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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
12

13 RALPH COLEMAN, et al.,
14 Plaintiffs,
15 v.
16 EDMUND G. BROWN, JR., et al.,
17 Defendants.

Case No. 2:90-CV-00520-KJM-DAD

**STIPULATION REGARDING
ATTORNEYS' FEES AND EXPENSES
ARISING FROM *HECKER*
LITIGATION**

Judge: Hon. Dale Drozd

1 On March 2, 2015, the Court entered an Order for Final Approval of Settlement
2 Agreement entered jointly in the above-captioned matter (Docket No. 5284) and in *Hecker*
3 *v. California Department of Corrections and Rehabilitation*, No. 05-CV-2441 KJM-DAD
4 (Docket No. 147). The Settlement Agreement requires that the parties resolve any claims
5 for attorneys' fees and costs arising from the *Hecker* litigation as part of the periodic fees
6 process in *Coleman*. (Docket No. 5284-1 at 12 ¶ 30). Pursuant to this provision of the
7 Settlement Agreement, the parties have met and conferred and have resolved all
8 outstanding issues regarding attorneys' fees and costs incurred in *Hecker*, No. 05-CV-
9 2441.

10 Plaintiffs were represented by two firms in the *Hecker* matter, the Legal Aid Society
11 of San Francisco and Rosen Bien Galvan & Grunfeld LLP. Over a period of 12 years, the
12 two firms expended over 6,200 hours on the matter. *See* Exhibit A, Time and Costs
13 Summaries. At the 2014 market rates applicable to actions under the Americans with
14 Disabilities Act, these hours, after reductions for reasonable billing judgment, and with the
15 addition of expenses, would result in a fees and costs award of approximately \$2.5 million.
16 Exhibit A. As part of the settlement, however, Plaintiffs agreed to seek compensation only
17 within the rates cap of the Prison Litigation Reform Act, under which the total amounts to
18 \$1.315 million.

19 The parties have met and conferred regarding further reductions in the attorneys'
20 fees. The parties have now agreed to resolve all issues regarding the *Hecker* fees and costs
21 claims via payment by Defendants' to Plaintiffs' counsel in the amount of \$1,165,426.23,
22 in satisfaction of all claims for attorneys' fees and costs arising from the *Hecker* litigation.

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1 THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE that
2 \$1,165,426.23 plus interest is due and collectable as of sixty (60) days from the date of
3 entry of this Order. Interest on these fees and costs will run from December 6, 2014 (31
4 days after Defendants' receipt of Plaintiffs' statement), accruing at the rate provided by 28
5 U.S.C. § 1961.

6 IT IS SO STIPULATED.

8 DATED: May 26, 2015

/s/ Elise Owens Thorn as authorized on 5/21/15
Elise Owens Thorn
Deputy Attorney General
Attorneys for Defendants

12 DATED: May 26, 2015

/s/ Ernest Galvan
Ernest Galvan
ROSEN BIEN GALVAN & GRUNFELD, LLP
Attorneys for Plaintiffs

16 IT IS SO ORDERED.

17 Dated: June 11, 2015



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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