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 8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA
 10 SACRAMENTO DIVISION

12 **MATTHEW DENNIS,**
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 14 Plaintiff,
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 16 **RALPH DIAZ, in his official capacity;**
 17 **MARTHA MAYS; and KHOUNG PHUI,**
 18 Defendants.

Case No. 2:16-cv-0542 DAD AC P

**JOINT STIPULATION FOR COURT
 APPROVAL OF PLAINTIFF’S
 ATTORNEYS FEES; PROPOSED
 ORDER**

Judge: Honorable Dale A. Drozd
 Trial Date: Not Set
 Action Filed: 3/14/2016

19 Pursuant to California Penal Code section 2085.8, Plaintiff Matthew Dennis and Defendant
 20 Martha Mays, FNP, by and through their respective counsel, stipulate to seek the Court’s
 21 approval of Plaintiff’s attorney fees, on the following grounds:

22 1. At the settlement conference held on December 21, 2023, the parties reached a global
 23 settlement in the instant case as well as *Dennis v. Doser, et al.*, E.D. Cal. Case No. 1:22-cv-
 24 00818. The material terms of the settlement agreement were placed on the record before the
 25 Honorable Jeremy D. Peterson, Magistrate Judge. However, the specific attorney fees requested
 26 to be paid out of the settlement amount were not placed on the record at the close of the
 27 conference.

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1 2. In compliance with Penal Code section 2085.8, subdivision (a), court approval of
2 Plaintiff's attorney fees is necessary prior to completing the settlement, as the statute requires a
3 reasonableness review by the Court in cases involving prisoners.

4 3. Plaintiff's counsel's requested attorney fees for the settlement of *Dennis v. Mays*,
5 E.D. Cal. Case No. 2:16-cv-00542 JAM AC is \$625.00. The total settlement amount for this case
6 is \$2,500.00.

7 4. Coordination of the settlement documents between the parties took additional time
8 due to several factors, such as meeting-and-conferring with Plaintiff's counsel regarding the exact
9 amount of fees for each case, discussing and revisiting the language to be used in the settlement
10 agreement to determine whether or not Plaintiff's outstanding restitution balance would take
11 payment priority over counsel's fees which would have impacted the settlement terms. Once the
12 settlement language was drafted, it was further scrutinized and revised in light of these
13 discussions. When the settlement language approached finalization, it required review and
14 approval from the California Department of Corrections and Rehabilitation (CDCR) before
15 finalizing the settlement agreement terms.

16 5. Plaintiff also understands that pursuant to Penal Code section 2085.8, any amounts
17 owed by a prisoner under restitution, fine, or other court orders, including administrative fees,
18 must be collected by the California Department of Corrections and Rehabilitation (CDCR).

19 6. Therefore, the Court's approval of Plaintiff's attorney fees is necessary before the
20 settlement can be finalized.

21 7. The parties request that the Court review the reasonableness of the proposed attorney
22 fee award in accordance with Penal Code section 2085.8, subdivision (a).

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1 8. Once the Court has reviewed and approved the attorney fee award, the final executed
2 settlement agreement will be forwarded to CDCR for further processing pursuant to the material
3 terms of the settlement reached on December 23, 2023.

4 IT IS SO STIPULATED.

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6 Dated: December 23, 2024



NORMAN D. MORRISON IV
Supervising Deputy Attorney General
Attorneys for Defendant Martha Mays, FNP

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9 Dated: November 1, 2024




TAYLOR HOWARD
Attorney for Plaintiff

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~~(PROPOSED)~~ ORDER

 Good cause appearing, the Court approves the payment of \$625.00 to Plaintiff’s counsel
for reasonable attorneys’ fees incurred in the above matter.

Date: January 7, 2024



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE