

ESD
8/12

Dear Mr. Zorich,

We are continuing to look into this matter, but hope that you can provide us with some additional information about your PACER account history. Can you call me at your earliest convenience? My direct number is 843-216-9192.

Thank you.

Laura

Laura Rublee Attorney at Law

28 Bridgeside Blvd., Mt. Pleasant, SC 29464

o. 843.216.9192

lrublee@motleyrice.com

From: Rublee, Laura <lrublee@motleyrice.com>
Sent: Friday, September 15, 2023 5:02 PM
To: don kozich <dtkctr@gmail.com>
Cc: PACER Litigation <pacertiligation@motleyrice.com>
Subject: RE: PACER ACCOUNT

Dear Mr. Kozich,

I wanted to let you know that we are following up with the administrator and we will get back to you as soon as possible.

Regards,

Laura

Ex D
9/12

Laura Rublee Attorney at Law

[Quoted text hidden]

o. 843.216.9192

lrublee@motleyrice.com

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

don kozich <dtkctr@gmail.com>
To: "Rublee, Laura" <lrublee@motleyrice.com>
Cc: PACER Litigation <pacertiligation@motleyrice.com>

Thu, Sep 28, 2023 at 10:04 AM

Laura

The government is wrong, I paid PACER fees.

Therefore I will file my objections to the settlement.

Please provide the name and address of the court to where I file my objections and the email address of all persons to be served?

Thanks

Don Kozich

[Quoted text hidden]

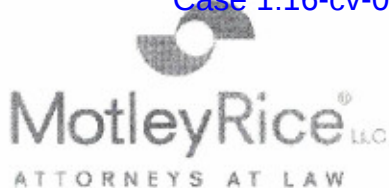
2 attachments



image001.png
5K

image001.png
5K

EVD
10/12



Rublee, Laura <lrublee@motleyrice.com>
To: don kozich <dkctr@gmail.com>
Cc: PACER Litigation <pacertlitigation@motleyrice.com>

Thu, Sep 28, 2023 at 10:24 AM

Mr. Kozich,

Please see the attached notice of the settlement which contains the information you have requested.

Laura



Laura Rublee Attorney at Law

28 Bridgeside Blvd., Mt. Pleasant, SC 29464

o. 843.216.9192

lrublee@motleyrice.com

From: don kozich <dkctr@gmail.com>
Sent: Thursday, September 28, 2023 10:05 AM
To: Rublee, Laura <lrublee@motleyrice.com>
Cc: PACER Litigation <pacertlitigation@motleyrice.com>
Subject: Re: PACER ACCOUNT

Ex D
u/h2

CAUTION:EXTERNAL

Laura

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

Laura Rublee Attorney at Law

[Quoted text hidden]

o. 843.216.9192

lrublee@motleyrice.com

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

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 **PACER Fees Class Action Notice.pdf**
191K

Ex D
12/12

Public Access and Records Management Division

AVAILABLE RESOURCES:

Summary of Resources QTRLY Rprt

FY 2010

Actuals

YB

1	PACER Fee Revenue - Prior Year Carry Forward (OXEEPAC)	\$ 34,381,874
2	PACER Fee Revenue - Current Year Receipts (OXEEPAC)	\$ 102,511,199
3	Print Fee Revenue - Prior Year Carry Forward (OXEEPAP)	\$ 516,534
4	Print Fee Revenue - Current Year Receipts (OXEEPAP)	\$ 187,118
5	Total Available Resources	\$ 137,596,725
6	PROGRAM REQUIREMENTS:	
7	Public Access Services and Applications	
8	EPA Program (OXEEPAX)	\$ 18,768,552
9	EPA Technology Infrastructure & Applications (OXEPTAX)	\$ -
10	EPA Replication (OXEPARX)	\$ -
11	Public Access Services and Applications	\$ 18,768,552
12	Case Management/Electronic Case Files System	
13	Development and Implementation (OXEECFP)	\$ 3,695,078
14	Operations and Maintenance (OXEECFM)	\$ 15,536,212
15	CM/ECF Futures (OXECMFD)	\$ 3,211,403
16	Appellate Operational Forum (OXEAOPX)changed from OXEACAX	\$ 144,749
17	District Operational Forum (OXEDCAX)	\$ 674,729
18	Bankruptcy Operational Forum (OXEBCAX)	\$ 492,912
19	Subtotal, Case Management/Electronic Case Files System	\$ 23,755,083
20	Electronic Bankruptcy Noticing:	
21	Electronic Bankruptcy Noticing (OXEBNCO)	\$ 9,662,400
22	Subtotal, Electronic Bankruptcy Noticing	\$ 9,662,400
23	Telecommunications (PACER-Net & DCN)	
24	PACER-Net (OXENETV)	\$ 10,337,076
25	DCN and Security Services (OXENETV)	\$ 13,847,748
26	PACER-Net & DCN (OXDPANV)	\$ -

27	Security Services (OXDSECV)	\$ -
28	Subtotal, Telecommunications (PACER-Net & DCN)	\$ 24,184,824
29	Court Allotments	
30	Court Staffing Additives(OXEEPAA)	\$ 228,373
31	Court Allotments (OXEEPAA) [Incl. in program areas prior to FY 09]	\$ 1,291,335
32	CM/ECF Court Allotments (OXEECFCA)	\$ 7,605,585
33	Courts/AO Exchange Program (OXEXCEX)	\$ 303,527
34	Subtotal, Court Allotments	\$ 9,428,820
35	Total Program Requirements	\$ 85,799,679
36	<i>Congressional Priorities:</i>	
37	Victim Notification (Violent Crime Control Act)	
38	Violent Crime Control Act Notification (OXJVCCD & OXJVCCO)	\$ 332,876
39	Subtotal, Victim Notification (Violent Crime Control Act)	\$ 332,876
40	Web-based Juror Services	
41	Web Based E-Juror Services O&M (OXEJMEO)	\$ -
42	Subtotal, Web-based Juror Services	\$ -
43	Courtroom Technology (OXHCRT0-3000)	
44	Courtroom Technology (OXHCRT0-3000)	\$ 24,731,665
45	Subtotal, Courtroom Technology Program	\$ 24,731,665
46	State of Mississippi (OXEMSPX)	
47	State of Mississippi (OXEMSPX)	\$ 120,988
48	Subtotal, Mississippi State Courts	\$ 120,988
49	Total Congressional Priorities	\$ 25,185,529
50	Total Program & Congressional Priorities	\$ 110,985,208
51	Total EPA Carry Forward (Revenue less Disbursement)	\$ 26,611,517
52	PACER FEE (OXEEPAC) Carry Forward	\$ 26,051,473
53	PRINT FEE (OXEEPAP) Carry Forward	\$ -
54	Total EPA Carry Forward	\$ 26,051,473
55	Total Print Fee Revenue	\$ 703,652
56	Disbursed in (OXEEPAA) Allotments	\$ 143,608
57	PRINT FEE (OXEEPAP) Carry Forward	\$ 560,044

Ex B
2/2 2