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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,  
  
Plaintiffs,  
  
v.  
  
EDMUND G. BROWN, JR., et al.,  
  
Defendants.

Case No. C94 2307 CW

~~PROPOSED~~ STIPULATED ORDER  
CONFIRMING UNDISPUTED  
ATTORNEYS' FEES AND COSTS  
FOR THE SECOND QUARTER OF  
2013

Judge: Hon. Claudia Wilken

1 On March 26, 1997, the District Court established procedures by which Plaintiffs  
2 are to collect periodic attorneys' fees and costs in this case in connection with their work  
3 monitoring Defendants' compliance with the Court's Orders and collecting fees.

4 Pursuant to these procedures, on July 19, 2013 Plaintiffs served on Defendants  
5 their Second Quarterly Statement for 2013 by overnight delivery. The parties completed  
6 their meet-and-confer process on September 25, 2013 as to the fees and costs incurred on  
7 all matters.

8 As a result of the September 25, 2013 agreement, the parties agree to the following:

9 The parties agree to the payment of \$812,875.97 for undisputed fees and costs  
10 incurred during the Second Quarter of 2013, for monitoring and/or litigation activities in  
11 the California Department of Corrections of Rehabilitation Division of Adult Operations  
12 and Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are  
13 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by  
14 the parties to settle these claims.

15 The parties agree to the payment of \$191,153.99 for undisputed fees and costs  
16 incurred during the Second Quarter of 2013, for monitoring and/or litigation activities in  
17 the Board of Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are  
18 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by  
19 the parties to settle these claims.

20 The parties agree to the payment of \$54,802.55 for undisputed fees and costs  
21 incurred during the Second Quarter of 2013, for monitoring and/or litigation activities in  
22 the Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as  
23 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts  
24 agreed to by the parties to settle these claims.

25 The parties agree to the payment of \$72,277.90 for undisputed fees and costs  
26 incurred during the Second Quarter of 2013, for activities in the Accountability Appeal  
27 portion of the case. Attached hereto as **Exhibit D** are charts setting forth the fees and costs  
28 claimed by Plaintiffs and the amounts agreed to by the parties to settle these claims.

1 The parties agree to the payment of \$53,379.09 for undisputed fees and costs  
 2 incurred during the Second Quarter of 2013, for activities in the Appeal of the August 28,  
 3 2012 Order portion of the case. Attached hereto as **Exhibit E** are charts setting forth the  
 4 fees and costs claimed by Plaintiffs and the amounts agreed to by the parties to settle these  
 5 claims.

6 The parties agree to the payment of \$14,997.11 for undisputed fees and costs  
 7 incurred during the Second Quarter of 2013, for fees on fees. Attached hereto as  
 8 **Exhibit F** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts  
 9 agreed to by the parties to settle these claims.

10 IT IS HEREBY ORDERED that the amounts set forth above are due and  
 11 collectable as of forty-five days from the date of entry of this Order. Interest on these fees  
 12 and costs will run from August 19, 2013, accruing at the rate provided by 28 U.S.C.  
 13 § 1961.

14  
 15 DATED: 10/7/2013

16  
 17   
 18 THE HONORABLE CLAUDIA WILKEN  
 19 UNITED STATES DISTRICT JUDGE

20 APPROVED AS TO FORM:

21  
 22 DATED: October 1, 2013

/s/ Jay M. Goldman

Jay M. Goldman  
 Deputy Attorney General  
 Attorney for Defendants

23  
 24  
 25 DATED: September 30, 2013

/s/ Gay Crosthwait Grunfeld

Gay Crosthwait Grunfeld  
 Rosen Bien Galvan & Grunfeld LLP  
 Attorneys for Plaintiffs

# Exhibit A

**Armstrong v. Brown**  
**Second Quarterly Statement of 2013**  
**April 1, 2013 through June 30, 2013**

**CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>CLAIMED FEES</u></b>	<b><u>CLAIMED COSTS</u></b>
CDCR/AOAP MONITORING	\$781,770.20	\$31,105.77
	<b>TOTAL CLAIMED:</b>	<b>\$812,875.97</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2013

