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Attorneys for Plaintiffs

9 IN THE UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

12 MARCIANO PLATA, et al.,

14 Plaintiffs,

15 v.

16 EDMUND G. BROWN, JR. et al,

17 Defendants.  
18

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

Stipulation to Extend Temporary Stay  
of All Attorneys' Fees, Costs and  
Expenses Related to Work Before the  
Three Judge Panel and the Supreme  
Court of the United States and  
[Proposed] Order Thereon

Judge: Hon. Thelton E. Henderson

28 Stipulation and Order

*Plata v. Brown*, No. C-01-1351 T.E.H.

1 The Parties to the above-captioned case, through their counsel, stipulate as follows:

2 1. In the above-captioned case, as well as in *Coleman v. Brown*, all matters  
3 concerning attorneys' fees, costs and expenses have been stayed pending the decision of  
4 the Supreme Court of the United States in Case No. 09-1233, *Brown v. Plata*. See *Plata*  
5 Docket 2321, 2344; *Coleman* Docket 3948, 2977.

6 2. On May 23, 2011, United States Supreme Court issued its decision in *Brown*  
7 *v. Plata*, \_\_\_ U.S. \_\_\_, 2011 U.S. LEXIS 4012, affirming the three-judge panel decision.  
8 Accordingly, the parties have met and conferred regarding Plaintiffs' attorneys' fees, costs,  
9 and expenses for both the three-judge panel proceedings and the proceedings before the  
10 Supreme Court of the United States. In order to exhaust any possibility of settling these  
11 matters, or of narrowing the disputes as much as possible, the parties jointly request  
12 additional time to meet and confer.

13 3. The parties request that the Court extend the stay of all attorneys' fees, costs  
14 and expense matters related to the Three-Judge Panel and related appeals, including the  
15 appeal to the Supreme Court of the United States and direct the parties to complete their  
16 meet and confer process by August 26, 2011, with any motion for fees, costs and expenses  
17 due 60 days thereafter. In so doing, plaintiffs do not waive and will enforce their right to  
18 interest in accordance with the provisions set forth in the December 8, 2002 Stipulation  
19 and Order for Periodic Collection of Attorney's . Defendants do not waive any rights or  
20 arguments to object to any and all fees and costs or to appeal any order regarding fees and  
21 costs arising out of the Three-Judge Panel proceedings. For the duration of the stay, any  
22 and all deadlines relating to motions or claims for attorneys' fees, costs, and expenses  
23 contained in the Federal Civil Rules, the Federal Appellate Rules, the U.S. Supreme Court  
24 Rules, and/or the Local Rules for the Eastern District of California are stayed.

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1 IT IS SO STIPULATED.  
2

3 DATED: June 13, 2011

/s/  
\_\_\_\_\_  
Alison Hardy  
Prison Law Office  
Attorneys for *Plata* Plaintiffs

6 DATED: June 13, 2011

/s/  
\_\_\_\_\_  
Kyle Lewis  
Deputy Attorney General  
Attorneys for *Plata* Defendants

~~Proposed~~ ORDER

Pursuant to the stipulation of the parties, and good cause appearing, this Court extends the stay of all attorneys' fees, costs and expense matters related to the Three-Judge Panel, and related appeals, including the proceedings before the Supreme Court of the United States, until August 26, 2011, with Plaintiffs application for fees, costs and expenses due 60 days thereafter. Plaintiffs have preserved and do not waive their right to claim interest in accordance with the provisions set forth in the December 18, 2002 Stipulation and Order for Periodic Collection of Attorney's Fees and Costs. Defendants do not waive any rights or arguments to object to any and all fees and costs or to appeal any order regarding fees and costs arising out of the Three-Judge Panel proceedings or related appeals. For the duration of the stay, any and all deadlines relating to motions or claims for attorneys' fees, costs, and expenses contained in the Federal Civil Rules, the Federal Appellate Rules, the U.S. Supreme Court Rules, and/or the Local Rules for the Eastern District of California do not apply.

IT IS SO ORDERED.

DATED: June 14, 2011

