

1 PRISON LAW OFFICE  
DONALD SPECTER #83925  
2 STEVEN FAMA #99641  
ALISON HARDY #135966  
3 1917 Fifth Street  
Berkeley, CA 94710  
4 Telephone: (510) 280-2621  
Facsimile: (510) 280-2704  
5 [ahardy@prisonlaw.com](mailto:ahardy@prisonlaw.com)

6 Attorneys for Plaintiffs

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IN THE UNITED STATES DISTRICT COURT  
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NORTHERN DISTRICT OF CALIFORNIA

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CARLOS PEREZ, et al.,

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Plaintiffs,

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v.

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MATTHEW CATE, et al.,

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Defendants.

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**No. C05-5241 JSW**

**STIPULATION AND ORDER FOR  
PERIODIC COLLECTION OF  
ATTORNEYS' FEES AND COSTS**

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On April 10, 2007, this Court established a procedure by which plaintiffs are to collect attorneys' fees and costs incurred in connection with the Amended Stipulation and Order. This procedure requires plaintiffs' counsel to submit to defendants a quarterly statement of fees incurred in monitoring work, and permits defendants thirty (30) 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 prepare a stipulated order for payment of the fees not subject to defendants' objections. The Order also states that defendants shall have thirty (30) days from the entry of the order to pay the undisputed fees and that interest on any undisputed fees will run from the thirty-first day after the Order is filed, accruing at the rate provided by 28 U.S.C. § 1961.

Pursuant to this procedure, plaintiffs' counsel served their third quarter billing

1 statement demanding \$14,295 for the period from July 1, 2008 through September 30,  
2 2008 on December 22, 2008. Defendants agreed to pay this amount. (Because defendants  
3 object to plaintiffs' regular rate for paralegal work, plaintiffs calculated the billing  
4 statement at the rate defendants are willing to pay. Plaintiffs, however, reserve the right to  
5 move to compel payment at the higher paralegal rate, as provided in the April 10, 2007  
6 order.)

7 WHEREFORE, defendants agree to pay plaintiffs' counsel \$14,295 within 30 days  
8 of the signing of this Order. On the 31<sup>st</sup> day following the entry of this Order, interest on  
9 any unpaid amount will begin to accrue at the rate provided by 28 U.S.C. § 1961 (i.e., the  
10 weekly average 1 year constant maturity Treasury yield for the calendar week preceding  
11 the date of the Order.)

12 AGREED TO BY THE PARTIES:

13 Date: January 30, 2009

14 /s/  
\_\_\_\_\_  
Alison Hardy  
15 Attorney for Plaintiffs

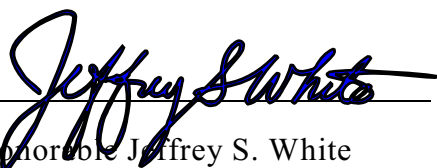
17 Date: January 30, 2009

18 /s/  
\_\_\_\_\_  
Phillip Lindsay  
19 Deputy Attorney General  
20 Attorney for Defendants

21 I, Alison Hardy, attest that Phillip Lindsay signed this document on \_\_\_\_\_, 2009

23 IT IS SO ORDERED.

24 Date: February 3, 2009, ~~2008~~

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\_\_\_\_\_  
26 Honorable Jeffrey S. White  
27 United States District Court Judge  
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