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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 FIRST 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 April 15, 2015 Plaintiffs served on Defendants  
5 their First Quarterly Statement for 2015 by overnight delivery. The parties completed their  
6 meet-and-confer process on June 17, 2015 as to the fees and costs incurred on all matters.

7 As a result of the June 17, 2015 agreement, the parties agree to the following:

8 The parties agree to the payment of \$862,373.62 to resolve all fees and costs  
9 incurred during the First Quarter of 2015, for monitoring and/or litigation activities in the  
10 California Department of Corrections of Rehabilitation Division of Adult Operations and  
11 Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are  
12 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by  
13 the parties to settle these claims.

14 The parties agree to the payment of \$25,364.59 to resolve all fees and costs incurred  
15 during the First Quarter of 2015, for monitoring and/or litigation activities in the Board of  
16 Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts setting  
17 forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the parties to  
18 settle these claims.

19 The parties agree to the payment of \$189,847.67 to resolve all fees and costs  
20 incurred during the First Quarter of 2015, for monitoring and/or litigation activities in the  
21 Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as  
22 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts  
23 agreed to by the parties to settle these claims.

24 The parties agree to the payment of \$13,132.42 to resolve all fees and costs incurred  
25 during the First Quarter of 2015, for fees on fees. Attached hereto as **Exhibit D** are charts  
26 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the  
27 parties to settle these claims.

28 IT IS HEREBY ORDERED that the amounts set forth above are due and

1 collectable as of forty-five days from the date of entry of this Order. Interest on these fees  
2 and costs will run from May 18, 2015, accruing at the rate provided by 28 U.S.C. § 1961.

3  
4 DATED: 06/29/2015

5 

6  
7 THE HONORABLE CLAUDIA WILKEN  
8 UNITED STATES DISTRICT JUDGE

9 APPROVED AS TO FORM:

10  
11 DATED: June 26, 2015

/s/ Edward R. Fluet

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

14 DATED: June 26, 2015

/s/ Blake Thompson

15 Blake Thompson  
16 Rosen Bien Galvan & Grunfeld LLP  
Attorneys for Plaintiffs

# **EXHIBIT A**

**Armstrong v. Brown**  
First Quarterly Statement of 2015  
January 1, 2015 through March 31, 2015

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

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
CDCR/AOAP MONITORING	\$842,624.64	\$19,748.98
	<b>TOTAL:</b>	<b>\$862,373.62</b>

**Armstrong v. Brown**  
 First Quarterly Statement of 2015  
 January 1, 2015 through March 31, 2015  
**Matter: CDCR/AOAP Monitoring/Merits**

