2	DONALD SPECTER – 083925 REBEKAH EVENSON – 207825 PRISON LAW OFFICE 1917 Fifth Street	GEOFFREY T. HOLTZ – 191370 BINGHAM McCUTCHEN LLP Three Embarcadero Center San Francisco, California 94111-4066
3 4	Berkeley, California 94710-1916 Telephone: (510) 280-2621 Facsimile: (510) 280-2704	Telephone: (415) 393-2000 Facsimile: (415) 393-2286
	LINDA D. KILB – 136101 DISABILITY RIGHTS EDUCATION & DEFENSE FUND, INC. 3075 Adeline Street, Suite 201 Berkeley, California 94703 Telephone: (510) 644-2555 Facsimile: (510) 841-8645  Attorneys for Plaintiffs	MICHAEL W. BIEN – 096891 ERNEST GALVAN – 196065 GAY C. GRUNFELD – 121944 BLAKE THOMPSON – 255600 MICHAEL FREEDMAN – 262850 ROSEN BIEN GALVAN & GRUNFELD LLP 315 Montgomery Street, Tenth Floor San Francisco, California 94104-1823 Telephone: (415) 433-6830 Facsimile: (415) 433-7104
13 14		S DISTRICT COURT RICT OF CALIFORNIA
15 16 17 18	JOHN ARMSTRONG, et al.,  Plaintiffs,  v.  EDMUND G. BROWN, JR., et al.,	Case No. C94 2307 CW  [PROPOSED] STIPULATED ORDER CONFIRMING UNDISPUTED ATTORNEYS' FEES AND COSTS FOR THE THIRD QUARTER OF 2014
19 20	Defendants.	Judge: Hon. Claudia Wilken
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On March 26, 1997, the District Court established procedures by which Plaintiffs are to collect periodic attorneys' fees and costs in this case in connection with their work monitoring Defendants' compliance with the Court's Orders and collecting fees.

Pursuant to these procedures, on October 30, 2014 Plaintiffs served on Defendants their Third Quarterly Statement for 2014 by overnight delivery. The parties completed their meet-and-confer process on December 1, 2014 as to the fees and costs incurred on all matters.

As a result of the December 1, 2014 agreement, the parties agree to the following:

The parties agree to the payment of \$633,592.68 for undisputed fees and costs incurred during the Third Quarter of 2014, for monitoring and/or litigation activities in the California Department of Corrections of Rehabilitation Division of Adult Operations and Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the parties to settle these claims.

The parties agree to the payment of \$30,065.62 for undisputed fees and costs incurred during the Third Quarter of 2014, for monitoring and/or litigation activities in the Board of Parole Hearings (BPH) portion of the case. Attached hereto as Exhibit B are charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the parties to settle these claims.

The parties agree to the payment of \$166,399.08 for undisputed fees and costs incurred during the Third Quarter of 2014, for monitoring and/or litigation activities in the Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the parties to settle these claims.

The parties agree to the payment of \$12,311.78 for undisputed fees and costs incurred during the Third Quarter of 2014, for fees on fees. Attached hereto as **Exhibit D** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the parties to settle these claims.

[1384406-1]

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1	IT IS HEREBY ORDERED	that the amounts set forth above are due and								
2	collectable as of forty-five days from the date of entry of this Order. Interest on these fees									
3	and costs will run from November 30, 2014, accruing at the rate provided by 28 U.S.C.									
4	§ 1961.									
5	DATED: 12/15/2014									
6										
7		Chidelet								
8		THE HONORABLE CLAUDIA WILKEN UNITED STATES DISTRICT JUDGE								
9										
10	APPROVED AS TO FORM:									
11										
12	DATED: December 12, 2014	/s/ Jay M. Goldman								
13		Jay M. Goldman Deputy Attorney General Attorney for Defendants								
14		Attorney for Defendants								
15	DATED: December 12, 2014	/s/ Blake Thompson								
16		Blake Thompson Rosen Bien Galvan & Grunfeld LLP								
17		Attorneys for Plaintiffs								
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Exhibit A

Armstrong v. Brown
Third Quarterly Statement of 2014 July 1, 2014 through September 30, 2014

## CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS

MATTER	<u>UNDISPUTED FEES</u>	UNDISPUTED COSTS
CDCR/AOAP MONITORING	\$614,647.68	\$18,945.00

TOTAL: \$633,592.68

Third Quarterly Statement of 2014
July 1, 2014 through September 30, 2014
Matter: CDCR/AOAP Monitoring/Merits

Monitoring (581-3)	Actual <u>Hours</u>	Claimed <u>Hours</u>	Claimed <u>Fees</u>	Withdrawn By Pltfs	Undisputed <u>Hours</u>	2014 <u>Rates</u>	Fees Now Owing
ROSEN, BIEN, GALVAN & GRUNFELD							
Michael W. Bien (MWB)	4.00	4.00	\$3,200.00	0.16	3.84	\$800	\$3,072.00
Gay C. Grunfeld (GCG)	25.60	25.20	\$17,010.00	1.01	24.19	\$675	\$16,329.60
Ernest Galvan (EG)	0.70	0.70	\$455.00	0.03	0.67	\$650	\$436.80
Thomas Nolan (TN)	190.50	190.50	\$104,775.00	7.62	182.88	\$550	\$100,584.00
Lisa Ells (LAE)	16.50	11.60	\$5,452.00	0.46	11.14	\$470	\$5,233.92
Aaron Fischer (AJF)	0.70	0.00	\$0.00	0.00	0.00	\$470	\$0.00
Blake Thompson (BT)	46.60	44.90	\$20,205.00	1.80	43.10	\$450	\$19,396.80
Michael Freedman (MLF)	12.10	12.00	\$5,280.00	0.48	11.52	\$440	\$5,068.80
Krista Stone-Manista (KSM)	39.80	39.00	\$15,990.00	1.56	37.44	\$410	\$15,350.40
Kevin Jones (KEJ)	0.40	0.00	\$0.00	0.00	0.00	\$290	\$0.00
Rolayn Tauben (RLT)	162.50	149.90	\$43,471.00	6.00	143.90	\$290	\$41,732.16
Karen Stilber (KES)	45.60	43.30	\$11,691.00	1.73	41.57	\$270	\$11,223.36
Diana Gama (DAG)	16.20	13.30	\$3,059.00	0.53	12.77	\$230	\$2,936.64
Haruka Roudebush (HR)	266.80	223.80	\$51,474.00	8.95	214.85	\$230	\$49,415.04
Lucy Taylor (LRT)	170.00	147.60	\$33,948.00	5.90	141.70	\$230	\$32,590.08
Total Hours:	998.00	905.80	\$316,010.00				
UNDISPUTED RBGG FEES:							\$303,369.60
PRISON LAW OFFICE							
Donald Specter (DS)	3.80	3.80	\$3,040.00	0.15	3.65	\$800	\$2,918.40
Rebekah Evenson (RE)	131.30	131.30	\$74,841.00	5.25	126.05	\$570	\$71,847.36
Penny Godbold (PG)	142.40	142.40	\$69,776.00	5.70	136.70	\$490	\$66,984.96
Corene Kendrick (CK)	43.80	43.80	\$21,462.00	1.75	42.05	\$490	\$20,603.52
Kelly Knapp (KK)	67.40	67.40	\$30,330.00	2.70	64.70	\$450	\$29,116.80
Amber Norris (AN)	266.10	266.10	\$69,186.00	10.64	255.46	\$260	\$66,418.56
Megan Lynch (ML)	60.20	60.20	\$14,448.00	2.41	57.79	\$240	\$13,870.08
Nora Searle (NS)	18.70	18.70	\$4,488.00	0.75	17.95	\$240	\$4,308.48
John Bonacorsi (JB)	43.20	43.20	\$10,368.00	1.73	41.47	\$240	\$9,953.28
Joyce de la Pena (JP)	12.90	12.90	\$3,096.00	0.52	12.38	\$240	\$2,972.16
Natalie Patrucci (NP)	3.90	3.90	\$936.00	0.16	3.74	\$240	\$898.56
Sarah Hopkins (SH)	66.70	66.70	\$16,008.00	2.67	64.03	\$240	\$15,367.68
Viviana Arcia (VA)	23.10	23.10	\$5,544.00	0.92	22.18	\$240	\$5,322.24
Total Hours:	883.50	883.50	\$323,523.00				
UNDISPUTED PLO FEES:							\$310,582.08
DISABILITY RIGHTS EDUCATION AND							
DEFENSE FUND							
Linda Kilb (LDK)	0.60	0.60	\$435.00	0.02	0.58	\$725	\$417.60
Hongyu Min (HM)	2.00	2.00	\$290.00	0.02	1.92	\$145	\$278.40
Total Hours:	2.60 2.60	2.00 <b>2.60</b>	\$290.00 <b>\$725.00</b>	0.08	1.92	φ145	⊅∠10.40
UNDISPUTED DREDF FEES: \$696.00							
OTAL UNDISPUTED CDCR/AOAP							

