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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 FOURTH QUARTER OF
2014**

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 January 28, 2015, Plaintiffs served on Defendants
5 their Fourth Quarterly Statement for 2014 by overnight delivery. The parties completed
6 their meet-and-confer process on March 24, 2015 as to the fees and costs incurred on all
7 matters.

8 As a result of the March 24, 2015 agreement, the parties agree to the following:

9 The parties agree to the payment of \$950,580.12 to resolve all fees and costs
10 incurred during the Fourth Quarter of 2014, 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 \$28,932.41 to resolve all fees and costs incurred
16 during the Fourth Quarter of 2014, for monitoring and/or litigation activities in the Board
17 of Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts
18 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the
19 parties to settle these claims.

20 The parties agree to the payment of \$201,125.59 to resolve all fees and costs
21 incurred during the Fourth Quarter of 2014, 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 \$9,741.87 to resolve all fees and costs incurred
26 during the Fourth Quarter of 2014, for fees on fees. Attached hereto as **Exhibit D** are
27 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
28 the parties to settle these claims.

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 March 2, 2015, accruing at the rate provided by 28 U.S.C. § 1961.

4 DATED: March 27, 2015

5
6 

7 THE HONORABLE CLAUDIA WILKEN
8 UNITED STATES DISTRICT JUDGE

9 APPROVED AS TO FORM:

10
11 DATED: March 26, 2015

s/Edward R. Fluet

12 Edward R. Fluet
13 Deputy Attorney General
Attorney for Defendants

14 DATED: March 25, 2015

s/Gay Crosthwait Grunfeld

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

EXHIBIT A

Armstrong v. Brown
Fourth Quarterly Statement of 2014
October 1, 2014 through December 31, 2014

CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
CDCR/AOAP MONITORING	\$922,720.80	\$27,859.32
	TOTAL:	\$950,580.12

Armstrong v. Brown

Fourth Quarterly Statement of 2014
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 Matter: CDCR/AOAP Monitoring/Merits

<u>Monitoring (581-3)</u>	Actual	Claimed	2014	Total	Fees Now Owing Based on Negotiated Compromise
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Claimed Fees</u>	
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	6.40	6.40	\$800	\$5,120.00	\$4,915.20
Gay C. Grunfeld (GCG)	15.30	15.30	\$675	\$10,327.50	\$9,914.40
Ernest Galvan (EG)	1.20	1.20	\$650	\$780.00	\$748.80
Thomas Nolan (TN)	164.80	164.80	\$550	\$90,640.00	\$87,014.40
Lisa Ells (LAE)	101.50	96.60	\$470	\$45,402.00	\$43,585.92
Aaron Fischer (AJF)	0.20	0.20	\$460	\$92.00	\$88.32
Blake Thompson (BT)	104.80	102.80	\$450	\$46,260.00	\$44,409.60
Michael Freedman (MLF)	127.80	126.10	\$440	\$55,484.00	\$53,264.64
Benjamin Bien-Kahn (BBK)	0.20	0.00	\$410	\$0.00	\$0.00
Krista Stone-Manista (KSM)	98.90	98.70	\$410	\$40,467.00	\$38,848.32
Kevin Jones (KEJ)	0.10	0.00	\$290	\$0.00	\$0.00
Rolayn Tauben (RLT)	122.40	109.50	\$290	\$31,755.00	\$30,484.80
Karen Stilber (KES)	57.10	56.50	\$270	\$15,255.00	\$14,644.80
Diana Gama (DAG)	18.90	18.70	\$230	\$4,301.00	\$4,128.96
Lauren Vandemortel (LWV)	6.80	6.80	\$215	\$1,462.00	\$1,403.52
Haruka Roudebush (HR)	350.70	331.60	\$230	\$76,268.00	\$73,217.28
Doris Tseng (DT)	2.50	0.00	\$230	\$0.00	\$0.00
Greg Gonzalez (GZG)	2.00	0.00	\$230	\$0.00	\$0.00
Lucy Taylor (LRT)	181.30	166.80	\$230	<u>\$38,364.00</u>	<u>\$36,829.44</u>
Total Hours:	1362.90	1302.00		\$461,977.50	
RBGG UNDISPUTED FEES:					\$443,498.40
<u>PRISON LAW OFFICE</u>					
Donald Specter (DS)	14.80	14.80	\$800	\$11,840.00	\$11,366.40
Steve Fama (SF)	24.30	24.30	\$745	\$18,103.50	\$17,379.36
Sara Norman (SN)	0.90	0.90	\$620	\$558.00	\$535.68
Rebekah Evenson (RE)	193.60	193.60	\$570	\$110,352.00	\$105,937.92
Penny Godbold (PG)	116.70	116.70	\$490	\$57,183.00	\$54,895.68
Corene Kendrick (CK)	124.60	124.60	\$490	\$61,054.00	\$58,611.84
Kelly Knapp (KK)	143.10	143.10	\$450	\$64,395.00	\$61,819.20
Amber Norris (AN)	286.30	286.30	\$260	\$74,438.00	\$71,460.48
Megan Lynch (ML)	83.00	83.00	\$240	\$19,920.00	\$19,123.20
Nora Searle (NS)	143.30	143.30	\$240	\$34,392.00	\$33,016.32
John Bonacorsi (JB)	56.10	56.10	\$240	\$13,464.00	\$12,925.44
Joyce de la Pena (JP)	60.90	60.90	\$240	\$14,616.00	\$14,031.36
Sarah Hopkins (SH)	50.10	50.10	\$240	\$12,024.00	\$11,543.04
Viviana Arcia (VA)	25.10	25.10	\$240	<u>\$6,024.00</u>	<u>\$5,783.04</u>
Total Hours:	1322.80	1322.80		\$498,363.50	
PLO UNDISPUTED FEES:					\$478,428.96
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Linda Kilb (LDK)	0.60	0.60	\$725	\$435.00	\$417.60
Hongyu Min (HM)	2.70	2.70	\$145	<u>\$391.50</u>	<u>\$375.84</u>
Total Hours:	3.30	3.30		\$826.50	
DREDF UNDISPUTED FEES:					\$793.44
TOTAL UNDISPUTED CDCR/AOAP MONITORING FEES:					\$922,720.80

