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12 Attorneys for Plaintiffs

13 UNITED STATES DISTRICT COURT  
 14 EASTERN DISTRICT OF CALIFORNIA  
 15

16 JERRY VALDIVIA, et al.,  
 17 Plaintiffs,  
 18  
 19 v.  
 20 ARNOLD SCHWARZENEGGER, et al.,  
 21 Defendants.

No. Civ. S-94-0671 LKK/GGH

**STIPULATION AND ORDER  
 CONFIRMING UNDISPUTED  
 ATTORNEYS' FEES AND COSTS FOR  
 THE FIRST QUARTER OF 2010**

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1 On July 8, 2004, the District Court established procedures by which plaintiffs are to  
2 collect periodic attorneys' fees and costs in this case in connection with their work monitoring  
3 defendants' compliance with the Court's Orders and collecting fees.

4 Pursuant to these procedures, plaintiffs sent their Quarterly Statement for the Fourth  
5 Quarter of 2009 to defendants via overnight Federal Express on May 12, 2010. The parties  
6 completed their meet and confer on August 4, 2010, and reached an agreement as to most of  
7 the hours and all of the costs incurred, but not as to 2010 hourly rates (the "rates dispute").

8 The parties will defer and hold in abeyance the rates dispute and the dispute over the  
9 remaining hours associated with the Warwick and Non-Revocable Parole matters that are not  
10 settled through this Stipulation until they are settled or addressed through the procedures set  
11 forth in the July 8, 2004 Order, ¶ 4.

12 Subject to resolution of the rates dispute, the parties agree that \$455,252.50 of fees and  
13 costs incurred during the First Quarter of 2010 are undisputed. The undisputed fees are  
14 calculated based upon Plaintiffs' Counsel's 2008 rates. The disputed and undisputed fees and  
15 costs are set forth in Exhibit A attached hereto.

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1           WHEREFORE, IT IS CONFIRMED that \$455,252.50 is due and collectable as of forty-  
2 five days from the date of entry of this Order.

3           Interest on these fees and costs will run from June 12, 2010, accruing at the rate  
4 provided by 28 U.S.C. § 1961.

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6 **IT IS SO STIPULATED.**

7 /s/ S. Anne Johnson           DATED: August 18, 2010


8 S. Anne Johnson  
9 Hanson Bridgett, LLP  
10 Attorneys for Defendants

11 /s/ Maria V. Morris           DATED: August 18, 2010

12 Maria V. Morris  
13 Rosen, Bien & Galvan, LLP  
14 Attorneys for Plaintiffs

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16 **IT IS SO ORDERED.**

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18 Dated: August 26, 2010

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22 LAWRENCE K. KARLTON  
23 SENIOR JUDGE  
24 UNITED STATES DISTRICT COURT  
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