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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 FOURTH 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 January 24, 2017, Plaintiffs served on Defendants  
5 their Fourth Quarterly Statement for 2016 by overnight delivery. The parties completed  
6 their meet-and-confer process on March 6, 2017 as to the fees and costs incurred on all  
7 matters.

8 As a result of the March 6, 2017 agreement, the parties agree to the following:

9 The parties agree to the payment of \$1,129,185.61 to resolve all fees and costs  
10 incurred during the Fourth 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 \$29,857.01 to resolve all fees and costs incurred  
16 during the Fourth 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 \$296,781.84 to resolve all fees and costs  
21 incurred during the Fourth 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 \$13,849.79 to resolve all fees and costs incurred  
26 during the Fourth Quarter of 2016, for fees work. 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 February 24, 2017, accruing at the rate provided by 28 U.S.C.  
4 § 1961.

5  
6 DATED: March 13, 2017



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8  
9 APPROVED AS TO FORM:

10  
11 DATED: March 8, 2017

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

12  
13  
14 DATED: March 7, 2017

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

# **EXHIBIT A**

**Armstrong v. Brown**  
Fourth Quarterly Statement of 2016  
October 1, 2016 through December 31, 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	\$1,103,696.56	\$25,489.06
	<b>TOTAL:</b>	<b>\$1,129,185.61</b>

**Armstrong v. Brown**

Fourth Quarterly Statement of 2016  
 October 1, 2016 through December 31, 2016  
 Matter: CDCR/AOAP Monitoring/Merits

<u>Monitoring (581-3)</u>	Actual	Claimed	2016		Fees Now Owing
	Hours	Hours	Rates	Total	Based on Negotiated Compromise
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	3.70	3.70	\$900	\$3,330.00	\$3,230.10
Gay C. Grunfeld (GCG)	28.90	28.90	\$790	\$22,831.00	\$22,146.07
Ernest Galvan (EG)	0.40	0.00	\$740	\$0.00	\$0.00
Penny Godbold (PG)	182.80	181.60	\$650	\$118,040.00	\$114,498.80
Thomas Nolan (TN)	192.90	190.70	\$610	\$116,327.00	\$112,837.19
Lisa Ells (LAE)	4.70	3.70	\$600	\$2,220.00	\$2,153.40
Ben Bien-Kahn (BBK)	93.00	88.00	\$490	\$43,120.00	\$41,826.40
Krista Stone-Manista (KSM)	118.20	113.10	\$490	\$55,419.00	\$53,756.43
Pablo Lastra (PAL)	132.70	109.70	\$435	\$47,719.50	\$46,287.92
Jenny Yelin (JY)	6.40	0.00	\$475	\$0.00	\$0.00
Christopher Hu	7.20	0.00	\$410	\$0.00	\$0.00
Karen Stilber (KES)	94.90	91.80	\$300	\$27,540.00	\$26,713.80
Linda Woo (LHW)	22.70	22.10	\$300	\$6,630.00	\$6,431.10
F. Gail LaPurja (FGL)	4.10	0.00	\$275	\$0.00	\$0.00
Greg Gonzalez (GZG)	26.10	18.20	\$275	\$5,005.00	\$4,854.85
Katherine Hamilton (KCH)	288.50	250.30	\$230	\$57,569.00	\$55,841.93
Charlotte Landes (CJL)	11.00	0.00	\$230	\$0.00	\$0.00
Kelly McGraw (KAM)	230.00	218.90	\$230	\$50,347.00	\$48,836.59
Nathalie Welch (NW)	50.40	41.10	\$230	\$9,453.00	\$9,169.41
<b>Total Hours:</b>	<b>1,498.60</b>	<b>1,361.80</b>			
<b>RBGG CLAIMED FEES:</b>				<b>\$565,550.50</b>	<b>\$548,583.99</b>
<b><u>PRISON LAW OFFICE</u></b>					
Donald Specter (DS)	15.70	15.70	\$900	\$14,130.00	\$13,706.10
Steve Fama (SF)	3.20	3.20	\$850	\$2,720.00	\$2,638.40
Sara Norman (SN)	57.40	57.40	\$750	\$43,050.00	\$41,758.50
Alison Hardy (AH)	25.10	25.10	\$740	\$18,574.00	\$18,016.78
Corene Kendrick (CK)	167.30	167.30	\$650	\$108,745.00	\$105,482.65
Rita Lomio (RL)	173.70	173.70	\$565	\$98,140.50	\$95,196.29
Margot Mendelson (MM)	56.00	56.00	\$490	\$27,440.00	\$26,616.80
Sia N. Henry (SNH)	73.80	73.80	\$400	\$29,520.00	\$28,634.40
Mae Ackerman-Brimberg (MAB)	14.50	14.50	\$375	\$5,437.50	\$5,274.38
Amber Norris (AN)	225.50	225.50	\$310	\$69,905.00	\$67,807.85
Joseph E. Bear (JEB)	56.90	56.90	\$250	\$14,225.00	\$13,798.25
Laura Graham (LG)	33.70	33.70	\$250	\$8,425.00	\$8,172.25
Isaac Dalke (ID)	59.70	59.70	\$250	\$14,925.00	\$14,477.25
Meg O'Neill (MO)	17.50	17.50	\$250	\$4,375.00	\$4,243.75
Megan Lynch (ML)	201.90	201.90	\$300	\$60,570.00	\$58,752.90
Ehsan Sadeghi (ES)	111.80	111.80	\$250	\$27,950.00	\$27,111.50
Sarah Hopkins	95.7	95.7	\$250	\$23,925.00	\$23,207.25
<b>Total Hours:</b>	<b>1,389.40</b>	<b>1,389.40</b>			
<b>PLO CLAIMED FEES:</b>				<b>\$572,057.00</b>	<b>\$554,895.29</b>
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Hongyu Min (HM)	1.40	1.40	\$160	\$224.00	\$217.28
<b>Total Hours:</b>	<b>1.40</b>	<b>1.40</b>			
<b>DREDF CLAIMED FEES:</b>				<b>\$224.00</b>	<b>\$217.28</b>
<b>TOTAL CLAIMED CDCR/AOAP MONITORING FEES:</b>				<b>\$1,137,831.50</b>	<b>\$1,103,696.56</b>