April 1, 2013 through June 30, 2013

**Matter: CDCR/AOAP Monitoring/Merits****Monitoring (581-3)**

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>Claimed Fees</u>	<u>Withdrawn By Pltfs</u>	<u>Undisputed Hours</u>	<u>2013 Rates</u>	<u>Total</u>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>							
Michael W. Bien (MWB)	8.10	7.60	\$5,928.00	0.38	7.22	\$780	\$5,631.60
Gay C. Grunfeld (GCG)	37.10	37.00	\$24,420.00	1.85	35.15	\$660	\$23,199.00
Ernest Galvan (EG)	0.60	0.00	\$0.00	0.00	0.00	\$610	\$0.00
Jane E. Kahn (JK)	0.60	0.00	\$0.00	0.00	0.00	\$580	\$0.00
Thomas Nolan (TN)	220.00	219.90	\$120,945.00	11.00	208.91	\$550	\$114,897.75
Kathryn Mantoan (KGM)	0.50	0.00	\$0.00	0.00	0.00	\$445	\$0.00
Blake Thompson (BT)	84.20	82.70	\$35,974.50	4.14	78.57	\$435	\$34,175.78
Michael Freedman (MLF)	200.50	131.50	\$53,257.50	6.58	124.93	\$405	\$50,594.63
Sumana Cooppan Wolf (SCW)	10.20	0.00	\$0.00	0.00	0.00	\$375	\$0.00
Krista Stone-Manista (KSM)	105.30	103.90	\$38,962.50	5.20	98.71	\$375	\$37,014.38
Kevin Jones (KEJ)	0.20	0.00	\$0.00	0.00	0.00	\$280	\$0.00
Rolayn Tauben (RLT)	148.00	116.90	\$32,732.00	5.85	111.06	\$280	\$31,095.40
Karen Stilber (KES)	3.60	0.00	\$0.00	0.00	0.00	\$260	\$0.00
Brittany Harwood (BH)	3.30	0.00	\$0.00	0.00	0.00	\$250	\$0.00
Diana Ruslani (DAR)	103.70	100.60	\$22,132.00	5.03	95.57	\$220	\$21,025.40
Marc Shinn-Krantz (MSK)	37.90	19.20	\$4,224.00	0.96	18.24	\$220	\$4,012.80
Haruka Roudebush (HR)	303.00	244.20	\$53,724.00	12.21	231.99	\$220	\$51,037.80
Doris Tseng (DT)	0.40	0.00	\$0.00	0.00	0.00	\$220	\$0.00
Lucy Taylor (LRT)	143.40	138.50	\$30,470.00	6.93	131.58	\$220	\$28,946.50
<b>Total Hours:</b>	<b>1,410.60</b>	<b>1,202.00</b>	<b>\$422,769.50</b>				

**RBGG UNDISPUTED FEES:****\$401,631.03****PRISON LAW OFFICE**

Donald Specter (DS)	10.70	10.70	\$8,346.00	0.54	10.17	\$780	\$7,928.70
Sara Norman (SN)	0.90	0.90	\$540.00	0.05	0.86	\$600	\$513.00
Rebekah Evenson (RE)	104.60	104.60	\$57,530.00	5.23	99.37	\$550	\$54,653.50
Megan Hagler (MH)	199.00	199.00	\$94,525.00	9.95	189.05	\$475	\$89,798.75
Penry Godbold (PG)	133.10	133.10	\$63,222.50	6.66	126.45	\$475	\$60,061.38
Corene Kendrick (CK)	158.40	158.40	\$75,240.00	7.92	150.48	\$475	\$71,478.00
Kelly Knapp (KK)	29.80	29.80	\$11,920.00	1.49	28.31	\$400	\$11,324.00
Rana Anabtawi (RA)	7.10	7.10	\$2,485.00	0.36	6.75	\$350	\$2,360.75
Megan Lynch (ML)	37.10	37.10	\$8,162.00	1.86	35.25	\$220	\$7,753.90
Madeline Bailey (MB)	64.20	64.20	\$14,124.00	3.21	60.99	\$220	\$13,417.80
Sheena Green (SG)	36.00	36.00	\$7,920.00	1.80	34.20	\$220	\$7,524.00
Lauren Kelleher (LK)	42.80	42.80	\$9,416.00	2.14	40.66	\$220	\$8,945.20
Kelly Nguyen (KN)	33.30	33.30	\$7,326.00	1.67	31.64	\$220	\$6,959.70
Marley Williams (MW)	33.50	33.50	\$7,370.00	1.68	31.83	\$220	\$7,001.50
Jessica Bendit (JB)	85.60	85.60	\$18,832.00	4.28	81.32	\$220	\$17,890.40
Fatinha Santos (FS)	58.80	58.80	\$12,936.00	2.94	55.86	\$220	\$12,289.20
<b>Total Hours:</b>	<b>1,034.90</b>	<b>1,034.90</b>	<b>\$399,894.50</b>				

