

1 EDMUND G. BROWN JR.  
 Attorney General of California  
 2 ROCHELLE C. EAST  
 Senior Assistant Attorney General  
 3 WILLIAM C. KWONG  
 Deputy Attorney General  
 4 State Bar No. 168010  
 455 Golden Gate Avenue, Suite 11000  
 5 San Francisco, CA 94102-7004  
 Telephone: (415) 703-5724  
 6 Fax: (415) 703-5843  
 E-mail: [William.Kwong@doj.ca.gov](mailto:William.Kwong@doj.ca.gov)

7 *Attorneys for Defendants Schwarzenegger, et al.*  
 8

9  
 10 IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION  
 12

13  
 14 **MARCIANO PLATA, et al.,**

15 Plaintiffs,

16 v.

17 **ARNOLD SCHWARZENEGGER, et al.,**

18 Defendants.  
 19

C 01-01351 TEH

**STIPULATION AND ORDER  
 TEMPORARILY STAYING ALL  
 ATTORNEYS' FEES, COSTS, AND  
 EXPENSES RELATED TO ALL WORK  
 BEFORE THE THREE-JUDGE PANEL  
 UNTIL JANUARY 17, 2011**

Judge: The Honorable Thelton E.  
 Henderson  
 Action Filed: April 5, 2001  
 20

21 Plaintiffs and Defendants stipulate as follows:

22 1. In briefs filed with this court regarding Plaintiffs' attorneys' fees and expenses  
 23 incurred before the Three-Judge Court, Plaintiffs have sought an award of attorneys' fees and  
 24 costs for work performed in connection with the Three-Judge Court proceedings. Defendants  
 25 have contended that a fees and costs award is premature and that the single judges lack  
 26 jurisdiction over these fees matters. Nothing in this Stipulation may be deemed a concession of  
 27 any party's positions on entitlement to or reasonableness of attorneys' fees and costs.  
 28

1           2.     This Court originally granted Defendants' request to stay all attorneys' fees, costs and  
2 expense matters related to the Three-Judge Court and related appeals until July 1, 2010. (*Plata*  
3 Docket 2255.)

4           3.     On June 14, 2010, the U.S. Supreme Court announced that it would hear the Three-  
5 Judge Court case on the merits. Accordingly, the parties jointly agree to extend the stay of all  
6 attorneys' fees, costs and expense matters related to the Three-Judge Court and related appeals  
7 until January 17, 2011. In so doing, Plaintiffs do not waive and will enforce their right to interest  
8 in accordance with the provisions set forth in the December 17, 2002 *Plata* Periodic Fees order.  
9 Defendants do not waive any rights or arguments to object to any and all fees and costs or to  
10 appeal any order regarding fees and costs arising out of the Three-Judge Court proceedings. For  
11 the duration of the stay, any and all deadlines relating to motions or claims for attorneys' fees,  
12 costs, and expenses contained in the Federal Rules of Civil Procedure, the Federal Appellate

13 ///  
14 ///  
15 ///  
16 ///  
17 ///  
18 ///  
19 ///  
20 ///  
21 ///  
22 ///  
23 ///  
24 ///  
25 ///  
26 ///  
27 ///  
28 ///

1 Rules, the U.S. Supreme Court Rules, and/or the Local Rules for the Northern District of  
2 California are stayed. If either party seeks to extend the stay beyond January 17, 2011, the party  
3 may do so by seeking a subsequent stipulation or by filing a noticed motion before this Court.

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: June 30, 2010

Respectfully submitted,  
PRISON LAW OFFICE

/s/ Alison Hardy  
Alison Hardy  
*Attorneys for Plaintiffs*

Dated: June 30, 2010

EDMUND G. BROWN JR.  
Attorney General of California  
ROCHELLE C. EAST  
Senior Assistant Attorney General

/s/ William Kwong  
WILLIAM C. KWONG  
Deputy Attorney General  
*Attorneys for Defendants Schwarzenegger,  
et al.*

SO ORDERED.

Dated: 07/01/10

CA2001CS0001  
20297962.doc