<b><u>Monitoring (581-3)</u></b>	<b>Actual Hours</b>	<b>Claimed Hours</b>	<b>2015 Rates</b>	<b>Total Claimed Fees</b>	<b>Fees Now Owing Based on Negotiated Compromise</b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	7.60	7.60	\$840	\$6,384.00	\$6,128.64
Gay C. Grunfeld (GCG)	28.70	28.70	\$710	\$20,377.00	\$19,561.92
Thomas Nolan (TN)	183.00	176.20	\$590	\$103,958.00	\$99,799.68
Lisa Ellis (LAE)	12.80	12.50	\$525	\$6,562.50	\$6,300.00
Aaron Fischer (AJF)	0.50	0.00	\$490	\$0.00	\$0.00
Blake Thompson (BT)	11.20	11.10	\$480	\$5,328.00	\$5,114.88
Michael Freedman (MLF)	142.90	140.60	\$470	\$66,082.00	\$63,438.72
Benjamin Bien-Kahn (BBK)	0.10	0.00	\$440	\$0.00	\$0.00
Krista Stone-Manista (KSM)	91.20	84.60	\$440	\$37,224.00	\$35,735.04
Sarah Poppy Alexander (SPA)	0.10	0.00	\$380	\$0.00	\$0.00
Rolayn Tauben (RLT)	193.40	153.40	\$295	\$45,253.00	\$43,442.88
Karen Stilber (KES)	55.50	53.90	\$290	\$15,631.00	\$15,005.76
Diana Gama (DAG)	48.70	45.40	\$250	\$11,350.00	\$10,896.00
Doris Tseng (DT)	12.80	12.30	\$250	\$3,075.00	\$2,952.00
Lauren Vandermortel (LWV)	12.70	12.70	\$220	\$2,794.00	\$2,682.24
Haruka Roudebush (HR)	57.80	41.20	\$250	\$10,300.00	\$9,888.00
Fely Villadelgado (FFV)	0.30	0.00	\$250	\$0.00	\$0.00
Greg Gonzalez (GZG)	2.40	0.00	\$250	\$0.00	\$0.00
Lucy Taylor (LRT)	131.80	113.30	\$250	\$28,325.00	\$27,192.00
Charlotte Landes (CJL)	25.80	21.60	\$220	\$4,752.00	\$4,561.92
Kelly McGraw (KAM)	162.80	144.00	\$220	\$31,680.00	\$30,412.80
Sasha Beder-Schenker (SBS)	1.3	0	\$220	\$0.00	\$0.00
<b>Total Hours:</b>	<b>1183.40</b>	<b>1059.10</b>		<b>\$399,075.50</b>	<b>\$383,112.48</b>
<b>RBGG CLAIMED FEES:</b>					<b>\$383,112.48</b>
<b><u>PRISON LAW OFFICE</u></b>					
Donald Specter (DS)	16.00	16.00	\$845	\$13,520.00	\$12,979.20
Sara Norman (SN)	42.90	42.90	\$640	\$27,456.00	\$26,357.76
Alison Hardy (AH)	1.10	1.10	\$630	\$693.00	\$665.28
Rebekah Evenson (RE)	204.40	204.40	\$600	\$122,640.00	\$117,734.40
Penny Godbold (PG)	123.90	123.90	\$510	\$63,189.00	\$60,661.44
Corene Kendrick (CK)	109.90	109.90	\$510	\$56,049.00	\$53,807.04
Kelly Knapp (KK)	89.00	89.00	\$480	\$42,720.00	\$41,011.20
Amber Norris (AN)	238.10	238.10	\$290	\$69,049.00	\$66,287.04
Megan Lynch (ML)	106.60	106.60	\$250	\$26,650.00	\$25,584.00
Nora Searle (NS)	38.20	38.20	\$250	\$9,550.00	\$9,168.00
John Bonacorsi (JB)	102.80	102.80	\$250	\$25,700.00	\$24,672.00
Joyce de la Pena (JP)	19.60	19.60	\$250	\$4,900.00	\$4,704.00
Sarah Hopkins (SH)	7.80	7.80	\$250	\$1,950.00	\$1,872.00
Viviana Arcia (VA)	55.50	55.50	\$250	\$13,875.00	\$13,320.00
<b>Total Hours:</b>	<b>1155.80</b>	<b>1155.80</b>		<b>\$477,941.00</b>	<b>\$458,823.36</b>
<b>PLO CLAIMED FEES:</b>					<b>\$458,823.36</b>
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Linda Kilb (LDK)	0.50	0.50	\$745	\$372.50	\$357.60
Hongyu Min (HM)	2.30	2.30	\$150	\$345.00	\$331.20
<b>Total Hours:</b>	<b>2.80</b>	<b>2.80</b>		<b>\$717.50</b>	
<b>DREDF CLAIMED FEES:</b>					<b>\$688.80</b>
<b>TOTAL UNDISPUTED CDCR/AOAP MONITORING FEES:</b>					<b>\$842,624.64</b>