**PLO UNDISPUTED FEES:****\$379,899.78****DISABILITY RIGHTS EDUCATION AND  
DEFENSE FUND**

Hongyu Min (HM)		1.80	\$252.00	0.09	1.71	\$140	\$239.40
<b>Total Hours:</b>	<b>0.00</b>	<b>1.80</b>	<b>\$252.00</b>				

**DREDF UNDISPUTED FEES:****\$239.40****TOTAL UNDISPUTED FEES for  
CDCR/AOAP MONITORING:****\$781,770.20**

**Armstrong v. Brown**

Second Quarterly Statement of 2013

April 1, 2012 through June 30, 2013

**Costs*****Matter: CDCR/AOAP Merits/Monitoring***

	<b>Costs</b>	<b>Withdrawn by Plaintiffs</b>	<b>Costs Now Owing</b>
<b><u>Rosen, Bien, Galvan &amp; Grunfeld (581-3)</u></b>			
Photocopying (In house)	\$3,093.60	\$0.00	\$3,093.60
Photocopying (Outside)	\$1,842.54	\$150.00	\$1,692.54
Lexis / Westlaw	\$2.51	\$0.00	\$2.51
Online Research - PACER	\$63.30	\$0.00	\$63.30
Postage & Delivery	\$728.84	\$0.00	\$728.84
Travel - Mileage, Tolls, Food	\$9,992.20	\$0.00	\$9,992.20
Telephone	\$7.95	\$0.00	\$7.95
Facsimile	\$6.00	\$0.00	\$6.00
Interpretation and Translation Services	\$1,118.90	\$0.00	\$1,118.90
<b>Total Undisputed RBGG Costs:</b>			<b>\$16,705.84</b>
<b><u>Prison Law Office</u></b>			
Photocopying (In house)	\$1,326.00	\$0.00	\$1,326.00
Postage & Delivery	\$565.30	\$0.00	\$565.30
Travel - Mileage, Tolls, Food	\$11,501.68	\$0.00	\$11,501.68
Expert Services	\$573.50	\$0.00	\$573.50
Interpreting and Translation Services	\$240.50	\$0.00	\$240.50
<b>Total Undisputed PLO Costs:</b>			<b>\$14,206.98</b>
<b><u>Disability Rights Education &amp; Defense Fund, Inc.</u></b>			
Photocopying (in-house)	\$152.80	\$0.00	\$152.80
Postage & Delivery	\$39.35	\$0.00	\$39.35
Online Research - PACER	\$0.80	\$0.00	\$0.80
<b>Total Undisputed DREDF Costs:</b>			<b>\$192.95</b>
<b>TOTAL CLAIMED CDCR/AOAP MERITS/MONITORING COSTS:</b>			<b>\$31,105.77</b>

## Exhibit B



**Armstrong v. Brown**

**Second Quarterly Statement of 2013**

**April 1, 2013 through June 30, 2013**

**BPH SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>CLAIMED FEES</u></b>	<b><u>CLAIMED COSTS</u></b>
BPH	\$187,208.19	\$3,945.80
	<b>TOTAL CLAIMED:</b>	<b>\$191,153.99</b>



**Armstrong v. Brown**

Second Quarterly Statement of 2013

April 1, 2012 through June 30, 2013

**Costs*****Matter: BPH WORK***

	<b>Costs</b>	<b>Withdrawn by Plaintiffs</b>	<b>Costs Now Owing</b>
<b><u>Rosen, Bien, Galvan &amp; Grunfeld (581-4)</u></b>			
Photocopying (In-house)	\$483.40	\$0.00	\$483.40
Photocopying (Outside)	\$55.28	\$0.00	\$55.28
Lexis / Westlaw	\$20.40	\$0.00	\$20.40
Postage and Delivery	\$22.55	\$0.00	\$22.55
Interpreting and Translation Services	\$750.00	\$0.00	\$750.00
Telephone	\$15.65	\$0.00	\$15.65
Fax	\$6.00	\$0.00	\$6.00
Travel - Mileage, Tolls, Food	\$1,794.52	\$0.00	\$1,794.52
<b>Total Undisputed RBGG Costs:</b>			<b>\$3,147.80</b>
 <b><u>Prison Law Office</u></b>			
Travel - Mileage, Tolls, Food	\$303.00	\$0.00	\$303.00
<b>Total Undisputed PLO Costs:</b>			<b>\$303.00</b>
 <b><u>Bingham McCutchen</u></b>			
Travel - Mileage, Tolls, Food	\$495.00	\$0.00	\$495.00
<b>Total Undisputed BMc Costs:</b>			<b>\$495.00</b>
 <b>TOTAL UNDISPUTED BPH COSTS:</b>			<b>\$3,945.80</b>

