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11 Attorneys for Plaintiffs

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION  
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15 JOHN ARMSTRONG, et al.,  
16 Plaintiff,  
17 v.  
18 EDMUND G. BROWN, JR., et al.,  
19 Defendant.

Case No. C94 2307 CW

**~~PROPOSED~~ STIPULATED ORDER  
CONFIRMING UNDISPUTED  
ATTORNEYS' FEES AND COSTS  
FOR THE SECOND QUARTER OF  
2016**

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 22, 2016 Plaintiffs served on Defendants their  
5 Second Quarterly Statement for 2016 by overnight delivery. The parties completed their  
6 meet-and-confer process on August 26, 2016 as to the fees and costs incurred on all  
7 matters.

8 As a result of the August 26, 2016 agreement, the parties agree to the following:

9 The parties agree to the payment of \$1,276,571.34 to resolve all fees and costs  
10 incurred during the Second Quarter of 2016, 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 \$33,411.66 to resolve all fees and costs incurred  
16 during the Second Quarter of 2016, 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 \$284,135.78 to resolve all fees and costs  
21 incurred during the Second Quarter of 2016, 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 \$18,947.92 to resolve all fees and costs incurred  
26 during the Second Quarter of 2016, 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 August 22, 2016, accruing at the rate provided by 28 U.S.C.  
4 § 1961.

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6 DATED: September 16, 2016

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Claudia Wilken  
United States District Judge

9 APPROVED AS TO FORM:

11 DATED: August 29, 2016

/s/Sharon A. Garske  
Sharon A. Garske  
Deputy Attorney General  
Attorney for Defendants

14 DATED: August 29, 2016

/s/Gay C. Grunfeld  
Gay C. Grunfeld  
Rosen Bien Galvan & Grunfeld LLP  
Attorney for Plaintiffs

# **EXHIBIT A**

**Armstrong v. Brown**  
Second Quarterly Statement of 2016  
April 1, 2016 through June 30, 2016

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

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
CDCR/AOAP MONITORING	\$1,244,703.52	\$31,867.83
	<b>TOTAL:</b>	<b>\$1,276,571.34</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2016

