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 10 IN THE UNITED STATES DISTRICT COURT  
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN FRANCISCO DIVISION

<p>14 <b>DERRICK CLARK, et al.,</b></p> <p>15 Plaintiffs,</p> <p>16 v.</p> <p>17 <b>STATE OF CALIFORNIA, et al.,</b></p> <p>18 Defendants.</p>	<p>C 96-1486 CRB</p> <p><b>STIPULATION TO EXTEND TIME FOR          REMEDIAL PLAN AND MOTION FOR          ATTORNEY'S FEES; [REDACTED]          ORDER</b></p> <p>Judge The Honorable Charles R.          Breyer</p> <p>Action Filed: April 22, 1996</p>
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21 1. On September 16, 2010, this Court issued its Findings of Facts and Conclusions of  
 22 Law denying Defendants' Motion to Terminate the Settlement Agreement. The Court further  
 23 ordered Defendants to submit a plan to plaintiffs' counsel and the Court experts by December 15,  
 24 2010 to address the Court's order for further relief. Findings and Conclusions, at 105.

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 26 2. Since the issuance of the Findings and Conclusions, the parties have conducted  
 27 joint tours of three institutions designated to house class members in order to evaluate conditions  
 28 and gather information about the most effective remedies for the problems identified by the

1 Court. The parties last met on December 7, 2010 to discuss the timing and method of complying  
2 with the Court's orders. During that meeting the parties agreed on a general framework for  
3 developing further plans, including the hiring of an expert by Defendants to assist in evaluating  
4 methods of identifying class members and other aspects of Defendants' compliance efforts. That  
5 framework includes periodic meetings between the parties and a commitment from Defendants to  
6 share remedial proposals on a regular basis. The parties also agreed that a comprehensive and  
7 effective plan to address the issues identified by the Court could not be produced under this  
8 framework by the December 15 deadline previously established.  
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10 3. The parties also have been engaged in negotiations on plaintiffs' request for attorneys'  
11 fees. Plaintiffs have provided defendants time runs and itemized costs and defendants have  
12 responded with objections. The parties are continuing to negotiate this issue.  
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14 Therefore, the parties, through their respective counsel, hereby stipulate as follows:

- 15 a. Defendants shall submit their plan, including a draft of the audit tool, to the  
16 Court's experts and to the Prison Law office, by March 15, 2011;  
17 b. The parties shall meet regularly to discuss progress on Defendants' plan;  
18 c. Defendants shall retain Joan Petersilia to evaluate methods of identifying class  
19 members and other aspects of Defendants' compliance efforts;  
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d. Plaintiffs' motion for attorneys fees shall be filed, if necessary, on or before January 21, 2011.

IT IS SO STIPULATED.

Dated: December 15, 2010

\_\_\_\_\_/s/\_\_\_\_\_  
Donald Specter, Esq.  
Prison Law Office  
Attorney for Plaintiffs

Dated: December 15, 2010

\_\_\_\_\_/s/\_\_\_\_\_  
Jose A. Zelidon-Zepeda  
California Attorney General's Office  
Attorneys for Defendants

PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.

Dated: Dec. 16, 2010

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