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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 THIRD QUARTER OF 2015**

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 October 23, 2015 Plaintiffs served on Defendants
5 their Third Quarterly Statement for 2015 by overnight delivery. The parties completed
6 their meet-and-confer process on November 2, 2015 as to the fees and costs incurred on all
7 matters.

8 As a result of the November 2, 2015 agreement, the parties agree to the following:

9 The parties agree to the payment of \$1,055,657.19 to resolve all fees and costs
10 incurred during the Third Quarter of 2015, for monitoring and/or litigation activities in the
11 California Department of Corrections of Rehabilitation Division of Adult Operations and
12 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 \$63,778.19 to resolve all fees and costs incurred
16 during the Third Quarter of 2015, for monitoring and/or litigation activities in the Board of
17 Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts setting
18 forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the parties to
19 settle these claims.

20 The parties agree to the payment of \$187,482.84 to resolve all fees and costs
21 incurred during the Third Quarter of 2015, for monitoring and/or litigation activities in the
22 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 \$10,279.80 to resolve all fees and costs incurred
26 during the Third Quarter of 2015, for fees on fees. Attached hereto as **Exhibit D** are charts
27 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the
28 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 November 24, 2015, accruing at the rate provided by 28 U.S.C.
4 § 1961.

5
6 DATED: November 6, 2015

7
8 

9 THE HONORABLE CLAUDIA WILKEN
10 UNITED STATES DISTRICT JUDGE

11 APPROVED AS TO FORM:

12
13 DATED: November 5, 2015

/s/ Sharon A. Garske

14 Sharon A. Garske
15 Deputy Attorney General
Attorney for Defendants

16 DATED: November 5 , 2015

/s/ Blake Thompson

17 Blake Thompson
18 Rosen Bien Galvan & Grunfeld LLP
Attorneys for Plaintiffs

Exhibit A

Armstrong v. Brown
Third Quarterly Statement of 2015
July 1, 2015 through September 30, 2015

CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
CDCR/AOAP MONITORING	\$1,030,041.12	\$25,616.07
	TOTAL:	\$1,055,657.19

Armstrong v. Brown

Third Quarterly Statement of 2015

July 1, 2015 through September 30, 2015

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

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2015 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	6.00	6.00	\$840	\$5,040.00	\$4,838.40
Gay C. Grunfeld (GCG)	62.30	62.00	\$710	\$44,020.00	\$42,259.20
Ernest Galvan (EG)	0.60	0.60	\$690	\$414.00	\$397.44
Thomas Nolan (TN)	239.20	238.40	\$590	\$140,656.00	\$135,029.76
Lisa Ells (LAE)	17.10	14.20	\$525	\$7,455.00	\$7,156.80
Aaron Fischer (AJF)	1.30	0.00	\$490	\$0.00	\$0.00
Blake Thompson (BT)	68.80	62.30	\$480	\$29,904.00	\$28,707.84
Michael Freedman (MLF)	177.60	173.00	\$470	\$81,310.00	\$78,057.60
Ben Bien-Kahn (BBK)	151.00	98.10	\$440	\$43,164.00	\$41,437.44
Margot Knight Mendelson (MKM)	0.20	0.00	\$440	\$0.00	\$0.00
Krista Stone-Manista (KSM)	31.70	22.70	\$440	\$9,988.00	\$9,588.48
Rolayn Tauben (RLT)	197.80	139.90	\$295	\$41,270.50	\$39,619.68
Karen Stilber (KES)	25.00	24.40	\$290	\$7,076.00	\$6,792.96
Linda Woo (LHW)	38.30	37.10	\$290	\$10,759.00	\$10,328.64
Katherine Hamilton (KCH)	45.70	35.50	\$220	\$7,810.00	\$7,497.60
Lauren Vandemortel (LWV)	35.50	35.50	\$220	\$7,810.00	\$7,497.60
F. Gail LaPurja (FGL)	47.60	30.00	\$250	\$7,500.00	\$7,200.00
Fely Villadelgado (FFV)	2.30	0.00	\$250	\$0.00	\$0.00
Greg Gonzalez (GZG)	31.50	30.10	\$250	\$7,525.00	\$7,224.00
Charlotte Landes (CJL)	145.80	132.60	\$220	\$29,172.00	\$28,005.12
Nathalie Welch (NCW)	0.50	0.00	\$220	\$0.00	\$0.00
Kelly McGraw (KAM)	369.10	338.80	\$220	\$74,536.00	\$71,554.56
Sasha Beder-Schenker (SBS)	18.50	18.50	\$220	\$4,070.00	\$3,907.20
Total Hours:	1,713.40	1,499.70			
RBGG CLAIMED FEES:				\$559,479.50	\$537,100.32
<u>PRISON LAW OFFICE</u>					
Donald Specter (DS)	8.50	8.50	\$845	\$7,182.50	\$6,895.20
Laura Graham (LG)	63.30	63.30	\$250	\$15,825.00	\$15,192.00
Rebekah Evenson (RE)	201.70	201.70	\$600	\$121,020.00	\$116,179.20
Penny Godbold (PG)	167.20	167.20	\$510	\$85,272.00	\$81,861.12
Marc Shinn-Krantz (MSK)	9.60	9.60	\$275	\$2,640.00	\$2,534.40
Corene Kendrick (CK)	119.30	119.30	\$510	\$60,843.00	\$58,409.28
Cara Trombadore (CT)	33.40	33.40	\$275	\$9,185.00	\$8,817.60
Anjuli Branz (AB)	64.10	64.10	\$250	\$16,025.00	\$15,384.00
Amber Norris (AN)	295.40	295.40	\$290	\$85,666.00	\$82,239.36
Kelly Knapp (KK)	100.80	100.80	\$480	\$48,384.00	\$46,448.64
Isaac Dalke (ID)	13.80	13.80	\$250	\$3,450.00	\$3,312.00
Madeline Bailey (MB)	42.10	42.10	\$250	\$10,525.00	\$10,104.00
Megan Lynch (ML)	93.70	93.70	\$250	\$23,425.00	\$22,488.00
Nora Searle (NS)	51.00	51.00	\$250	\$12,750.00	\$12,240.00
John Bonacorsi (JB)	6.20	6.20	\$250	\$1,550.00	\$1,488.00
Alex Kennedy (AK)	32.10	32.10	\$250	\$8,025.00	\$7,704.00
Viviana Arcia (VA)	4.10	4.10	\$250	\$1,025.00	\$984.00
Total Hours:	1,306.30	1,306.30			
PLO CLAIMED FEES:				\$512,792.50	\$492,280.80
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Linda Kilb (LDK)	0.50	0.50	\$745	\$372.50	\$357.60
Hongyu Min (HM)	2.10	2.10	\$150	\$315.00	\$302.40
Total Hours:	2.60	2.60			
DREDF CLAIMED FEES:				\$687.50	\$660.00
TOTAL UNDISPUTED CDCR/AOAP MONITORING FEES:				\$1,072,959.50	\$1,030,041.12

Armstrong v. Brown

Third Quarterly Statement of 2015
 July 1, 2015 through September 30, 2015

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

	Total Claimed Costs	Costs Now Owing Based On Negotiated Compromise
<u>Rosen, Bien, Galvan & Grunfeld (581-3)</u>		
Photocopying (In house)	\$2,596.00	\$2,492.16
Photocopying/printing (Outside)	\$2,100.10	\$2,016.10
Interpreting services	\$405.00	\$388.80
Online Research - PACER	\$6.50	\$6.24
Lexis/Westlaw	\$7.33	\$7.04
Postage & Delivery	\$636.43	\$610.97
Travel - Mileage, Tolls, Food	\$6,174.03	\$5,927.07
Telephone	\$20.60	\$19.78
Total RBGG Costs:	\$11,945.99	\$11,468.15
 <u>Prison Law Office</u>		
Photocopying (In house)	\$1,994.60	\$1,914.82
Postage & Delivery	\$1,126.45	\$1,081.39
Travel - Mileage, Tolls, Food	\$10,091.79	\$9,688.12
Interpreting and Translation Services	\$1,386.28	\$1,330.83
Total PLO Costs:	\$14,599.12	\$14,015.16
 <u>Disability Rights Education & Defense Fund, Inc.</u>		
Photocopying (in-house)	\$113.20	\$108.67
Postage & Delivery	\$25.10	\$24.10
Total DREDF Costs:	\$138.30	\$132.77
 TOTAL UNDISPUTED CDCR/AOAP MERITS/MONITORING COSTS:	\$26,683.41	\$25,616.07