April 1, 2016 through June 30, 2016

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

<u>Monitoring (581-3)</u>	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2016 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	4.40	4.40	\$900	\$3,960.00	\$3,841.20
Gay C. Grunfeld (GCG)	50.80	50.80	\$790	\$40,132.00	\$38,928.04
Ernest Galvan (EG)	2.20	2.20	\$740	\$1,628.00	\$1,579.16
Thomas Nolan (TN)	162.20	162.20	\$610	\$98,942.00	\$95,973.74
Lisa Ells (LAE)	1.50	1.00	\$600	\$600.00	\$582.00
Michael Freedman (MLF)	107.60	101.80	\$545	\$55,481.00	\$53,816.57
Van Swearingen (VS)	0.40	0.00	\$545	\$0.00	\$0.00
Ben Bien-Kahn (BBK)	163.30	144.30	\$490	\$70,707.00	\$68,585.79
Krista Stone-Manista (KSM)	170.40	167.90	\$490	\$82,271.00	\$79,802.87
Pablo Lastra (PAL)	66.40	56.30	\$435	\$24,490.50	\$23,755.79
Margot Mendelson (MKM)	0.20	0.00	\$490	\$0.00	\$0.00
Jennifer Stark (JS)	0.30	0.00	\$490	\$0.00	\$0.00
Karen Stilber (KES)	103.50	94.80	\$300	\$28,440.00	\$27,586.80
Linda Woo (LHW)	50.70	50.70	\$300	\$15,210.00	\$14,753.70
F. Gail LaPurja (FGL)	45.80	43.10	\$275	\$11,852.50	\$11,496.93
Greg Gonzalez (GZG)	26.20	25.70	\$275	\$7,067.50	\$6,855.48
Fely F. Villadelgado (FFV)	0.20	0.00	\$275	\$0.00	\$0.00
Lauren Vandemortel (LWV)	15.80	15.80	\$260	\$4,108.00	\$3,984.76
Katherine Hamilton (KCH)	289.40	242.40	\$230	\$55,752.00	\$54,079.44
Charlotte Landes (CJL)	119.50	106.70	\$230	\$24,541.00	\$23,804.77
Sasha Beder-Schenker (SBS)	7.00	0.00	\$230	\$0.00	\$0.00
Kelly McGraw (KAM)	279.90	252.90	\$230	\$58,167.00	\$56,421.99
Nathalie Welch (NW)	6.20	0.00	\$230	\$0.00	\$0.00
Sara E. Long (SL)	4.00	0.00	\$215	\$0.00	\$0.00
<b>Total Hours:</b>	<b>1,677.90</b>	<b>1,523.00</b>			
<b>RBGG CLAIMED FEES:</b>				<b>\$583,349.50</b>	<b>\$565,849.02</b>
<b><u>PRISON LAW OFFICE</u></b>					
Donald Specter (DS)	67.00	67.00	\$900	\$60,300.00	\$58,491.00
Steve Fama (SF)	2.20	2.20	\$850	\$1,870.00	\$1,813.90
Sara Norman (SN)	118.90	118.90	\$750	\$89,175.00	\$86,499.75
Rebekah Evenson (RE)	12.90	12.90	\$700	\$9,030.00	\$8,759.10
Penny Godbold (PG)	195.20	195.20	\$650	\$126,880.00	\$123,073.60
Corene Kendrick (CK)	224.20	224.20	\$650	\$145,730.00	\$141,358.10
Kelly Knapp (KK)	24.80	24.80	\$565	\$14,012.00	\$13,591.64
Margot Mendelson (MM)	47.50	47.50	\$490	\$23,275.00	\$22,576.75
Amber Norris (AN)	202.00	202.00	\$310	\$62,620.00	\$60,741.40
Anjuli Branz (AB)	146.20	146.20	\$250	\$36,550.00	\$35,453.50
Laura Graham (LG)	32.40	32.40	\$250	\$8,100.00	\$7,857.00
Isaac Dalke (ID)	20.10	20.10	\$250	\$5,025.00	\$4,874.25
Megan Lynch (ML)	113.70	113.70	\$300	\$34,110.00	\$33,086.70
Nora Searle (NS)	75.20	75.20	\$250	\$18,800.00	\$18,236.00
Liliana Paratore (LP)	93.90	93.90	\$250	\$23,475.00	\$22,770.75
Alex Kennedy (AK)	18.20	18.20	\$250	\$4,550.00	\$4,413.50
Sophie Hart (SH)	38.20	38.20	\$250	\$9,550.00	\$9,263.50
Sarah Hopkins	105.4	105.4	\$250	\$26,350.00	\$25,559.50
<b>Total Hours:</b>	<b>1,538.00</b>	<b>1,432.60</b>			
<b>PLO CLAIMED FEES:</b>				<b>\$699,402.00</b>	<b>\$678,419.94</b>
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Hongyu Min (HM)	2.80	2.80	\$160	\$448.00	\$434.56
<b>Total Hours:</b>	<b>2.80</b>	<b>2.80</b>			
<b>DREDF CLAIMED FEES:</b>				<b>\$448.00</b>	<b>\$434.56</b>
<b>TOTAL CLAIMED CDCR/AOAP MONITORING FEES:</b>				<b>\$1,283,199.50</b>	<b>\$1,244,703.52</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2016

April 1, 2016 through June 30, 2016

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

	<b>Total <u>Claimed Costs</u></b>	<b>Costs Now Owing Based On <u>Negotiated Compromise</u></b>
<b><u>Rosen, Bien, Galvan &amp; Grunfeld (581-3)</u></b>		
Photocopying (In house)	\$2,391.80	\$2,320.05
Photocopying/printing (Outside)	\$2,831.15	\$2,746.22
Translation Services	\$275.00	\$266.75
Online Research - PACER, Westlaw	\$104.80	\$101.66
Postage & Delivery	\$457.63	\$443.90
Travel - Mileage, Tolls, Food	\$8,046.34	\$6,970.42
<b>Total RBGG Costs:</b>	<b>\$14,106.72</b>	<b>\$12,848.99</b>
 <b><u>Prison Law Office</u></b>		
Photocopying (In house)	\$1,729.00	\$1,677.13
Travel - Mileage, Tolls, Food	\$16,408.61	\$15,916.35
Postage & Delivery	\$1,222.09	\$1,185.43
<b>Total PLO Costs:</b>	<b>\$19,359.70</b>	<b>\$18,778.91</b>
 <b><u>Disability Rights Education &amp; Defense Fund, Inc.</u></b>		
Photocopying (in-house)	\$207.60	\$201.37
PACER	\$4.40	\$4.27
Postage & Delivery	\$35.35	\$34.29
<b>Total DREDF Costs:</b>	<b>\$247.35</b>	<b>\$239.93</b>
 <b>TOTAL UNDISPUTED CDCR/AOAP MERITS/MONITORING COSTS:</b>	 <b>\$33,713.77</b>	 <b>\$31,867.83</b>

# **EXHIBIT B**

**Armstrong v. Brown**  
First Quarterly Statement of 2016  
April 1, 2016 through June 30, 2016

**BPH SUMMARY OF UNDISPUTED FEES AND COSTS**

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
BPH	\$32,690.94	\$720.72
	<b>TOTAL:</b>	<b>\$33,411.66</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2016