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Costs

Matter: CDCR/AOAP Merits/Monitoring

<u>Rosen, Bien, Galvan & Grunfeld (581-3)</u>	Claimed Costs	Withdrawn by Plaintiffs	Undisputed Costs Now Owing
Photocopying (In house)	\$1,603.00	\$64.12	\$1,538.88
Photocopying (Outside)	\$2,174.01	\$86.96	\$2,087.05
Online Research - PACER	\$7.30	\$0.29	\$7.01
Postage & Delivery	\$639.68	\$25.59	\$614.09
Travel - Mileage, Tolls, Food	\$9,284.25	\$371.37	\$8,912.88
Telephone	\$8.45	\$0.34	\$8.11
Total RBGG Costs:	\$13,716.69	\$548.67	\$13,168.02

<u>Prison Law Office</u>	Claimed Costs	Withdrawn by Plaintiffs	Undisputed Costs Now Owing
Photocopying (In house)	\$1,413.20	\$56.53	\$1,356.67
Expert Services	\$2,309.50	\$92.38	\$2,217.12
Postage & Delivery	\$1,185.96	\$47.44	\$1,138.52
Travel - Mileage, Tolls, Food	\$9,224.29	\$368.97	\$8,855.32
Interpreting and Translation Services	\$964.64	\$38.59	\$926.05
Total PLO Costs:	\$15,097.59	\$603.90	\$14,493.69

<u>Disability Rights Education & Defense Fund, Inc.</u>	Claimed Costs	Withdrawn by Plaintiffs	Undisputed Undisputed Costs Now Owing
Photocopying (in-house)	\$160.60	\$6.42	\$154.18
Postage & Delivery	\$40.45	\$1.62	\$38.83
Online Research - PACER	\$4.80	\$0.19	\$4.61
Total DREDF Costs:	\$205.85	\$8.23	\$197.62

TOTAL UNDISPUTED CDCR/AOAP MERITS/MONITORING **\$27,859.32**

EXHIBIT B

Armstrong v. Brown
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BPH SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
BPH	\$28,051.68	\$880.73
	TOTAL:	\$28,932.41

