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9 IN THE UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
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12 MARCIANO PLATA, et al.,
13

14 Plaintiffs,
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16 v.
17

ARNOLD SCHWARZENEGGER, et al.,
18

Defendants.

No. C-01-1351 T.E.H.

STIPULATION AND ORDER FOR
COLLECTION OF UNDISPUTED
ATTORNEYS' FEES AND COSTS
FOR THIRD QUARTER OF 2008

19 On December 17, 2002, this Court established a procedure by which plaintiffs are
20 to collect attorneys' fees and costs incurred in connection with the Stipulation for
21 Injunctive Relief. This procedure requires plaintiffs' counsel to submit to defendants a
22 quarterly statement of fees incurred in monitoring work, and permits defendants thirty (30)
23 days from the receipt of plaintiffs' statement to notify plaintiffs of any disputed items.
24 After the parties meet and confer on any of defendant's objections, counsel shall then
25 prepare a stipulated order for payment of the fees not subject to defendants' objections.
26 The Order also states that defendants shall have thirty (30) days from the entry of the order
27 to pay the undisputed fees and that interest on any undisputed fees will run from the thirty-
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1 first day after the Order is filed, accruing at the rate provided by 28 U.S.C. § 1961.

2 Pursuant to this procedure, plaintiffs' counsel served their third quarter billing
3 statement demanding \$121,134 for the period from July 1, 2008 through September 30,
4 2008 on December 15, 2008. Following negotiations, the parties stipulate to a payment of
5 \$119,558. Plaintiffs reserve the right to pursue the remainder of the fees, as provided
6 under this Court's December 17, 2002 Order.

7 WHEREFORE, defendants agree to pay plaintiffs' counsel \$119,558 within 30
8 days of the signing of this Order. On the 31st day following the entry of this Order, interest
9 on any unpaid amount will begin to accrue at the rate provided by 28 U.S.C. § 1961 (i.e.,
10 the weekly average 1 year constant maturity Treasury yield for the calendar week
11 preceding the date of the Order.)

12 AGREED TO BY THE PARTIES:

13 Date: January 28, 2009

14 /s/
15 Alison Hardy
16 Attorney for Plaintiffs

17 Date: January 28, 2009

18 Jonathan P. Wolff
19 Jonathan Wolff
20 Supervising Deputy Attorney General
21 Attorney for Defendants

22 I, Alison Hardy, attest that Jonathan Wolff signed this document on Jan 28, 2009

23 IT IS SO ORDERED.

24 Date: 02/12, 2009

