

**FILED**

**AUG 13 2009**

**RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT,  
NORTHERN DISTRICT OF CALIFORNIA**

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IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

No. C 90-3094 TEH

ALEJANDRO MADRID, et al.,  
Plaintiffs,  
vs.  
MATTHEW CATE, et al.,  
Defendants.

STIPULATION AND ORDER  
CONFIRMING ATTORNEYS'  
FEES FOR SECOND QUARTER  
OF 2009

The parties, through their respective counsel, hereby stipulate as follows:

On September 21, 1995, this Court established a procedure by which plaintiffs are to collect attorneys' fees for work performed in connection with monitoring and enforcing compliance with the Court's orders. This procedure requires plaintiffs' counsel to submit to defendants a quarterly statement of fees incurred in monitoring work, and permits defendants 30 days from the receipt of plaintiffs' statement to notify plaintiffs of any disputed items. After the parties meet and confer on any of defendant's objections, counsel shall then prepare a stipulated order for payment of the fees not subject to

1 defendant's objections. The Order also states that  
 2 defendants shall have forty-five days from the entry of the  
 3 order to pay the undisputed fees and that interest on any  
 4 undisputed fees will run from the thirty-first day following  
 5 defendants' receipt of plaintiffs' statement, accruing at  
 6 the rate provided by 28 U.S.C. § 1961. Pursuant to this  
 7 procedure, plaintiffs' counsel sent their second quarter  
 8 2009 billing statement demanding **\$406.18** on defendants on  
 9 July 20, 2009. After a meet and confer, defendants do not  
 10 object to payment of **\$406.18** in fees and costs for the  
 11 period from April 1, 2009 through June 30, 2009. This  
 12 agreement is in accord with the Joint Stipulation Regarding  
 13 Payment of Fees dated October 2, 2000.


14 WHEREFORE, the following sums are due and collectable  
 15 within 45 days of the signing of this Order:

<u>Accruing</u>	<u>Amount</u>	<u>Rate</u>	<u>Interest Daily Interest</u>	<u>Date Interest Begins</u>
2 <sup>nd</sup> Qtr.2009	<b>\$406.18</b>	.46%	\$0.005	August 24,2009

16 (Interest rate equals the weekly average 1 year constant  
 17 maturity treasury yield ending July 10, 2009.)

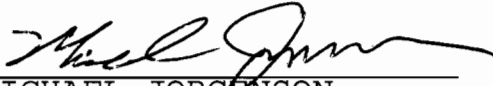
18 IT IS SO ORDERED.

19 Dated: 8/13/09

  
 21 THELTON E. HENDERSON  
 22 Judge  
 23 U.S. District Court

24 APPROVED AS TO FORM.

25 Dated: 8/4/09

  
 26 MICHAEL JORGENSON  
 27 ATTORNEY FOR DEFENDANTS

28 Dated: 7/20/09

  
 DONALD SPECTER  
 ATTORNEY FOR PLAINTIFFS

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DECLARATION OF SERVICE BY MAIL

Case Name: Alejandro Madrid, et al.  
v.  
Matthew Cate, et al

No. C-90-3094 TEH

I am employed in the County of Alameda, California. I am over the age of 18 years and not a party to the within entitled cause: my business address is Prison Law Office, 1917 Fifth Street, Berkeley, California 94710.

On August 10, 2009, I served the attached

***STIPULATION AND ORDER CONFIRMING ATTORNEYS' FEES AND COSTS FOR SECOND QUARTER OF 2009***

in said cause, placing, or causing to be placed, a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid in the United States Mail at Berkeley, California, addressed as follows:

Emily Brinkman, DAG  
Deputy Attorney General  
Office of the Attorney General  
455 Golden Gate, Suite 11000  
San Francisco, CA 94102-3664

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed at Berkeley, California on August 10, 2009.

  
Edie DeGraff