Exhibit B

Armstrong v. Brown
Third Quarterly Statement of 2015
July 1, 2015 through September 30, 2015

BPH SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COST</u>
BPH	\$62,622.72	\$1,155.47
	TOTAL:	\$63,778.19

Armstrong v. Brown

Third Quarterly Statement of 2015
 July 1, 2015 through September 30, 2015

Matter: BPH

BPH (581-4)**BPH MONITORING (581-4)****ROSEN, BIEN, GALVAN & GRUNFELD**

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2015 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
Michael W. Bien (MWB)	1.20	1.20	\$840	\$1,008.00	\$967.68
Gay C. Grunfeld (GCG)	1.30	1.30	\$710	\$923.00	\$886.08
Ernest Galvan (EG)	1.60	1.60	\$690	\$1,104.00	\$1,059.84
Thomas Nolan (TN)	8.90	8.90	\$590	\$5,251.00	\$5,040.96
Blake Thompson (BT)	47.70	46.00	\$480	\$22,080.00	\$21,196.80
Margot K. Mendelson (MKM)	0.20	0.00	\$440	\$0.00	\$0.00
Rolayn Tauben (RLT)	2.30	2.00	\$295	\$590.00	\$566.40
Kelly McGraw (KAM)	1.00	0.00	\$220	\$0.00	\$0.00
Total Hours:	64.20	61.00			

RBGG CLAIMED FEES:**\$30,956.00****\$29,717.76****PRISON LAW OFFICE**

Rebekah Evenson (RE)	0.40	0.40	\$600	\$240.00	\$230.40
Marc Shinn-Krantz (MSK)	0.80	0.80	\$275	\$220.00	\$211.20
Sara Norman (SN)	28.50	28.50	\$640	\$18,240.00	\$17,510.40
Rana Anabtawi (RA)	35.40	35.40	\$440	\$15,576.00	\$14,952.96
Total Hours:	65.10	65.10			

PLO CLAIMED FEES:**\$34,276.00****\$32,904.96**

**TOTAL UNDISPUTED FEES FOR
 BPH WORK:**

\$65,232.00**\$62,622.72**

Armstrong v. Brown

Third Quarterly Statement of 2015
 July 1, 2015 through September 30, 2015

Costs***Matter: BPH***

	Total Claimed Costs	Costs Now Owing Based On Negotiated Compromise
<u>Rosen, Bien, Galvan & Grunfeld (581-4)</u>		
Postage & Delivery	\$17.10	\$16.42
Photocopying (In house)	\$15.60	\$14.98
Telephone	\$3.05	\$2.93
Travel - Mileage, Tolls, Food	\$617.93	\$593.21
Total RBGG Costs:	\$653.68	\$627.53
 <u>Prison Law Office</u>		
Travel - Mileage, Tolls, Food	\$549.93	\$527.93
Total PLO Costs:	\$549.93	\$527.93
TOTAL UNDISPUTED BPH COSTS:	\$1,203.61	\$1,155.47

Exhibit C

Armstrong v. Brown
Third Quarterly Statement of 2015
July 1, 2015 through September 30, 2015

DAPO SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COST</u>
DAPO MONITORING	\$181,055.04	\$6,427.80
	TOTAL:	\$187,482.84

Armstrong v. Brown

Third Quarterly Statement of 2015
 July 1, 2015 through September 30, 2015

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

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2015 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Gay C. Grunfeld (GCG)	10.70	10.70	\$710	\$7,597.00	\$7,293.12
Aaron Fischer (AJF)	18.70	18.70	\$490	\$9,163.00	\$8,796.48
Blake Thompson (BT)	56.10	55.80	\$480	\$26,784.00	\$25,712.64
Michael Freedman (MLF)	25.60	24.50	\$470	\$11,515.00	\$11,054.40
Benjamin Bien-Kahn (BBK)	32.50	26.50	\$440	\$11,660.00	\$11,193.60
Margot Mendelson (MKM)	98.80	95.50	\$440	\$42,020.00	\$40,339.20
Krista Stone-Manista (KSM)	0.30	0.00	\$440	\$0.00	\$0.00
Jennifer Stark (JLS)	15.00	15.00	\$440	\$6,600.00	\$6,336.00
Jenny Yelin (JSY)	79.40	75.40	\$420	\$31,668.00	\$30,401.28
Rolayn Tauben (RLT)	26.70	7.20	\$295	\$2,124.00	\$2,039.04
Abbye Klamann (ARK)	0.80	0.00	\$275	\$0.00	\$0.00
Greg Gonzalez (GZG)	1.00	0.00	\$250	\$0.00	\$0.00
F. Gail LaPurja (FGL)	1.30	0.00	\$250	\$0.00	\$0.00
Kelly McGraw (KAM)	66.60	47.30	\$220	\$10,406.00	\$9,989.76
Nathalie Welch (NCW)	187.50	132.10	\$220	\$29,062.00	\$27,899.52
Total Hours:	621.00	508.70			
RBGG CLAIMED FEES:				\$188,599.00	\$181,055.04
TOTAL UNDISPUTED FEES FOR DAPO MONITORING WORK:				\$188,599.00	\$181,055.04

