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11 Attorneys for Plaintiffs

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION
14

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 THIRD 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 October 27, 2016 Plaintiffs served on Defendants
5 their Third Quarterly Statement for 2016 by overnight delivery. The parties completed
6 their meet-and-confer process on December 7, 2016 as to the fees and costs incurred on all
7 matters.

8 As a result of the December 7, 2016 agreement, the parties agree to the following:

9 The parties agree to the payment of \$1,084,871.19 to resolve all fees and costs
10 incurred during the Third Quarter of 2016, 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.

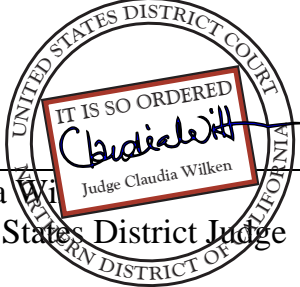
15 The parties agree to the payment of \$47,067.48 to resolve all fees and costs incurred
16 during the Third Quarter of 2016, for monitoring and/or litigation activities in the Board of
17 Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts setting
18 forth the fees 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 \$218,857.87 to resolve all fees and costs
21 incurred during the Third Quarter of 2016, 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 \$16,990.04 to resolve all fees and costs incurred
26 during the Third Quarter of 2016, 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 28, 2016, accruing at the rate provided by 28 U.S.C.
4 § 1961.

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6 DATED: December 21, 2016


Claudia Wilken
United States District Judge

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9 APPROVED AS TO FORM:

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11 DATED: December 12, 2016

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

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14 DATED: December 9, 2016

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

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EXHIBIT A

Armstrong v. Brown
Third Quarterly Statement of 2016
July 1, 2016 through September 30, 2016

CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
CDCR/AOAP MONITORING	\$1,057,222.89	\$27,648.31
	TOTAL:	\$1,084,871.19

Armstrong v. Brown
 Third Quarterly Statement of 2016
 July 1, 2016 through September 30, 2016
 Matter: CDCR/AOAP Monitoring/Merits