**Armstrong v. Brown**

Fourth Quarterly Statement of 2016

October 1, 2016 through December 31, 2016

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

	<u>Costs</u>	<u>Costs Now Owing Based On Negotiated Compromise</u>
<b><u>Rosen, Bien, Galvan &amp; Grunfeld (581-3)</u></b>		
Photocopying (In house)	\$2,362.40	\$2,291.53
Photocopying/printing (Outside)	\$1,355.00	\$1,314.35
Translation/Interpreter Services	\$646.95	\$627.54
Online Research - PACER, Westlaw	\$72.79	\$70.61
Postage & Delivery	\$479.57	\$465.18
Telephone	\$21.25	\$20.61
Travel - Mileage, Tolls, Food	<u>\$5,881.03</u>	<u>\$5,704.60</u>
<b>Total RBGG Costs:</b>	<b>\$10,818.99</b>	<b>\$10,494.42</b>
<b><u>Prison Law Office</u></b>		
Photocopying (In house)	\$1,084.40	\$1,051.87
Interpreter services	\$1,340.00	\$1,299.80
Travel - Mileage, Tolls, Food	\$11,978.59	\$11,619.23
Postage & Delivery	<u>\$974.25</u>	<u>\$945.02</u>
<b>Total PLO Costs:</b>	<b>\$15,377.24</b>	<b>\$14,915.92</b>
<b><u>Disability Rights Education &amp; Defense Fund, Inc.</u></b>		
Photocopying (in-house)	\$63.60	\$61.69
Postage & Delivery	<u>\$17.55</u>	<u>\$17.02</u>
<b>Total DREDF Costs:</b>	<b>\$81.15</b>	<b>\$78.72</b>
<b>TOTAL CLAIMED CDCR/AOAP MERITS/MONITORING COSTS:</b>	<b>\$26,277.38</b>	<b>\$25,489.06</b>

# **EXHIBIT B**

**Armstrong v. Brown**  
Fourth Quarterly Statement of 2016  
October 1, 2016 through December 31, 2016

**BPH SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
BPH	\$29,399.73	\$457.28
	<b>TOTAL:</b>	<b>\$29,857.01</b>

**Armstrong v. Brown**

Fourth Quarterly Statement of 2016  
 October 1, 2016 through December 31, 2016  
**Matter: BPH**