**Armstrong v. Brown**  
 First Quarterly Statement of 2015  
 January 1, 2015 through March 31, 2015  
Costs

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

	<u>Claimed Costs</u>	<u>Withdrawn by Plaintiffs</u>	<u>Undisputed Costs Now Owing</u>
<b><u>Rosen, Bien, Galvan &amp; Grunfeld (581-3)</u></b>			
Photocopying (In house)	\$1,556.00	\$62.24	\$1,493.76
Photocopying/printing (Outside)	\$792.17	\$31.69	\$760.48
Interpreting services	\$600.00	\$24.00	\$576.00
Transcripts	\$96.60	\$3.86	\$92.74
Online Research - PACER	\$16.40	\$0.66	\$15.74
Postage & Delivery	\$580.61	\$23.22	\$557.39
Travel - Mileage, Tolls, Food	\$5,087.14	\$203.49	\$4,883.65
Telephone	\$12.55	\$0.50	\$12.05
<b>Total RBGG Costs:</b>	<b>\$8,741.47</b>	<b>\$349.66</b>	<b>\$8,391.81</b>
<b><u>Prison Law Office</u></b>			
Photocopying (In house)	\$1,145.50	\$45.82	\$1,099.68
Expert Services (Subia Consulting)	\$975.00	\$39.00	\$936.00
Postage & Delivery	\$1,051.78	\$42.07	\$1,009.71
Travel - Mileage, Tolls, Food	\$8,432.74	\$337.31	\$8,095.43
Interpreting and Translation Services	\$75.00	\$3.00	\$72.00
<b>Total PLO Costs:</b>	<b>\$11,680.02</b>	<b>\$467.20</b>	<b>\$11,212.82</b>
<b><u>Disability Rights Education &amp; Defense Fund, Inc.</u></b>			
Photocopying (in-house)	\$116.20	\$4.65	\$111.55
Postage & Delivery	\$34.16	\$1.37	\$32.79
<b>Total DREDF Costs:</b>	<b>\$150.36</b>	<b>\$6.01</b>	<b>\$144.35</b>
<b>TOTAL UNDISPUTED CDCR/AOAP MERITS/MONITORING COSTS:</b>			<b>\$19,748.98</b>

# **EXHIBIT B**



**Armstrong v. Brown**

**First Quarterly Statement of 2015**

**January 1, 2015 through March 31, 2015**

**BPH SUMMARY OF CLAIMED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
BPH	\$24,845.76	\$518.83
	<b>TOTAL:</b>	<b>\$25,364.59</b>

**Armstrong v. Brown**  
 First Quarterly Statement of 2015  
 January 1, 2015 through March 31, 2015  
**Matter: BPH**

<b><u>BPH (581-4)</u></b>	<b><u>Actual Hours</u></b>	<b><u>Claimed Hours</u></b>	<b><u>2015 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>					
Gay C. Grunfeld (GCG)	0.30	0.30	\$710	\$213.00	\$204.48
Thomas Nolan (TN)	13.20	13.20	\$590	\$7,788.00	\$7,476.48
Blake Thompson (BT)	3.10	3.10	\$480	\$1,488.00	\$1,428.48
Total Hours:	16.60	16.60		\$9,489.00	
<b>RBGG CLAIMED FEES:</b>					<b>\$9,109.44</b>
<b><u>PRISON LAW OFFICE</u></b>					
Sara Norman (SN)	1.00	1.00	\$640	\$640.00	\$614.40
Rana Anabtawi (RA)	35.80	35.80	\$440	\$15,752.00	\$15,121.92
Total Hours:	36.80	36.80		\$16,392.00	
<b>PLO CLAIMED FEES:</b>					<b>\$15,736.32</b>
<b>TOTAL UNDISPUTED FEES FOR BPH WORK:</b>					<b>\$24,845.76</b>

**Armstrong v. Brown**  
 First Quarterly Statement of 2015  
 January 1, 2015 through March 31, 2015  
**Costs**

**Matter: BPH**

	<u>Claimed Costs</u>	<u>Withdrawn by Plaintiffs</u>	<u>Undisputed Costs Now Owing</u>
<b><u>Rosen, Bien, Galvan &amp; Grunfeld (581-4)</u></b>			
Telephone	\$1.00	\$0.04	\$0.96
Photocopying (in house)	\$41.20	\$1.65	\$39.55
Travel - Mileage, Tolls, Food	\$97.70	\$3.91	\$93.79
<b>Total RBGG Costs:</b>	<b>\$139.90</b>	<b>\$5.60</b>	<b>\$134.30</b>
 <b><u>Prison Law Office</u></b>			
Travel - Mileage, Tolls, Food	\$400.55	\$16.02	\$384.53
<b>Total PLO Costs:</b>	<b>\$400.55</b>	<b>\$16.02</b>	<b>\$384.53</b>
 <b>TOTAL UNDISPUTED BPH COSTS:</b>			<b>\$518.83</b>

# **EXHIBIT C**

**Armstrong v. Brown**  
First Quarterly Statement of 2015  
January 1, 2015 through March 31, 2015

**DAPO SUMMARY OF CLAIMED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
DAPO MONITORING	\$183,981.60	\$5,866.07
	<b>TOTAL:</b>	<b>\$189,847.67</b>