<u>Monitoring (581-3)</u>	Actual	Claimed	2016	Total	Fees Now Owing
	Hours	Hours	Rates	Claimed Fees	Based on Negotiated Compromise
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	5.60	5.60	\$900	\$5,040.00	\$4,888.80
Gay C. Grunfeld (GCG)	27.30	27.30	\$790	\$21,567.00	\$20,919.99
Ernest Galvan (EG)	0.10	0.00	\$740	\$0.00	\$0.00
Penny Godbold (PG)	199.20	197.80	\$650	\$128,570.00	\$124,712.90
Thomas Nolan (TN)	226.10	222.70	\$610	\$135,847.00	\$131,771.59
Lisa Ells (LAE)	2.20	0.00	\$600	\$0.00	\$0.00
Ben Bien-Kahn (BBK)	70.00	63.40	\$490	\$31,066.00	\$30,134.02
Krista Stone-Manista (KSM)	59.50	57.50	\$490	\$28,175.00	\$27,329.75
Kara Janssen (KJ)	0.70	0.00	\$475	\$0.00	\$0.00
Pablo Lastra (PAL)	72.00	55.80	\$435	\$24,273.00	\$23,544.81
Jenny Yelin (JY)	2.40	0.00	\$475	\$0.00	\$0.00
Christopher Hu	1.20	0.00	\$410	\$0.00	\$0.00
Karen Stilber (KES)	124.40	120.90	\$300	\$36,270.00	\$35,181.90
Linda Woo (LHW)	13.20	13.20	\$300	\$3,960.00	\$3,841.20
F. Gail LaPurja (FGL)	32.20	28.90	\$275	\$7,947.50	\$7,709.08
Greg Gonzalez (GZG)	22.70	19.80	\$275	\$5,445.00	\$5,281.65
Fely F. Villadelgado (FFV)	0.30	0.00	\$275	\$0.00	\$0.00
Katherine Hamilton (KCH)	188.30	163.30	\$230	\$37,559.00	\$36,432.23
Charlotte Landes (CJL)	28.60	23.70	\$230	\$5,451.00	\$5,287.47
Kelly McGraw (KAM)	286.80	272.20	\$230	\$62,606.00	\$60,727.82
Nathalie Welch (NW)	71.00	54.50	\$230	\$12,535.00	\$12,158.95
Sara E. Long (SL)	2.40	0.00	\$215	\$0.00	\$0.00
Total Hours:	1,436.20	1,326.60			
RBGG CLAIMED FEES:				\$546,311.50	\$529,922.16
<u>PRISON LAW OFFICE</u>					
Donald Specter (DS)	33.90	33.90	\$900	\$30,510.00	\$29,594.70
Steve Fama (SF)	15.10	15.10	\$850	\$12,835.00	\$12,449.95
Sara Norman (SN)	116.10	116.10	\$750	\$87,075.00	\$84,462.75
Alison Hardy (AH)	0.60	0.60	\$740	\$444.00	\$430.68
Corene Kendrick (CK)	139.10	139.10	\$650	\$90,415.00	\$87,702.55
Rita Lomio (RL)	10.40	10.40	\$565	\$5,876.00	\$5,699.72
Margot Mendelson (MM)	112.60	112.60	\$490	\$55,174.00	\$53,518.78
Sia N. Henry (SNH)	162.60	162.60	\$400	\$65,040.00	\$63,088.80
Amber Norris (AN)	214.20	214.20	\$310	\$66,402.00	\$64,409.94
Joseph E. Bear (JEB)	43.20	43.20	\$250	\$10,800.00	\$10,476.00
Laura Graham (LG)	52.80	52.80	\$250	\$13,200.00	\$12,804.00
Isaac Dalke (ID)	75.50	75.50	\$250	\$18,875.00	\$18,308.75
Meg O'Neill (MO)	1.30	1.30	\$250	\$325.00	\$315.25
Megan Lynch (ML)	125.00	125.00	\$300	\$37,500.00	\$36,375.00
Nora Searle (NS)	0.80	0.80	\$250	\$200.00	\$194.00
Ehsan Sadeghi (ES)	50.90	50.90	\$250	\$12,725.00	\$12,343.25
Liliana Paratore (LP)	57.20	57.20	\$250	\$14,300.00	\$13,871.00
Alex Kennedy (AK)	31.30	31.30	\$250	\$7,825.00	\$7,590.25
Sophie Hart (SH)	1.10	1.10	\$250	\$275.00	\$266.75
Sarah Hopkins	54.1	54.1	\$250	\$13,525.00	\$13,119.25
Total Hours:	1,297.80	1,297.80			
PLO CLAIMED FEES:				\$543,321.00	\$527,021.37
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Hongyu Min (HM)	1.80	1.80	\$160	\$288.00	\$279.36
Total Hours:	1.80	1.80			
DREDF CLAIMED FEES:				\$288.00	\$279.36
TOTAL CLAIMED CDCR/AOAP MONITORING FEES:				\$1,089,920.50	\$1,057,222.89

Armstrong v. BrownThird Quarterly Statement of 2016
July 1, 2016 through September 30, 2016**Costs*****Matter: CDCR/AOAP Merits/Monitoring***

	Total	Costs Now Owing Based On
	<u>Claimed Costs</u>	<u>Negotiated Compromise</u>
<u>Rosen, Bien, Galvan & Grunfeld (581-3)</u>		
Photocopying (In house)	\$1,975.16	\$1,915.91
Photocopying/printing (Outside)	\$2,077.24	\$2,014.92
Translation/Interpreter Services	\$1,402.69	\$1,360.61
Online Research - PACER, Westlaw	\$63.95	\$62.03
Postage & Delivery	\$482.16	\$467.70
Telephone	\$4.05	\$3.93
Travel - Mileage, Tolls, Food	\$7,404.65	\$7,182.51
Total RBGG Costs:	\$13,409.90	\$13,007.60
<u>Prison Law Office</u>		
	Costs	
Photocopying (In house)	\$1,262.00	\$1,224.14
Translation services	\$25.68	\$24.91
Travel - Mileage, Tolls, Food	\$12,593.31	\$12,215.51
Postage & Delivery	\$1,045.98	\$1,014.60
Total PLO Costs:	\$14,926.97	\$14,479.16
<u>Disability Rights Education & Defense Fund, Inc.</u>		
Photocopying (in-house)	\$138.20	\$134.05
Postage & Delivery	\$28.34	\$27.49
Total DREDF Costs:	\$166.54	\$161.54
TOTAL CLAIMED CDCR/AOAP MERITS/MONITORING COSTS:	\$28,503.41	\$27,648.31

EXHIBIT B

Armstrong v. Brown
Third Quarterly Statement of 2016
July 1, 2016 through September 30, 2016

BPH SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
BPH	\$46,457.18	\$610.30
	TOTAL:	\$47,067.48

Armstrong v. Brown

Third Quarterly Statement of 2016
 July 1, 2016 through September 30, 2016

Matter: BPH

<u>BPH (581-4)</u>	Actual	Claimed	2016	Total	Fees Now Owing
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Claimed Fees</u>	<u>Based on Negotiated Compromise</u>
<u>BPH MONITORING (581-4)</u>					
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Gay C. Grunfeld (GCG)	2.20	2.20	\$790	\$1,738.00	\$1,685.86
Thomas Nolan (TN)	34.40	34.40	\$610	\$20,984.00	\$20,354.48
Katherine Hamilton (KCH)	10.30	10.30	\$230	\$2,369.00	\$2,297.93
Total Hours:	46.90	46.90			
RBGG CLAIMED FEES:				\$25,091.00	\$24,338.27
<u>PRISON LAW OFFICE</u>					
Sara Norman (SN)	1.20	1.20	\$750	\$900.00	\$873.00
Rana Anabtawi (RA)	44.70	44.70	\$490	\$21,903.00	\$21,245.91
Total Hours:	1.20	1.20			
PLO CLAIMED FEES:				\$22,803.00	\$22,118.91
TOTAL CLAIMED FEES FOR BPH WORK:				\$47,894.00	\$46,457.18

Armstrong v. Brown
 Third Quarterly Statement of 2016
 July 1, 2016 through September 30, 2016
Costs

Matter: BPH

Rosen, Bien, Galvan & Grunfeld (581-4)

Photocopying (In house)
 Travel - Mileage, Tolls, Food

Total RBGG Costs:

<u>Total Claimed Costs</u>	<u>Costs Now Owing Based On Negotiated Compromise</u>
\$4.40	\$4.27
\$268.50	\$260.45
\$272.90	\$264.71

Prison Law Office

Travel - Mileage, Tolls, Food

Total PLO Costs:

TOTAL CLAIMED BPH COSTS:

\$356.28	\$345.59
\$356.28	\$345.59
\$629.18	\$610.30

EXHIBIT C

Armstrong v. Brown
Third Quarterly Statement of 2016
July 1, 2016 through September 30, 2016

DAPO SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COST</u>
DAPO MONITORING	\$214,591.65	\$4,266.22
	TOTAL:	\$218,857.87

Armstrong v. Brown

Third Quarterly Statement of 2016
 July 1, 2016 through September 30, 2016
Matter: DAPO Monitoring

<u>DAPO Monitoring (581-9)</u>	Actual	Claimed	2016	Total	Fees Now Owing
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Claimed Fees</u>	<u>Based on Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	1.20	1.20	\$900	\$1,080.00	\$1,047.60
Gay C. Grunfeld (GCG)	26.30	26.10	\$790	\$20,619.00	\$20,000.43
Thomas Nolan (TN)	16.60	16.60	\$610	\$10,126.00	\$9,822.22
Benjamin Bien-Kahn (BBK)	76.50	73.60	\$490	\$36,064.00	\$34,982.08
Jennifer L. Stark (JLS)	61.70	61.70	\$490	\$30,233.00	\$29,326.01
Krista Stone-Manista (KSM)	31.40	31.40	\$490	\$15,386.00	\$14,924.42
Jenny S. Yelin (JSY)	9.90	9.90	\$475	\$4,702.50	\$4,561.43
Kara Janssen (KJJ)	0.10	0.00	\$475	\$0.00	\$0.00
Michael S. Nunez (MN)	0.40	0.00	\$460	\$0.00	\$0.00
Pablo Lastra (PAL)	89.60	87.50	\$435	\$38,062.50	\$36,920.63
Christopher Hu (CDH)	49.50	49.00	\$410	\$20,090.00	\$19,487.30
Karen Stilber (KES)	4.40	0.00	\$300	\$0.00	\$0.00
F. Gail LaPurja (FGL)	22.30	21.30	\$275	\$5,857.50	\$5,681.78
Kelly McGraw (KAM)	50.50	50.50	\$230	\$11,615.00	\$11,266.55
Katherine Hamilton (KCH)	1.10	0.00	\$230	\$0.00	\$0.00
Fely Villadelgado (FFV)	0.10	0.00	\$275	\$0.00	\$0.00
Nathalie Welch (NCW)	129.10	119.10	\$230	\$27,393.00	\$26,571.21
Total Hours:	570.70	547.90			
RBGG CLAIMED FEES:				\$221,228.50	\$214,591.65
TOTAL CLAIMED FOR DAPO MONITORING WORK:				\$221,228.50	\$214,591.65