<u>BPH (581-4)</u>	Actual	Claimed	2016	Fees Now Owing	
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Total</u>	<u>Based on Negotiated Compromise</u>
<b><u>BPH MONITORING (581-4)</u></b>					
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	0.3	0	\$900	\$0.00	\$0.00
Ernest Galvan (EG)	1	1	\$740	\$740.00	\$717.80
Gay C. Grunfeld (GCG)	0.50	0.50	\$790	\$395.00	\$383.15
Thomas Nolan (TN)	25.50	25.50	\$610	\$15,555.00	\$15,088.35
F. Gail LaPurja (FGL)	0.10	0.00	\$230	\$0.00	\$0.00
Katherine Hamilton (KCH)	10.80	10.40	\$230	\$2,392.00	\$2,320.24
<b>Total Hours:</b>	<b>36.90</b>	<b>36.40</b>			
<b>RBGG CLAIMED FEES:</b>				<b>\$19,082.00</b>	<b>\$18,509.54</b>
<b><u>PRISON LAW OFFICE</u></b>					
Sara Norman (SN)	0.40	0.40	\$750	\$300.00	\$291.00
Rana Anabtawi (RA)	22.30	22.30	\$490	\$10,927.00	\$10,599.19
<b>Total Hours:</b>	<b>0.40</b>	<b>0.40</b>			
<b>PLO CLAIMED FEES:</b>				<b>\$11,227.00</b>	<b>\$10,890.19</b>
<b>TOTAL CLAIMED FEES FOR BPH WORK:</b>				<b>\$30,309.00</b>	<b>\$29,399.73</b>

**Armstrong v. Brown**

Fourth Quarterly Statement of 2016  
 October 1, 2016 through December 31, 2016

**Costs**

***Matter: BPH***

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

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

<u>Costs</u>	<u>Costs Now Owing Based On</u>	<u>Negotiated Compromise</u>
	\$69.60	\$67.51
	<u>\$165.25</u>	<u>\$160.29</u>
Total RBGG Costs:	\$234.85	\$227.80

**Prison Law Office**

Travel - Mileage, Tolls, Food

	\$236.57	<u>\$229.47</u>
Total PLO Costs:	\$236.57	\$229.47

TOTAL CLAIMED BPH COSTS:	\$471.42	\$457.28
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# **EXHIBIT C**

**Armstrong v. Brown**  
Fourth Quarterly Statement of 2016  
October 1, 2016 through December 31, 2016

**DAPO SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COST</u></b>
DAPO MONITORING	\$289,762.77	\$7,019.08
	<b>TOTAL CLAIMED:</b>	<b>\$296,781.84</b>

**Armstrong v. Brown**

Fourth Quarterly Statement of 2016

October 1, 2016 through December 31, 2016

**Matter: DAPO Monitoring**

<b><u>DAPO Monitoring (581-9)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2016</b>	<b>Fees Now Owing</b>	
	<b><u>Hours</u></b>	<b><u>Hours</u></b>	<b><u>Rates</u></b>	<b><u>Total</u></b>	<b><u>Based on Negotiated Compromise</u></b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	1.50	1.50	\$900	\$1,350.00	\$1,309.50
Gay C. Grunfeld (GCG)	48.50	48.50	\$790	\$38,315.00	\$37,165.55
Ernest Galvan (EG)	0.90	0.90	\$740	\$666.00	\$646.02
Penny Godbold (PG)	101.80	98.90	\$650	\$64,285.00	\$62,356.45
Thomas Nolan (TN)	18.00	18.00	\$610	\$10,980.00	\$10,650.60
Benjamin Bien-Kahn (BBK)	69.60	63.20	\$490	\$30,968.00	\$30,038.96
Krista Stone-Manista (KSM)	29.20	27.00	\$490	\$13,230.00	\$12,833.10
Jenny S. Yelin (JSY)	73.00	68.90	\$475	\$32,727.50	\$31,745.68
Pablo Lastra (PAL)	83.20	77.50	\$435	\$33,712.50	\$32,701.13
Christopher Hu (CDH)	36.40	34.40	\$410	\$14,104.00	\$13,680.88
Karen Stilber (KES)	16.60	14.80	\$300	\$4,440.00	\$4,306.80
F. Gail LaPurja (FGL)	25.20	20.70	\$275	\$5,692.50	\$5,521.73
Kelly McGraw (KAM)	63.80	56.20	\$230	\$12,926.00	\$12,538.22
Katherine Hamilton (KCH)	2.50	0.00	\$230	\$0.00	\$0.00
Fely Villadelgado (FFV)	0.50	0.00	\$275	\$0.00	\$0.00
Nathalie Welch (NCW)	203.50	153.60	\$230	\$35,328.00	\$34,268.16
<b>Total Hours:</b>	<b>774.20</b>	<b>684.10</b>			
<b>RBGG CLAIMED FEES:</b>				<b>\$298,724.50</b>	<b>\$289,762.77</b>
<b>TOTAL CLAIMED FOR DAPO MONITORING WORK:</b>				<b>\$298,724.50</b>	<b>\$289,762.77</b>