**Armstrong v. Brown**  
First Quarterly Statement of 2015  
January 1, 2015 through March 31, 2015  
**Matter: DAPO Monitoring**

<b><u>DAPO Monitoring (581-9)</u></b>	<b><u>Actual Hours</u></b>	<b><u>Claimed Hours</u></b>	<b><u>2015 Rates</u></b>	<b><u>Total Claimed Fees</u></b>	<b><u>Fees Now Owing Based on Negotiated Compromise</u></b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael Bien (MWB)	0.20	0.20	\$840	\$168.00	\$161.28
Gay C. Grunfeld (GCG)	16.10	16.10	\$710	\$11,431.00	\$10,973.76
Lisa Ells (LAE)	1.70	0.00	\$525	\$0.00	\$0.00
Aaron Fischer (AJF)	70.30	68.50	\$490	\$33,565.00	\$32,222.40
Blake Thompson (BT)	5.30	0.00	\$480	\$0.00	\$0.00
Michael Freedman (MLF)	15.80	13.70	\$470	\$6,439.00	\$6,181.44
Benjamin Bien-Kahn (BBK)	89.00	83.30	\$440	\$36,652.00	\$35,185.92
Krista Stone-Manista (KSM)	0.30	0.00	\$440	\$0.00	\$0.00
Jenny Yelin (JSY)	136.50	123.60	\$420	\$51,912.00	\$49,835.52
Rolayn Tauben (RLT)	20.60	13.70	\$295	\$4,041.50	\$3,879.84
Karen Stilber (KES)	0.40	0.00	\$290	\$0.00	\$0.00
Lucy Taylor (LRT)	55.80	53.50	\$250	\$13,375.00	\$12,840.00
Diana Gama (DAG)	79.40	66.70	\$250	\$16,675.00	\$16,008.00
Kelly McGraw (KAM)	42.90	29.10	\$220	\$6,402.00	\$6,145.92
<b>Total Hours:</b>	<b>534.30</b>	<b>468.40</b>		<b>\$180,660.50</b>	
<b>RBGG CLAIMED FEES:</b>					<b>\$173,434.08</b>
<b><u>MORGAN LEWIS</u></b>					
Geoffrey Holtz (GH)	0.20	0.20	\$785	\$157.00	\$150.72
Cameron Saul (CS)	22.80	22.80	\$475	\$10,830.00	\$10,396.80
<b>Total Hours:</b>	<b>22.80</b>	<b>22.80</b>		<b>\$10,987.00</b>	
<b>ML CLAIMED FEES:</b>					<b>\$10,547.52</b>
<b>TOTAL UNDISPUTED FEES FOR DAPO MONITORING WORK:</b>					<b>\$183,981.60</b>

**Armstrong v. Brown**

First Quarterly Statement of 2015  
January 1, 2015 through March 31, 2015

**Costs*****Matter: DAPO Monitoring***

	<b><u>Claimed Costs</u></b>	<b><u>Withdrawn by Plaintiffs</u></b>	<b><u>Undisputed Costs Now Owing</u></b>
<b><u>Rosen, Bien, Galvan &amp; Grunfeld (581-9)</u></b>			
Photocopying (in-house)	\$680.20	\$27.21	\$652.99
Photocopying (outside)	\$302.54	\$12.10	\$290.44
Lexis/Westlaw	\$227.60	\$9.10	\$218.50
Online Research - PACER and Legislative History	\$0.30	\$0.01	\$0.29
Interpeting Services	\$1,345.00	\$53.80	\$1,291.20
Postage & Delivery	\$6.37	\$0.25	\$6.12
Telephone	\$16.20	\$0.65	\$15.55
Travel - Mileage, Tolls, Food	\$2,626.56	\$105.06	\$2,521.50
<b>Total RBGG Costs:</b>	<b>\$5,204.77</b>	<b>\$208.19</b>	<b>\$4,996.58</b>
<b><u>Morgan, Lewis &amp; Bockius LLP</u></b>			
Travel - Mileage, Tolls, Food	\$905.72	\$36.23	\$869.49
<b>Total ML Costs:</b>	<b>\$905.72</b>	<b>\$36.23</b>	<b>\$869.49</b>
<b>TOTAL UNDISPUTED DAPO MONITORING COSTS:</b>			<b>\$5,866.07</b>