Armstrong v. Brown

Third Quarterly Statement of 2016
 July 1, 2016 through September 30, 2016

Costs**Matter: DAPO Monitoring**

<u>Rosen, Bien, Galvan & Grunfeld (581-9)</u>	Total Claimed Costs	Costs Now Owing Based On Negotiated Compromise
Photocopying (in-house)	\$899.20	\$872.22
Photocopying (outside)	\$340.74	\$330.52
Westlaw	\$1.40	\$1.36
Long distance telephone charges	\$4.35	\$4.22
Inhouse postage	\$17.54	\$17.01
Travel - Mileage, Tolls, Food	\$3,134.94	\$3,040.89
Total RBGG Costs:	\$4,398.17	\$4,266.22
TOTAL CLAIMED DAPO MONITORING COSTS:	\$4,398.17	\$4,266.22

EXHIBIT D

Armstrong v. Brown
Third Quarterly Statement of 2016
July 1, 2016 through September 30, 2016

SUMMARY OF UNDISPUTED FEES WORK AND COSTS

	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
FEES WORK (ALL MATTERS)	\$16,761.60	\$228.44
	TOTAL:	\$16,990.04

Armstrong v. Brown
 Third Quarterly Statement of 2016
 July 1, 2016 through September 30, 2016
Matter: All Matters Fees Work

<u>Fees (581-2)</u>	Actual	Claimed	2016	Total	Fees Now Owing
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Claimed Fees</u>	<u>Based on Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	0.10	0.10	\$900	\$90.00	\$87.30
Gay C. Grunfeld (GCG)	12.00	12.00	\$790	\$9,480.00	\$9,195.60
Karen E. Stilber (KES)	15.50	13.90	\$300	\$4,170.00	\$4,044.90
Total Hours:	27.60	26.00			
RBGG CLAIMED FEES:				\$13,740.00	\$13,327.80
<u>PRISON LAW OFFICE</u>					
Corene Kendrick (CK)	2.5	2.5	\$650	\$1,625.00	\$1,576.25
Ashley Kirby (AK)	7.6	7.6	\$200	\$1,520.00	\$1,474.40
Total Hours:	10.10	10.10			
PLO CLAIMED FEES:				\$3,145.00	\$3,050.65
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Linda Kilb (LDK)	0.50	0.50	\$790	\$395.00	\$383.15
Total Hours:	0.50	0.50			
DREDF CLAIMED FEES:				\$395.00	\$383.15
TOTAL CLAIMED FEES FOR ARMSTRONG FEES WORK:				\$17,280.00	\$16,761.60

Armstrong v. Brown

Third Quarterly Statement of 2016
 July 1, 2016 through September 30, 2016

Costs

Matter: Fees Work in All Matters

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

	Total Claimed Costs	Costs Now Owing Based On Negotiated Compromise
Photocopying and Printing (in-house)	\$187.20	\$181.58
Long distance telephone	\$0.30	\$0.29
Postage & Delivery	\$41.00	\$39.77
Total RBGG Costs:	\$228.50	\$221.65

Disability Rights Education & Defense Fund, Inc.

	Costs	
Photocopying (in-house)	\$7.00	\$6.79
Total DREDF Costs:	\$7.00	\$6.79

TOTAL CLAIMED FEES WORK COSTS : **\$235.50** **\$228.44**