**Armstrong v. Brown**

Fourth Quarterly Statement of 2016  
 October 1, 2016 through December 31, 2016

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

	<u>Costs</u>	<u>Costs Now Owing Based On Negotiated Compromise</u>
Photocopying (in-house)	\$1,774.40	\$1,721.17
Photocopying (outside)	\$214.64	\$208.20
Interpreting Services	\$351.60	\$341.05
Process Serving (subpoena - multiple attempts)	\$1,152.50	\$1,117.93
Westlaw	\$57.55	\$55.82
Long distance telephone charges	\$24.40	\$23.67
Outside Postage & Delivery	\$88.59	\$85.93
Inhouse Postage	\$43.50	\$42.20
Travel - Mileage, Tolls, Food	<u>\$3,528.98</u>	<u>\$3,423.11</u>
Total RBGG Costs:	\$7,236.16	\$7,019.08
<b>TOTAL CLAIMED DAPO MONITORING COSTS:</b>	<b>\$7,236.16</b>	<b>\$7,019.08</b>

# **EXHIBIT D**

**Armstrong v. Brown**  
**Fourth Quarterly Statement of 2016**  
**October 1, 2016 through December 31, 2016**

**SUMMARY OF UNDISPUTED FEES WORK AND COSTS**

	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
FEES WORK (ALL MATTERS)	\$13,599.40	\$250.39
	<b>TOTAL:</b>	<b>\$13,849.79</b>

**Armstrong v. Brown**

Fourth Quarterly Statement of 2016  
 October 1, 2016 through December 31, 2016  
**Matter: All Matters Fees Work**

<b><u>Fees (581-2)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2016</b>	<b>Fees Now Owing</b>	
	<b><u>Hours</u></b>	<b><u>Hours</u></b>	<b><u>Rates</u></b>	<b><u>Total</u></b>	<b><u>Based on Negotiated Compromise</u></b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Gay C. Grunfeld (GCG)	9.30	9.30	\$790	\$7,347.00	\$7,126.59
Benjamin Bien-Kahn (BBK)	0.10	0.00	\$490	\$0.00	\$0.00
Karen E. Stilber (KES)	17.70	16.70	\$300	\$5,010.00	\$4,859.70
<b>Total Hours:</b>	<b>27.10</b>	<b>26.00</b>			
<b>RBGG CLAIMED FEES:</b>				<b>\$12,357.00</b>	<b>\$11,986.29</b>
<b><u>PRISON LAW OFFICE</u></b>					
Corene Kendrick (CK)	0.9	0.9	\$650	\$585.00	\$567.45
Ashley Kirby (AK)	4.6	4.6	\$200	\$920.00	\$892.40
<b>Total Hours:</b>	<b>5.50</b>	<b>5.50</b>			
<b>PLO CLAIMED FEES:</b>				<b>\$1,505.00</b>	<b>\$1,459.85</b>
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Linda Kilb (LDK)	0.20	0.20	\$790	\$158.00	\$153.26
<b>Total Hours:</b>	<b>0.20</b>	<b>0.20</b>			
<b>DREDF CLAIMED FEES:</b>				<b>\$158.00</b>	<b>\$153.26</b>
<b>TOTAL CLAIMED FEES FOR ARMSTRONG FEES WORK:</b>				<b>\$14,020.00</b>	<b>\$13,599.40</b>

**Armstrong v. Brown**

Fourth Quarterly Statement of 2016  
 October 1, 2016 through December 31, 2016

**Costs**

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

	<u>Costs</u>	<u>Costs Now Owing Based On Negotiated Compromise</u>
<b><u>Rosen, Bien, Galvan &amp; Grunfeld (581-2)</u></b>		
Photocopying and Printing (in-house)	\$212.60	\$206.22
Postage & Delivery	\$41.93	\$40.67
<b>Total RBGG Costs:</b>	<b>\$254.53</b>	<b>\$246.89</b>
<b><u>Disability Rights Education &amp; Defense Fund, Inc.</u></b>		
Photocopying (in-house)	\$3.60	\$3.49
<b>Total DREDF Costs:</b>	<b>\$3.60</b>	<b>\$3.49</b>
 <b>TOTAL CLAIMED FEES WORK COSTS :</b>	 <b>\$258.13</b>	 <b>\$250.39</b>