Plata et al v. Brown et al Doc. 2431

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 Berkeley, CA 94710 Facsimile: (415) 393-2286 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 SECOND QUARTER OF 2011 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 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. 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

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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 second quarter billing 3 statement for the period April 1, 2011 through June 30, 2011 on February 2, 2012. 4 Following a meet and confer, the parties agreed to payment of \$285,088 in undisputed fees 5 and costs billed by plaintiffs' counsel. This stipulation fully settles all costs and fees for 6 the second quarter billing 2011. 7 WHEREFORE, defendants agree to pay plaintiffs' counsel \$285,088 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 preceding the date of the Order.) 11 12 AGREED TO BY THE PARTIES: Date: April 9, 2012 13 Alison Hardy 14 Attorney for Plaintiffs 15 16 Date: April 13, 2012 17 Supervising Deputy Attorney General Attorney for Defendants 18 19 I, Alison Hardy, attest that Kyle Lewis signed this document on April 13, 2012. 20 21 IT IS SO ORDERED. 22 .2012 23 Date: 24 Judge Thelton E. Henderson 25 26 27 28

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