April 1, 2016 through June 30, 2016

**Matter: BPH**

<b><u>BPH (581-4)</u></b>	<b><u>Actual Hours</u></b>	<b><u>Claimed Hours</u></b>	<b><u>2016 Rates</u></b>	<b><u>Total Claimed Fees</u></b>	<b><u>Fees Now Owing Based On Negotiated Compromise</u></b>
<b><u>BPH MONITORING (581-4)</u></b>					
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	0.7	0.7	\$900	\$630.00	\$611.10
Gay C. Grunfeld (GCG)	1.50	1.50	\$790	\$1,185.00	\$1,149.45
Thomas Nolan (TN)	22.80	22.80	\$610	\$13,908.00	\$13,490.76
Margot K. Mendelson (MKM)	5.50	5.50	\$490	\$2,695.00	\$2,614.15
Kelly McGraw (KAM)	0.50	0.50	\$230	\$115.00	\$111.55
Katherine Hamilton (KCH)	8.70	6.30	\$230	\$1,449.00	\$1,405.53
<b>Total Hours:</b>	<b>39.00</b>	<b>36.60</b>			
<b>RBGG CLAIMED FEES:</b>				<b>\$19,982.00</b>	<b>\$19,382.54</b>
<b><u>PRISON LAW OFFICE</u></b>					
Rana Anabtawi (RA)	28.00	28.00	\$490	\$13,720.00	\$13,308.40
<b>Total Hours:</b>	<b>0.00</b>	<b>0.00</b>			
<b>PLO CLAIMED FEES:</b>				<b>\$13,720.00</b>	<b>\$13,308.40</b>
<b>TOTAL CLAIMED FEES FOR BPH WORK:</b>				<b>\$33,702.00</b>	<b>\$32,690.94</b>

**Armstrong v. Brown**  
 Second Quarterly Statement of 2016  
 April 1, 2016 through June 30, 2016  
Costs

**Matter: BPH**

<u>Rosen, Bien, Galvan &amp; Grunfeld (581-4)</u>	<u>Total Claimed Costs</u>	<u>Costs Now Owing Based On Negotiated Compromise</u>
Photocopying (In house)	\$54.40	\$52.77
Travel - Mileage, Tolls, Food	\$432.42	\$419.45
<b>Total RBGG Costs:</b>	<b>\$486.82</b>	<b>\$472.22</b>
<u>Prison Law Office</u>		
Travel - Mileage, Tolls, Food	\$256.19	<u>\$248.50</u>
<b>Total PLO Costs:</b>	<b>\$256.19</b>	<b>\$248.50</b>
<b>TOTAL CLAIMED BPH COSTS:</b>	<b>\$743.01</b>	<b>\$720.72</b>

# **EXHIBIT C**

**Armstrong v. Brown**  
**Second Quarterly Statement of 2016**  
**April 1, 2016 through June 30, 2016**

**DAPO SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
DAPO MONITORING	\$277,550.47	\$6,585.31
	<b>TOTAL:</b>	<b>\$284,135.78</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2016

April 1, 2016 through June 30, 2016

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

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2016 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	1.80	1.80	\$900	\$1,620.00	\$1,571.40
Gay C. Grunfeld (GCG)	33.00	33.00	\$790	\$26,070.00	\$25,287.90
Ernest Galvan (EG)	0.90	0.00	\$740	\$0.00	\$0.00
Thomas Nolan (TN)	7.80	6.80	\$610	\$4,148.00	\$4,023.56
Aaron Fischer (AJF)	37.50	37.50	\$575	\$21,562.50	\$20,915.63
Michael Freedman (MLF)	29.70	29.70	\$545	\$16,186.50	\$15,700.91
Benjamin Bien-Kahn (BBK)	129.60	120.20	\$490	\$58,898.00	\$57,131.06
Margot Mendelson (MKM)	22.90	22.10	\$490	\$10,829.00	\$10,504.13
Jennifer L. Stark (JLS)	18.10	14.30	\$490	\$7,007.00	\$6,796.79
Krista Stone-Manista (KSM)	3.00	0.00	\$490	\$0.00	\$0.00
Pablo Lastra (PAL)	105.50	98.80	\$435	\$42,978.00	\$41,688.66
Christopher Hu (CDH)	74.80	70.70	\$410	\$28,987.00	\$28,117.39
Karen Stilber (KES)	21.90	21.60	\$300	\$6,480.00	\$6,285.60
F. Gail LaPurja (FGL)	34.20	32.30	\$275	\$8,882.50	\$8,616.03
Kelly McGraw (KAM)	72.50	65.20	\$230	\$14,996.00	\$14,546.12
Katherine Hamilton (KCH)	0.40	0.00	\$230	\$0.00	\$0.00
Charlotte Landes (CL)	0.50	0.00	\$230	\$0.00	\$0.00
Nathalie Welch (NCW)	191.90	163.00	\$230	\$37,490.00	\$36,365.30
<b>Total Hours:</b>	<b>786.00</b>	<b>717.00</b>			
<b>RBGG CLAIMED FEES:</b>				<b>\$286,134.50</b>	<b>\$277,550.47</b>
<b>TOTAL CLAIMED FOR DAPO MONITORING WORK:</b>				<b>\$286,134.50</b>	<b>\$277,550.47</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2016

