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13 Attorneys for Plaintiffs

14 IN THE UNITED STATES DISTRICT COURT
15 FOR THE EASTERN DISTRICT OF CALIFORNIA

16 L.H., A.Z., D.K., D.R., M.N., and R.C., on behalf of
17 themselves and all other similarly situated juvenile parolees
18 in California,

19 Plaintiffs,

20 v.

21 ARNOLD SCHWARZENEGGER, Governor, State of
22 California, MATTHEW CATE, Secretary, California
23 Department of Corrections and Rehabilitation (“CDCR”);
24 SCOTT KERNAN, Undersecretary of Operations, CDCR;
25 BERNARD WARNER, Chief Deputy Secretary of the
26 Division of Juvenile Justice; RACHEL RIOS, Director,
27 Division of Juvenile Parole Operations; MARTIN HOSHINO,
28 Executive Officer of the Board of Parole Hearings (“BPH”);
ROBERT DOYLE, Chair of the BPH; SUSAN MELANSON,
HENRY AGUILAR, ASKIA ABDULMAJEED, JOSEPH
COMPTON, ROBERT CAMERON, JOYCE ARREDONDO,
MARY SCHAMER, and TRACEY ST. JULIEN,
Commissioners and Board Representatives; CHUCK SUPPLE,
Executive Officer of the Juvenile Parole Board; CDCR;
DIVISION OF JUVENILE JUSTICE; BOARD OF PAROLE
HEARINGS; and the JUVENILE PAROLE BOARD,

Defendants.¹

Case No. 2:06-CV-02042-LKK-GGH

**ORDER CONFIRMING
UNDISPUTED FEES AND COSTS
FOR THE THIRD QUARTER OF 2010**

¹ The names of Defendants currently serving and their CDCR capacities have been substituted pursuant to Fed. R. Civ. P. 25.

1 In a February 11, 2009 Order, this Court established procedures by which plaintiffs are to
2 collect periodic attorneys' fees and costs in this case in connection with their post-judgment
3 work, including for all fee and expense requests from June 5, 2008 forward.

4 Pursuant to these procedures and agreement between the parties, plaintiffs delivered by
5 hand-delivery their Quarterly Statement for the Third Quarter of 2010 covering the period July 1,
6 2010 – September 30, 2010 to defendants on October 7, 2010. Defendants submitted their
7 objections to plaintiffs' statement on November 8, 2010. The parties completed their meet and
8 confer on November 22, 2010, and reached an agreement as to number of hours and costs
9 incurred, but not as to plaintiffs' claim to 2010 hourly rates (the "rates dispute"). Pursuant to the
10 parties' stipulation and this Court's September 29, 2010 Order, the parties will continue to
11 attempt to resolve the rates dispute; any motion regarding plaintiffs' 2010 rates and/or the rates
12 dispute shall be filed no later than January 12, 2011.

13 Subject to resolution of the rates dispute, the parties agree that \$345,203.64 of fees and
14 costs incurred during the Third Quarter of 2010 are undisputed. The undisputed fees are
15 calculated based on negotiated hours at the 2008 rates set forth by Judge Karlton in his March 6,
16 2009 order ("Judge Karlton rates"). Attached hereto as Exhibit A is a chart setting forth the
17 balance currently due for the Third Quarter of 2010, which will become due and owing forty-five
18 days from the entry of this Order. Exhibit A also reflects the remaining third quarter disputed
19 fees, \$62,667.80, which equal the difference between plaintiffs' 2010 rates and Judge Karlton
20 2008 rates for agreed-upon merits hours.

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1 IT IS HEREBY ORDERED that plaintiffs' fees and costs of \$345,203.64, plus interest,
2 are due and collectable as of forty-five (45) days from the date of entry of this Order. Interest on
3 these fees and costs will run from November 8, 2010 accruing at the rate provided by 28 U.S.C.
4 § 1961.

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6 IT IS SO ORDERED.

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8 Dated: December 1, 2010


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

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11 APPROVED AS TO FORM:

12 Dated: November 23, 2010

HANSON BRIDGETT LLP

13
14 /s/ Samantha Wolff
Samantha Wolff
Attorneys for Defendants

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16
17 Dated: November 22, 2010

ROSEN, BIEN & GALVAN, LLP

18
19 /s/ Gay Crosthwait Grunfeld
Gay Crosthwait Grunfeld
Attorneys for Plaintiffs