\$614,647.68

**MONITORING FEES:** 

Third Quarterly Statement of 2014
July 1, 2014 through September 30, 2014
Costs

## Matter: CDCR/AOAP Merits/Monitoring

Matter: CDCR/AOAP Merits/Monitoring			
Rosen, Bien, Galvan & Grunfeld (581-3)	Costs	Withdrawn by Plaintiffs	Costs Now Owing
Photocopying (In house)	\$1,323.20	\$52.93	\$1,270.27
Photocopying (Outside)	\$2,155.28	\$86.21	\$2,069.07
Lexis / Westlaw	\$0.00	\$0.00	\$0.00
Online Research - PACER	\$3.60	\$0.14	\$3.46
Postage & Delivery	\$489.30	\$19.57	\$469.73
Travel - Mileage, Tolls, Food	\$2,795.55	\$111.82	\$2,683.73
Telephone	\$9.45	\$0.38	\$9.07
Undisputed RBGG Costs:			\$6,505.32
Prison Law Office	Costs		
Photocopying (In house)	\$1,197.60	\$47.90	\$1,149.70
Expert Services	\$3,022.50	\$120.90	\$2,901.60
Postage & Delivery	\$970.82	\$38.83	\$931.99
Travel - Mileage, Tolls, Food	\$7,607.68	\$304.31	\$7,303.37
Undisputed PLO Costs:			\$12,286.66
Disability Rights Education & Defense Fund, Inc.			
Photocopying (in-house)	\$121.80	\$4.87	\$116.93
Postage & Delivery	\$37.60	\$1.50	\$36.10
Undisputed DREDF Costs:			\$153.02
TOTAL UNDISPUTED CDCR/AOAP MERITS/MONITORING COSTS:			\$18,945.00

Exhibit B

Armstrong v. Brown
Third Quarterly Statement of 2014 July 1, 2014 through September 30, 2014

# **BPH SUMMARY OF UNDISPUTED FEES AND COSTS**

MATTER	UNDISPUTED FEES	UNDISPUTED COSTS
ВРН	\$29,125.44	\$940.18

TOTAL: \$30,065.62

Armstrong v. Brown
Third Quarterly Statement of 2014
July 1, 2014 through September 30, 2014
Matter: BPH

<u>BPH (581-4)</u>	Actual <u>Hours</u>	Claimed <u>Hours</u>	Claimed <u>Fees</u>	Withdrawn By Pltfs	Undisputed <u>Hours</u>	2014 <u>Rates</u>	Fees Now Owing
ROSEN, BIEN, GALVAN & GRUNFELD							
Blake Thompson (BT)	17.40	16.90	\$7,605.00	0.68	16.22	\$450	\$7,300.80
Rolayn Tauben (RLT)	0.70	0.60	\$174.00	0.02	0.58	\$290	\$167.04
Total Hours:	18.10	17.50	\$7,779.00				
UNDISPUTED RBGG FEES:							\$7,467.84
PRISON LAW OFFICE							
Sara Norman (SN)	6.1	6.1	\$3,782.00	0.24	5.86	\$620	\$3,630.72
Rana Anabtawi (RA)	45.80	45.80	\$18,778.00	1.83	43.97	\$410	\$18,026.88
Total Hours:	51.90	51.90	\$22,560.00				
UNDISPUTED PLO FEES:							\$21,657.60
TOTAL UNDISPUTED FEES FOR							
BPH WORK:							\$29,125.44