Armstrong v. Brown

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Matter: BPH

<u>BPH (581-4)</u>	Actual	Claimed	2014	Total	Fees Now Owing Based on Negotiated Compromise
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Claimed Fees</u>	
<u>BPH MONITORING (581-4)</u>					
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Gay C. Grunfeld (GCG)	0.10	0.10	\$675	\$67.50	\$64.80
Blake Thompson (BT)	18.00	18.00	\$450	\$8,100.00	\$7,776.00
Rolayn Tauben (RLT)	0.80	0.70	\$290	<u>\$203.00</u>	<u>\$194.88</u>
Total Hours:	18.90	18.80		\$8,370.50	
RBGG UNDISPUTED FEES:					\$8,035.68
<u>PRISON LAW OFFICE</u>					
Sara Norman (SN)	0.30	0.30	\$620	\$186.00	\$178.56
Rana Anabtawi (RA)	50.40	50.40	\$410	<u>\$20,664.00</u>	<u>\$19,837.44</u>
Total Hours:	50.70	50.70		\$20,850.00	
PLO UNDISPUTED FEES:					\$20,016.00
TOTAL UNDISPUTED FEES FOR BPH WORK:					\$28,051.68

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Costs

Matter: BPH

<u>Rosen, Bien, Galvan & Grunfeld (581-4)</u>	<u>Claimed Costs</u>	<u>Withdrawn by Plaintiffs</u>	<u>Undisputed Costs Now Owing</u>
Telephone	\$2.25	\$0.09	\$2.16
Travel - Mileage, Tolls, Food	<u>\$81.20</u>	<u>\$3.25</u>	<u>\$77.95</u>
Total RBGG Costs:	\$83.45	\$3.34	\$80.11
 <u>Prison Law Office</u>			
Travel - Mileage, Tolls, Food	<u>\$833.98</u>	<u>\$33.36</u>	<u>\$800.62</u>
Total PLO Costs:	\$833.98	\$33.36	\$800.62
 TOTAL UNDISPUTED BPH COSTS:			\$880.73

EXHIBIT C

Armstrong v. Brown
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DAPO SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
DAPO MONITORING	\$196,315.68	\$4,809.91
	TOTAL:	\$201,125.59

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Matter: DAPO Monitoring

<u>DAPO Monitoring (581-9)</u>	Actual	Claimed	2014	Total	Fees Now Owing Based on Negotiated Compromise
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Claimed Fees</u>	
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael Bien (MWB)	0.60	0.60	\$800	\$480.00	\$460.80
Gay C. Grunfeld (GCG)	15.10	15.10	\$675	\$10,192.50	\$9,784.80
Ernest Galvan (EG)	0.70	0.70	\$650	\$455.00	\$436.80
Tom Nolan (TN)	0.10	0.00	\$550	\$0.00	\$0.00
Lisa Ells (LAE)	0.20	0.00	\$470	\$0.00	\$0.00
Aaron Fischer (AJF)	74.40	73.70	\$460	\$33,902.00	\$32,545.92
Blake Thompson (BT)	16.20	15.70	\$450	\$7,065.00	\$6,782.40
Michael Freedman (MLF)	10.10	10.10	\$440	\$4,444.00	\$4,266.24
Benjamin Bien-Kahn (BBK)	134.60	130.90	\$410	\$53,669.00	\$51,522.24
Margot Mendelson (MKM)	25.10	23.90	\$410	\$9,799.00	\$9,407.04
Jennifer Stark (JLS)	0.80	0.00	\$410	\$0.00	\$0.00
Jenny Yelin (JSY)	98.40	98.20	\$390	\$38,298.00	\$36,766.08
Rolayn Tauben (RLT)	42.00	27.80	\$290	\$8,062.00	\$7,739.52
Kevin Jones (KJ)	0.40	0.00	\$290	\$0.00	\$0.00
Karen Stilber (KES)	0.80	0.00	\$270	\$0.00	\$0.00
Lucy Taylor (LRT)	70.90	68.50	\$230	\$15,755.00	\$15,124.80
Diana Gama (DAG)	93.10	62.10	\$230	\$14,283.00	\$13,711.68
Haruka Roudebush (HR)	1.40	0.00	\$230	\$0.00	\$0.00
Total Hours:	584.90	527.30		\$196,404.50	
RBGG UNDISPUTED FEES:					\$188,548.32
<u>MORGAN LEWIS</u>					
Cameron Saul (CS)	17.40	17.40	\$465	\$8,091.00	\$7,767.36
Total Hours:	17.40	17.40		\$8,091.00	
ML UNDISPUTED FEES:					\$7,767.36
TOTAL UNDISPUTED FOR DAPO MONITORING WORK:					\$196,315.68

Armstrong v. Brown

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Costs***Matter: DAPO Monitoring***