# **EXHIBIT D**



**Armstrong v. Brown**  
**First Quarterly Statement of 2015**  
**March 1, 2015 through March 31, 2015**

**SUMMARY OF CLAIMED FEES WORK AND COSTS**

	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
FEES WORK (ALL MATTERS)	\$12,930.24	\$202.18
<b>TOTAL:</b>		<b>\$13,132.42</b>

**Armstrong v. Brown**  
First Quarterly Statement of 2015  
January 1, 2015 through March 31, 2015  
***Matter: All Matters Fees Work***

<b><u>Fees (581-2)</u></b>	<b><u>Actual Hours</u></b>	<b><u>Claimed Hours</u></b>	<b><u>2015 Rates</u></b>	<b><u>Total Claimed Fees</u></b>	<b><u>Fees Now Owing Based on Negotiated Compromise</u></b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Gay C. Grunfeld (GCG)	5.80	5.80	\$710	\$4,118.00	\$3,953.28
Lisa Ells (LAE)	0.30	0.00	\$525	\$0.00	\$0.00
Blake Thompson (BT)	3.90	3.90	\$480	\$1,872.00	\$1,797.12
Karen Stilber (KES)	4.20	4.20	\$290	\$1,218.00	\$1,169.28
Rolayn Taugen (RLT)	0.30	0.00	\$295	\$0.00	\$0.00
Lauren Vandemortel (LWV)	11.90	11.10	\$220	\$2,442.00	\$2,344.32
<b>Total Hours:</b>	<b>10.00</b>	<b>9.70</b>		<b>\$9,650.00</b>	
<b>RBGG CLAIMED FEES:</b>					<b>\$9,264.00</b>
<b><u>PRISON LAW OFFICE</u></b>					
Rebekah Evenson (RE)	2.2	2.2	\$600	\$1,320.00	\$1,267.20
Edie DeGraff (ED)	6.60	6.60	\$195	\$1,287.00	\$1,235.52
<b>Total Hours:</b>	<b>8.80</b>	<b>8.80</b>		<b>\$2,607.00</b>	
<b>PLO CLAIMED FEES:</b>					<b>\$2,502.72</b>
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Linda Kilb (LDK)	1.10	1.10	\$745	\$819.50	\$786.72
<b>Total Hours:</b>	<b>1.10</b>	<b>1.10</b>		<b>\$819.50</b>	
<b>DREDF CLAIMED FEES:</b>					<b>\$786.72</b>
<b><u>MORGAN LEWIS</u></b>					
Geoffrey Holtz (GH)	0.50	0.50	\$785	\$392.50	\$376.80
<b>Total Hours:</b>	<b>0.50</b>	<b>0.50</b>		<b>\$392.50</b>	
<b>MORGAN LEWIS CLAIMED FEES:</b>					<b>\$376.80</b>
<b>TOTAL UNDISPUTED FEES FOR ARMSTRONG FEES WORK:</b>					<b>\$12,930.24</b>

**Armstrong v. Brown**  
 First Quarterly Statement of 2015  
 January 1, 2015 through March 31, 2015  
Costs

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

	<u>Claimed Costs</u>	<u>Withdrawn by Plaintiffs</u>	<u>Undisputed Costs Now Owing</u>
<b><u>Rosen, Bien, Galvan &amp; Grunfeld (581-2)</u></b>			
Photocopying and Printing (in-house)	\$143.40	\$5.74	\$137.66
Telephone	\$0.10	\$0.00	\$0.10
Postage & Delivery	\$57.90	\$2.32	\$55.58
<b>Total RBGG Costs:</b>	<b>\$201.40</b>	<b>\$8.06</b>	<b>\$193.34</b>
 <b><u>Disability Rights Education &amp; Defense Fund, Inc.</u></b>			
Photocopying (in-house)	\$9.20	\$0.37	\$8.83
<b>Total DREDF Costs:</b>	<b>\$9.20</b>	<b>\$0.37</b>	<b>\$8.83</b>
 <b>TOTAL UNDISPUTED FEES WORK COSTS :</b>			<b>\$202.18</b>