Armstrong v. Brown

Third Quarterly Statement of 2015
 July 1, 2015 through September 30, 2015

Costs***Matter: DAPO Monitoring*****Rosen, Bien, Galvan & Grunfeld (581-9)**

	Total Claimed Costs	Costs Now Owing Based On Negotiated Compromise
Photocopying (in-house)	\$969.60	\$930.82
Photocopying (outside)	\$234.82	\$225.43
Lexis/Westlaw	\$97.25	\$93.36
Interpeting Services	\$1,280.00	\$1,228.80
Postage & Delivery	\$0.48	\$0.46
Telephone	\$10.30	\$9.89
Travel - Mileage, Tolls, Food	\$4,103.18	\$3,939.05
Total RBGG Costs:	\$6,695.63	\$6,427.80
TOTAL UNDISPUTED DAPO MONITORING COSTS:	\$6,695.63	\$6,427.80

Exhibit D

Armstrong v. Brown
Third Quarterly Statement of 2015
July 1, 2015 through September 30, 2015

SUMMARY OF UNDISPUTED FEES WORK AND COSTS

	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
FEES WORK (ALL MATTERS)	\$9,990.24	\$289.56
TOTAL:		\$10,279.80

Armstrong v. Brown

Third Quarterly Statement of 2015
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Matter: All Matters Fees Work

Fees (581-2)

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2015 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Gay C. Grunfeld (GCG)	0.50	0.40	\$710	\$284.00	\$272.64
Ernest Galvan (EG)	0.10	0.00	\$690	\$0.00	\$0.00
Blake Thompson (BT)	8.40	8.40	\$480	\$4,032.00	\$3,870.72
Charlotte Landes (CJL)	0.20	0.00	\$250	\$0.00	\$0.00
F. Gail LaPurja (FGL)	0.20	0.00	\$250	\$0.00	\$0.00
Lauren Vandemortel (LWV)	17.95	16.30	\$220	\$3,586.00	\$3,442.56
Total Hours:	27.35	25.10			
RBGG CLAIMED FEES:				\$7,902.00	\$7,585.92
<u>PRISON LAW OFFICE</u>					
Rebekah Evenson (RE)	0.9	0.9	\$600	\$540.00	\$518.40
Edie DeGraff (ED)	7.40	7.40	\$195	\$1,443.00	\$1,385.28
Total Hours:	8.30	8.30			
PLO CLAIMED FEES:				\$1,983.00	\$1,903.68
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Linda Kilb (LDK)	0.70	0.70	\$745	\$521.50	\$500.64
Total Hours:	0.70	0.70			
DREDF CLAIMED FEES:				\$521.50	\$500.64
TOTAL UNDISPUTED FEES FOR ARMSTRONG FEES WORK:				\$10,406.50	\$9,990.24

Armstrong v. Brown

Third Quarterly Statement of 2015
 July 1, 2015 through September 30, 2015

Costs***Matter: Fees Work in All Matters*****Rosen, Bien, Galvan & Grunfeld (581-2)**

Photocopying and Printing (in-house)

Postage & Delivery

Total RBGG Costs:

Total
Claimed Costs

\$57.62

\$232.00

\$289.62

Costs Now Owing Based On
Negotiated Compromise

\$55.32

\$222.72

\$278.04**Disability Rights Education & Defense Fund, Inc.**

Photocopying (in-house)

Total DREDF Costs:

\$12.00

\$12.00

\$11.52

\$11.52**TOTAL UNDISPUTED FEES WORK COSTS :****\$301.62****\$289.56**