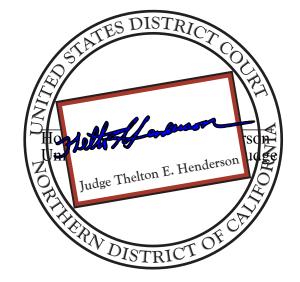
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1 PRISON LAW OFFICE BINGHAM McCUTCHEN **DONALD SPECTER #83925** WARREN E. GEORGE #53588 2 STEVEN FAMA #99641 Three Embarcadero Center ALISON HARDY #135966 San Francisco, CA 94111 3 Telephone: (415) 393-2000 1917 Fifth Street Facsimile: (415) 393-2286 Berkeley, CA 94710 4 Telephone: (510) 280-2621 ahardy@prisonlaw.com 5 6 Attorneys for Plaintiffs 7 8 9 IN THE UNITED STATES DISTRICT COURT 10 NORTHERN DISTRICT OF CALIFORNIA 11 12 MARCIANO PLATA, et al., 13 No. C-01-1351 T.E.H. Plaintiffs, 14 STIPULATION AND ORDER FOR COLLECTION OF UNDISPUTED 15 ATTORNEYS' FEES AND COSTS v. FOR 2010 16 ARNOLD SCHWARZENEGGER, et al., 17 Defendants. 18 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 Injunctive Relief. This procedure requires plaintiffs' counsel to submit to defendants a 21 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. After the parties meet and confer on any of defendant's objections, counsel shall then 24 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-28 Stipulation and Order Re: Collection of 2010 Fees Plata v. Schwarzenegger, No. C-01-1351 T.E.H.

first day after the Order is filed, accruing at the rate provided by 28 U.S.C. § 1961. 1 2 Pursuant to this procedure, plaintiffs' counsel served their fourth quarter billing 3 statement for the period October 1, 2010 through December 31, 2010 on March 31, 2010. 4 Following a meet and confer, the parties agreed to payment of \$221,315 in undisputed fees 5 for the fourth quarter. The attorney market rates referenced in this proposed revision are 6 those contained in Plaintiff's adjusted 2010 billing spreadsheets, and those rates will be for 7 the purposes of calendar year 2010 billings in this matter only. 8 Additionally, the parties had disputed the hourly rate due for the services of 9 litigation assistants during the first through the third quarters of 2010. Following a 10 subsequent meet and confer, however, the parties agreed that defendants would pay an 11 additional \$154,232, based on the hourly rate for litigation assistants of \$180. 12 WHEREFORE, defendants agree to pay plaintiffs' counsel \$375,547 within 30 days of the signing of this Order. On the 31st day following the entry of this Order, interest 13 14 on any unpaid amount will begin to accrue at the rate provided by 28 U.S.C. § 1961 (i.e., 15 the weekly average 1 year constant maturity Treasury yield for the calendar week 16 preceding the date of the Order.) 17 AGREED TO BY THE PARTIES: Date: September 21, 2011 18 Alison Hardy 19 Attorney for Plaintiffs 20 21 Date: September 21, 2011 Kyle A. Lewis 22 Supervising Deputy Attorney General Attorney for Defendants 23 24 I, Alison Hardy, attest that Kyle Lewis signed this document on September 21, 25 2011. 26 27 28

Stipulation and Order Re: Collection of 2010 Fees

IT IS SO ORDERED. Date: ______, 2011



Stipulation and Order Re: Collection of 2010 Fees

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