# Exhibit C

**Armstrong v. Brown**  
**Second Quarterly Statement of 2013**  
**April 1, 2013 through June 30, 2013**

**DAPO SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>CLAIMED FEES</u></b>	<b><u>CLAIMED COSTS</u></b>
DAPO MONITORING	\$53,882.58	\$919.97
	<b>TOTAL CLAIMED:</b>	<b>\$54,802.55</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2013

April 1, 2013 through June 30, 2013

***Matter: DAPO Monitoring*****DAPO Monitoring (581-9)**

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>Claimed Fees</u>	<u>Withdrawn By Pltfs</u>	<u>Undisputed Hours</u>	<u>2013 Rates</u>	<u>Total</u>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>							
Gay C. Grunfeld (GCG)	8.60	8.60	\$5,676.00	0.43	8.17	\$660	\$5,392.20
Ernest Galvan (EG)	0.60	0.00	\$0.00	0.00	0.00	\$630	\$0.00
Kenneth M. Walczak (KMW)	32.20	31.30	\$15,024.00	1.57	29.74	\$480	\$14,272.80
Kathryn Mantoan (KGM)	0.10	0.00	\$0.00	0.00	0.00	\$445	\$0.00
Blake Thompson (BT)	1.40	0.00	\$0.00	0.00	0.00	\$435	\$0.00
Michael Freedman (MLF)	35.80	35.60	\$14,418.00	1.78	33.82	\$405	\$13,697.10
Sumana Cooppan Wolf (SCW)	30.40	29.50	\$11,062.50	1.48	28.03	\$375	\$10,509.38
Karen Stilber (KES)	0.30	0.00	\$0.00	0.00	0.00	\$260	\$0.00
Diana Ruslani (DAR)	50.40	47.90	\$10,538.00	2.40	45.51	\$220	\$10,011.10
Haruka Roudebush (HR)	1.40	0.00	\$0.00	0.00	0.00	\$220	\$0.00
<b>Total Hours:</b>	<b>161.20</b>	<b>152.90</b>	<b>\$56,718.50</b>				
<b>RBGG UNDISPUTED FEES:</b>							<b>\$53,882.58</b>
<b>TOTAL UNDISPUTED FEES for DAPO MONITORING WORK:</b>							<b>\$53,882.58</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2013

April 1, 2012 through June 30, 2013

**Costs**

***Matter: DAPO Monitoring***

**Rosen, Bien, Galvan & Grunfeld (581-9)**

	<b>Costs</b>	<b>Withdrawn by Plaintiffs</b>	<b>Costs Now Owing</b>
Photocopying (in-house)	\$341.80	\$0.00	\$341.80
Photocopying (outside)	\$121.30	\$0.00	\$121.30
Telephone	\$1.40	\$0.00	\$1.40
Travel - Mileage, Tolls, Food	\$455.47	\$0.00	\$455.47
<b>Total Undisputed RBGG Costs:</b>			<b>\$919.97</b>

**TOTAL UNDISPUTED DAPO MONITORING COSTS: \$919.97**

## Exhibit D



**Armstrong v. Brown**  
**Second Quarterly Statement of 2013**  
**April 1, 2013 through June 30, 2013**

**ACCOUNTABILITY APPEAL SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>CLAIMED FEES</u></b>	<b><u>CLAIMED COSTS</u></b>
ACCT. APPEAL	\$72,057.50	\$220.40
	<b>TOTAL CLAIMED:</b>	<b>\$72,277.90</b>

**\$72,057.50**

**Armstrong v. Brown**

Second Quarterly Statement of 2013

April 1, 2012 through June 30, 2013

**Costs**

***Matter: Accountability Appeal***

**Prison Law Office**

Photocopying (In house)

Postage & Delivery

**Costs**

\$166.37

\$0.00

\$166.37

\$54.03

\$0.00

\$54.03

**Total Undisputed PLO Costs:**

**\$220.40**

**TOTAL UNDISPUTED ACCOUNTABILITY APPEAL COSTS:**

**\$220.40**

# Exhibit E

**Armstrong v. Brown**  
**Second Quarterly Statement of 2013**  
**April 1, 2013 through June 30, 2013**

**8/28/2012 ORDER APPEAL SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>CLAIMED FEES</u></b>	<b><u>CLAIMED COSTS</u></b>
8/28/12 ORDER APPEAL	\$51,414.95	\$1,964.14
	<b>TOTAL CLAIMED:</b>	<b>\$53,379.09</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2013

April 1, 2013 through June 30, 2013

**Matter: APPEAL 8/28/2012 ORDER****Appeal 8/28/12 ORDER (581-18)**

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>Claimed Fees</u>	<u>Withdrawn By Pltfs</u>	<u>Undisputed Hours</u>	<u>2013 Rates</u>	<u>Total</u>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>							
Michael Bien (MWB)	2.90	2.90	\$2,262.00	0.15	2.76	\$780	\$2,148.90
Gay C. Grunfeld (GCG)	19.4	19.4	\$12,804.00	0.97	18.43	\$660	\$12,163.80
Ernest Galvan (EG)	0.9	0	\$0.00	0.00	0.00	\$630	\$0.00
Kenneth M. Walczak (KMW)	0.3	0	\$0.00	0.00	0.00	\$480	\$0.00
Blake Thompson (BT)	0.1	0	\$0.00	0.00	0.00	\$435	\$0.00
Michael Freedman (MLF)	88.8	88.6	\$35,883.00	4.43	84.17	\$405	\$34,088.85
Sumana Cooppan Wolf (SCW)	0.2	0	\$0.00	0.00	0.00	\$375	\$0.00
Kevin Jones (KEJ)	2.6	0	\$0.00	0.00	0.00	\$280	\$0.00
Karen Silber (KES)	12.2	12.2	\$3,172.00	0.61	11.59	\$260	\$3,013.40
<b>Total Hours:</b>	<b>127.40</b>	<b>123.10</b>	<b>\$54,121.00</b>				
<b>RBGG UNDISPUTED FEES:</b>							<b>\$51,414.95</b>
<b>TOTAL UNDISPUTED FEES for APPEAL 8/28/12 ORDER WORK:</b>							<b>\$51,414.95</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2013

April 1, 2012 through June 30, 2013

**Costs**

***Matter: Appeal 8/28/12 Order***

**Rosen, Bien, Galvan & Grunfeld (581-18)**

	<b>Costs</b>		
Photocopying (In house)	\$356.80	\$0.00	\$356.80
Photocopying (Outside)	\$356.37	\$0.00	\$356.37
Lexis / Westlaw	\$1,242.47	\$0.00	\$1,242.47
Online Research - PACER and Legislative History	\$8.50	\$0.00	\$8.50
<b>Total Undisputed RBGG Costs:</b>			<b>\$1,964.14</b>

**TOTAL UNDISPUTED APPEAL 8/28/12 ORDER COSTS: \$1,964.14**

# Exhibit F



**Armstrong v. Brown**  
**Second Quarterly Statement of 2013**  
**April 1, 2013 through June 30, 2013**

**SUMMARY OF UNDISPUTED FEES WORK AND COSTS**

	<b><u>CLAIMED FEES</u></b>	<b><u>CLAIMED COSTS</u></b>
FEES WORK (ALL MATTERS)	\$14,733.08	<b>\$264.03</b>
<b>TOTAL CLAIMED:</b>		<b>\$14,997.11</b>



**Armstrong v. Brown**

Second Quarterly Statement of 2013

April 1, 2012 through June 30, 2013

**Costs**

***Matter: Fees Work in All Matters***

**Rosen, Bien, Galvan & Grunfeld (581-2)**

Photocopying and Printing (in-house)	Costs			
	\$224.60	\$0.00		\$224.60
Telephone	\$0.25	\$0.00		\$0.25
Postage & Delivery	\$31.58	\$0.00		\$31.58
<b>Total Undisputed RBGG Costs:</b>				<b>\$256.43</b>

**Disability Rights Education & Defense Fund, Inc.**

Photocopying (in-house)	Costs			
	\$7.60	\$0.00		\$7.60
<b>Total DREDF Costs:</b>				<b>\$7.60</b>

**TOTAL CLAIMED FEES WORK COSTS : \$264.03**