April 1, 2016 through June 30, 2016

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

	<b>Total</b>	<b>Costs Now Owing Based On</b>
	<b><u>Claimed Costs</u></b>	<b><u>Negotiated Compromise</u></b>
Photocopying (in-house)	\$1,206.50	\$1,170.31
Photocopying (outside)	\$429.53	\$416.64
Interpreting Services	\$238.08	\$230.94
Westlaw	\$4.36	\$4.23
Travel - Mileage, Tolls, Food	\$4,910.51	\$4,763.19
<b>Total RBGG Costs:</b>	<b>\$6,788.98</b>	<b>\$6,585.31</b>
<b>TOTAL CLAIMED DAPO MONITORING COSTS:</b>	<b>\$6,788.98</b>	<b>\$6,585.31</b>

# **EXHIBIT D**

**Armstrong v. Brown**  
**Second Quarterly Statement of 2016**  
**April 1, 2016 through June 30, 2016**

**SUMMARY OF UNDISPUTED FEES WORK AND COSTS**

	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
FEES WORK (ALL MATTERS)	\$18,702.57	\$245.35
	<b>TOTAL:</b>	<b>\$18,947.92</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2016

April 1, 2016 through June 30, 2016

**Matter: All Matters Fees Work**

<u>Fees (581-2)</u>	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2016 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based On Negotiated Compromise</u>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	1.00	1.00	\$900	\$900.00	\$873.00
Gay C. Grunfeld (GCG)	15.80	15.80	\$790	\$12,482.00	\$12,107.54
Ernest Galvan (EG)	0.10	0.10	\$740	\$74.00	\$71.78
F. Gail LaPurja (FGL)	0.30	0.00	\$275	\$0.00	\$0.00
Kelly McGraw (KAM)	0.80	0.00	\$230	\$0.00	\$0.00
Lauren Vandemortel (LWV)	16.30	11.70	\$260	\$3,042.00	\$2,950.74
<b>Total Hours:</b>	<b>34.30</b>	<b>28.60</b>			
<b>RBGG CLAIMED FEES:</b>				<b>\$16,498.00</b>	<b>\$16,003.06</b>
<b><u>PRISON LAW OFFICE</u></b>					
Rebekah Evenson (RE)	1.1	1.1	\$700	\$770.00	\$746.90
Ashley Kirby (AK)	7.3	7.3	\$200	\$1,460.00	\$1,416.20
<b>Total Hours:</b>	<b>8.40</b>	<b>8.40</b>			
<b>PLO CLAIMED FEES:</b>				<b>\$2,230.00</b>	<b>\$2,163.10</b>
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Linda Kilb (LDK)	0.70	0.70	\$790	\$553.00	\$536.41
<b>Total Hours:</b>	<b>0.70</b>	<b>0.70</b>			
<b>DREDF CLAIMED FEES:</b>				<b>\$553.00</b>	<b>\$536.41</b>
<b>TOTAL CLAIMED FEES FOR ARMSTRONG FEES WORK:</b>				<b>\$19,281.00</b>	<b>\$18,702.57</b>

**Armstrong v. Brown**

Second Quarterly Statement of 2016

April 1, 2016 through June 30, 2016

**Costs**

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

	<b>Total</b>	<b>Costs Now Owing Based On</b>
	<b><u>Claimed Costs</u></b>	<b><u>Negotiated Compromise</u></b>
<b><u>Rosen, Bien, Galvan &amp; Grunfeld (581-2)</u></b>		
Photocopying and Printing (in-house)	\$220.00	\$213.40
Postage & Delivery	\$19.14	\$18.57
<b>Total RBGG Costs:</b>	<b>\$239.14</b>	<b>\$231.97</b>
<b><u>Disability Rights Education &amp; Defense Fund, Inc.</u></b>		
Photocopying (in-house)	\$13.80	\$13.39
<b>Total DREDF Costs:</b>	<b>\$13.80</b>	<b>\$13.39</b>
 <b>TOTAL CLAIMED FEES WORK COSTS :</b>	 <b>\$252.94</b>	 <b>\$245.35</b>