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Armstrong v. Brown
Third Quarterly Statement of 2014 July 1, 2014 through September 30, 2014

<u>Costs</u>

Matter: BPH

Rosen, Bien, Galvan & Grunfeld (581-4)	Costs	Withdrawn by Plaintiffs	Costs Now Owing
Travel - Mileage, Tolls, Food	\$386.54	\$15.46	\$371.08
Undisputed RBGG Costs:			\$371.08
Prison Law Office Travel - Mileage, Tolls, Food Undisputed PLO Costs:	\$592.81	\$23.71	\$569.10 <b>\$569.10</b>
TOTAL UNDISPUTED BPH COSTS:			\$940.18

# Exhibit C

Third Quarterly Statement of 2014 July 1, 2014 through September 30, 2014

## DAPO SUMMARY OF UNDISPUTED FEES AND COSTS

MATTER UNDISPUTED FEES UNDISPUTED COSTS

DAPO MONITORING \$161,324.64 \$5,074.44

TOTAL: \$166,399.08

Armstrong v. Brown
Third Quarterly Statement of 2014
July 1, 2014 through September 30, 2014
Matter: DAPO Monitoring

DAPO Monitoring (581-9)	Actual Hours	Claimed Hours	Claimed Fees	Withdrawn By Pltfs	Undisputed Hours	2014 Rates	Fees Now Owing
	Hours	110413	1000	By I Itis	Hours	Rutes	<u>ownig</u>
ROSEN, BIEN, GALVAN & GRUNFELD							
Michael Bien (MWB)	1.80	1.00	\$800.00	0.04	0.96	\$800	\$768.00
Gay C. Grunfeld (GCG)	13.50	13.50	\$9,112.50	0.54	12.96	\$675	\$8,748.00
Lisa Ells (LAE)	0.10	0.00	\$0.00	0.00	0.00	\$470	\$0.00
Aaron Fischer (AJF)	34.80	34.40	\$15,824.00	1.38	33.02	\$460	\$15,191.04
Blake Thompson (BT)	75.00	73.50	\$33,075.00	2.94	70.56	\$450	\$31,752.00
Michael Freedman (MLF)	24.10	24.10	\$10,604.00	0.96	23.14	\$440	\$10,179.84
Margot Mendelson (MKM)	43.10	40.20	\$16,482.00	1.61	38.59	\$410	\$15,822.72
Jennifer Stark (JLS)	32.30	26.10	\$10,701.00	1.04	25.06	\$410	\$10,272.96
Benjamin Bien-Kahn (BBK)	29.90	23.90	\$9,799.00	0.96	22.94	\$410	\$9,407.04
Jenny Yelin (JSY)	64.20	60.10	\$23,439.00	2.40	57.70	\$390	\$22,501.44
Sarah Poppy Alexander (SA)	0.90	0.00	\$0.00	0.00	0.00	\$350	\$0.00
Kevin Jones (KJ)	0.10	0.00	\$0.00	0.00	0.00		\$0.00
Rolayn Tauben (RLT)	31.80	23.50	\$6,815.00	0.94	22.56	\$290	\$6,542.40
Karen Stilber (KES)	0.30	0.00	\$0.00	0.00	0.00	\$270	\$0.00
Mayra B. Joachin (MBJ)	32.20	0.00	\$0.00	0.00	0.00	\$260	\$0.00
Lucy Taylor (LRT)	80.60	69.10	\$15,893.00	2.76	66.34	\$230	\$15,257.28
Diana Gama (DAG)	87.90	67.40	\$15,502.00	2.70	64.70	\$230	\$14,881.92
Haruka Roudebush (HR)	3.10	0.00	\$0.00	0.00	0.00	\$230	\$0.00
Total Hours:	555.70	456.80	\$168,046.50				
UNDISPUTED RBGG FEES:							\$161,324.64

