

FILED

JUN 2 2010

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

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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No. C 90-3094 TEH

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

STIPULATION AND ORDER  
CONFIRMING ATTORNEYS'  
FEES FOR FIRST QUARTER  
OF 2010

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 first quarter 2010  
 8 billing statement demanding \$633.70 on defendants on April  
 9 19, 2010. After a meet and confer, defendants do not object  
 10 to payment of \$633.70 in fees and costs for the period from  
 11 January 1, 2010 through March 31, 2010. This agreement is  
 12 in accord with the Joint Stipulation Regarding Payment of  
 13 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>
1 <sup>st</sup> Qtr.2010	\$633.70	.47%	\$0.008	May 21, 2010

18 (Interest rate equals the weekly average 1 year constant  
 19 maturity treasury yield ending April 9, 2001


20 IT IS SO ORDERED.

21 Dated: 6/2/10

  
 \_\_\_\_\_  
 THELTON E. HENDERSON  
 Judge  
 U.S. District Court

24 APPROVED AS TO FORM.

25 Dated: 5/24/10

  
 \_\_\_\_\_  
 MICHAEL JORGENSEN  
 ATTORNEY FOR DEFENDANTS

27 Dated: 4/19/10

  
 \_\_\_\_\_  
 DONALD SPECTER  
 ATTORNEY FOR PLAINTIFFS

MADRID  
TIME AND EXPENSES  
01-01-10 thru 03-31-10

<b>MONITORING</b>	<b><u>HOURS</u></b>	<b><u>RATE</u></b>	<b><u>AMOUNT</u></b>
<b><u>ATTORNEYS</u></b>			
Steven Fama	2.20	208.50	458.70
<b>TOTAL MONITORING</b>			<b>\$458.70</b>
<b><u>FEEES ON FEEES</u></b>			
Edie DeGraff	1.00	170.00	170.00
<b>TOTAL FEEES ON FEEES</b>			<b>\$170.00</b>
<b><u>EXPENSES</u></b>			<b>\$5.00</b>
<b>TOTAL TIME AND EXPENSES</b>			<b>\$633.70</b>

Prison Law Office  
General Delivery  
San Quentin, CA 94964

Madrid v. Davis  
US District Court  
Northern District

In Reference To: No. C 90-3094 TEH

Professional Services

	<u>Hours</u>	<u>Amount</u>
<u>Other</u> _____		
2/8/2010 SF review use of force production of documents received in January 2010	0.40	
2/26/2010 SF Review use of force production of documents received 2/16/10 (large amount)	1.40	
3/12/2010 SF review use of force production of documents, received 3/10/10	0.40	
	<hr/>	<hr/>
For professional services rendered	2.20	\$458.70

User Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Steve Fama	2.20	208.50	\$458.70

Prison Law Office  
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Madrid et al.,  
US District Court  
Northern District  
Fees on Fees

In Reference To: C 90-3094 TEH

Professional Services

	<u>Hours</u>	<u>Amount</u>
<u>Other</u> _____		
2/1/2010 ED Review and finalize time and costs for Q4 billing	1.00	
For professional services rendered	<u>1.00</u>	<u>\$170.00</u>

User Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Edie DeGraff	1.00	170.00	\$170.00

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Additional Charges :

	<u>Amount</u>
<u>\$general</u> _____	
3/31/2010 PLO In-house copying from 1/1/10 thru 3/31/10	5.00
Total costs	<u>\$5.00</u>

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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 May 26, 2010, I served the attached

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

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 May 26, 2010.

  
Edie DeGraff