	Claimed Costs	Withdrawn by Plaintiffs	Undisputed Costs Now Owing
<u>Rosen, Bien, Galvan & Grunfeld (581-9)</u>			
Photocopying (in-house)	\$1,143.00	\$45.72	\$1,097.28
Photocopying (outside)	\$137.82	\$5.51	\$132.31
Lexis/Westlaw	\$47.25	\$1.89	\$45.36
Online Research - PACER and Legislative History	\$21.10	\$0.84	\$20.26
Postage & Delivery	\$191.88	\$7.68	\$184.20
Telephone	\$7.40	\$0.30	\$7.10
Travel - Mileage, Tolls, Food	<u>\$3,196.87</u>	<u>\$127.87</u>	<u>\$3,069.00</u>
Total RBGG Costs:	\$4,745.32	\$189.81	\$4,555.51

	Claimed Costs	Withdrawn by Plaintiffs	Undisputed Costs Now Owing
<u>Morgan, Lewis & Bockius LLP</u>			
Photocopying (in-house)	\$44.00	\$1.76	\$42.24
Travel - Mileage, Tolls, Food	<u>\$221.00</u>	<u>\$8.84</u>	<u>\$212.16</u>
Total ML Costs:	\$265.00	\$10.60	\$254.40

TOTAL UNDISPUTED DAPO MONITORING COSTS: \$4,809.91

EXHIBIT D

Armstrong v. Brown
Fourth Quarterly Statement of 2014
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SUMMARY OF UNDISPUTED FEES WORK AND COSTS

	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
FEES WORK (ALL MATTERS)	\$9,510.24	\$231.63
TOTAL:		\$9,741.87

Armstrong v. Brown

Fourth Quarterly Statement of 2014

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Matter: All Matters Fees Work

<u>Fees (581-2)</u>	Actual	Claimed	2014	Total	Fees Now Owing Based on Negotiated Compromise
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Claimed Fees</u>	
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Gay C. Grunfeld (GCG)	0.70	0.70	\$675	\$472.50	\$453.60
Lisa Ells (LAE)	0.20	0.00	\$470	\$0.00	\$0.00
Blake Thompson (BT)	8.30	8.30	\$450	\$3,735.00	\$3,585.60
Kevin Jones (KEJ)	0.20	0.00	\$290	\$0.00	\$0.00
Glenn Baldwin (GMB)	1.30	0.00	\$230	\$0.00	\$0.00
Lauren Vandemortel (LWV)	25.60	14.90	\$215	<u>\$3,203.50</u>	<u>\$3,075.36</u>
Total Hours:	10.70	9.00		\$7,411.00	
RBGG UNDISPUTED FEES:					\$7,114.56
<u>PRISON LAW OFFICE</u>					
Rebekah Evenson (RE)	0.8	0.8	\$570	\$456.00	\$437.76
Edie DeGraff (ED)	7.30	7.30	\$190	<u>\$1,387.00</u>	<u>\$1,331.52</u>
Total Hours:	8.10	8.10		\$1,843.00	
PLO UNDISPUTED FEES:					\$1,769.28
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Linda Kilb (LDK)	0.90	0.90	\$725	<u>\$652.50</u>	<u>\$626.40</u>
Total Hours:	0.90	0.90		\$652.50	
DREDF UNDISPUTED FEES:					\$626.40
TOTAL UNDISPUTED FEES FOR ARMSTRONG FEES WORK:					\$9,510.24

Armstrong v. Brown
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Costs

Matter: Fees Work in All Matters

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

	Claimed Costs	Withdrawn by Plaintiffs	Undisputed Costs Now Owing
Photocopying and Printing (in-house)	\$179.20	\$7.17	\$172.03
Online Research - PACER	\$25.50	\$1.02	\$24.48
Postage & Delivery	<u>\$29.58</u>	<u>\$1.18</u>	<u>\$28.40</u>
Total RBGG Costs:	\$234.28	\$9.37	\$224.91

Disability Rights Education & Defense Fund, Inc.

	Claimed Costs	Withdrawn by Plaintiffs	Undisputed Undisputed Costs Now Owing
Photocopying (in-house)	<u>\$7.00</u>	<u>\$0.28</u>	<u>\$6.72</u>
Total DREDF Costs:	\$7.00	\$0.28	\$6.72

TOTAL UNISPURED FEES WORK COSTS : \$231.63