TOTAL UNDISPUTED FEES FOR **DAPO MONITORING WORK:** 

\$161,324.64

Third Quarterly Statement of 2014
July 1, 2014 through September 30, 2014
Costs

Matter: DAPO Monitoring

Rosen, Bien, Galvan & Grunfeld (581-9)	Costs	Withdrawn by Plaintiffs	Costs Now Owing
Photocopying (in-house)	\$664.00	\$26.56	\$637.44
Photocopying (outside)	652.18	\$26.09	\$626.09
Lexis/Westlaw	\$40.34	\$1.61	\$38.73
Postage & Delivery	\$21.65	\$0.87	\$20.78
Telephone	\$12.20	\$0.49	\$11.71
Facsimile	\$8.00	\$0.32	\$7.68
Interpretation and Translation Services	\$1,534.56	\$61.38	\$1,473.18
Travel - Mileage, Tolls, Food	\$2,352.94	\$94.12	\$2,258.82
Undisputed RBGG Costs:			\$5,074.44

TOTAL UNDISPUTED DAPO MONITORING COSTS:

\$5,074.44

Exhibit D

Third Quarterly Statement of 2014 July 1, 2014 through September 30, 2014

## SUMMARY OF UNDISPUTED FEES WORK AND COSTS

UNDISPUTED FEES UNDISPUTED COSTS

FEES WORK (ALL MATTERS) \$12,084.00 \$227.78

TOTAL: \$12,311.78

Armstrong v. Brown
Third Quarterly Statement of 2014
July 1, 2014 through September 30, 2014
Matter: All Matters Fees Work

Fees (581-2)	Actual <u>Hours</u>	Claimed <u>Hours</u>	Claimed <u>Fees</u>	Withdrawn By Pltfs	Undisputed <u>Hours</u>	2014 <u>Rates</u>	Fees Now Owing	
ROSEN, BIEN, GALVAN & GRUNFELD								
Gay C. Grunfeld (GCG)	0.80	0.80	\$540.00	0.03	0.77	\$675	\$518.40	
Lisa Ells (LAE)	0.20	0.00	\$0.00	0.00	0.00	\$470	\$0.00	
Blake Thompson (BT)	11.10	10.40	\$4,680.00	0.42	9.98	\$450	\$4,492.80	
Diana Gama (DAG)	0.60	0.00	\$0.00	0.00	0.00	\$230	\$0.00	
Glenn Baldwin (GMB)	22.30	20.40	\$4,692.00	0.82	19.58	\$230	\$4,504.32	
Total Hours:	35.00	31.60	\$9,912.00					
UNDISPUTED RBGG FEES:							\$9,515.52	
PRISON LAW OFFICE								
Rebekah Evenson (RE)	0.60	0.60	\$342.00	0.02	0.58	\$570	\$328.32	
Edie DeGraff (ED)	8.00	8.00	\$1,520.00	0.32	7.68	\$190	\$1,459.20	
Total Hours:	8.60	8.60	\$1,862.00					
UNDISPUTED PLO FEES:							\$1,787.52	
BINGHAM McCUTCHEN								
Geoffrey T. Holtz (GH)	0.40	0.40	\$306.00	0.02	0.38	\$765	\$293.76	
Total Hours:	0.40	0.40	\$306.00					
UNDISPUTED BMc FEES:							\$293.76	
DISABILITY RIGHTS EDUCATION AND								
DEFENSE FUND	•							
Linda Kilb (LDK)	0.70	0.70	\$507.50	0.03	0.67	\$725	\$487.20	
Total Hours:		0.70	\$507.50			*	*****	
UNDISPUTED DREDF FEES:		•	<b>4</b>				\$487.20	
							•	
TOTAL UNDISPUTED FEES FOR								

\$12,084.00

ARMSTRONG FEES WORK:

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Armstrong v. Brown
Third Quarterly Statement of 2014 July 1, 2014 through September 30, 2014 Costs

Matter: Fees Work in All Matters

Rosen, Bien, Galvan & Grunfeld (581-2)	Costs	Withdrawn by Plaintiffs	Costs Now Owing
Photocopying and Printing (in-house)	\$160.20	\$6.41	\$153.79
Postage & Delivery	\$73.07	\$2.92	\$70.15
Undisputed RBGG (	Costs:		\$223.94
Disability Rights Education & Defense Fund, Inc.	Costs		
Photocopying (in-house)	\$4.00	\$0.16	\$3.84
Undisputed DREDF (	Costs:		\$3.84
TOTAL UNDISPUTED FEES WORK CO	STS:		\$227.78