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DONALD SPECTER #83925         STEVEN FAMA #99641         ALISON HARDY #135966         1917 Fifth Street         Berkeley, CA 94710         Telephone: (510) 280-2704         ahardy@prisonlaw.com         Attorneys for Plaintiffs         7         8         9       IN THE UNITED STATES DISTRICT COURT         9       NORTHERN DISTRICT OF CALIFORNIA         10         11         12         13       Plaintiffs,         14         15         16         17         18         19         11         12         13         14         15         16         17         18         19         19         11         12         13         14         15         16         17         18         19         110         111         112         113         114         115         11	¢	Case 3:05-cv-05241-JSW	Document 363	Filed 03/19/2009	Page 1 of 2	
<ul> <li>2 STEVEN FAMA #99641 ALISON HARDY #135966</li> <li>3 1917 Fifth Street Berkeley, CA 94710</li> <li>3 Telephone: (510) 280-2621 Faesimile: (510) 280-2704</li> <li>3 ahardy@prisonlaw.com</li> <li>6 Attorneys for Plaintiffs</li> <li>7</li> <li>8 IN THE UNITED STATES DISTRICT COURT</li> <li>9 NORTHERN DISTRICT OF CALIFORNIA</li> <li>10</li> <li>11</li> <li>12</li> <li>CARLOS PEREZ, et al.,</li> <li>9 Plaintiffs,</li> <li>14</li> <li>9 Plaintiffs,</li> <li>15</li> <li>16 Defendants.</li> <li>17</li> <li>18 On April 10, 2007, this Court established a procedure by which plaintiffs are</li> <li>19 collect attorneys' fees and costs incurred in connection with the Amended Stipulatio</li> <li>10 Order. This procedure requires plaintiffs' counsel to submit to defendants a quarterl</li> <li>11 statement of fees incurred in monitoring work, and permits defendants hirty (30) dags from the energy of the order to p</li> <li>13 antises that defendants shall have thirty (30) days from the entry of the order to p</li> <li>14 and states that defendants shall have thirty (30) days from the entry of the order to p</li> <li>14 and states that defendants shall have thirty (30) days from the entry of the order to p</li> <li>14 and sputed fees and that interest on any undisputed fees will run from the thirty-first after the Order is filed, accruing at the rate provided by 28 U.S.C. § 1961.</li> <li>15 Pursuant to this procedure, plaintiffs' counsel served their fourth quarter billi Stipulation and Order Re: Collection of Fourth Quarter Fees</li> </ul>	1	PRISON LAW OFFICE				
<ul> <li>3 [9]7 Fifth Street Berkeley, CA 94710</li> <li>4 Telephone: (510) 280-2621 Facsimile: (510) 280-2704 ahardy&amp;prisonlaw.com</li> <li>6 Attorneys for Plaintiffs</li> <li>7</li> <li>8</li> <li>IN THE UNITED STATES DISTRICT COURT</li> <li>9</li> <li>NORTHERN DISTRICT OF CALIFORNIA</li> <li>10</li> <li>11</li> <li>12</li> <li>CARLOS PEREZ, et al.,</li> <li>13</li> <li>Plaintiffs,</li> <li>14</li> <li>15</li> <li>16</li> <li>Defendants.</li> <li>17</li> <li>18</li> <li>On April 10, 2007, this Court established a procedure by which plaintiffs are collect attorneys' fees and costs incurred in connection with the Amended Stipulatio</li> <li>Order. This procedure requires plaintiffs' counsel to submit to defendants a quarterl statement of fees incurred in monitoring work, and permits defendants thirty (30) day from the receipt of plaintiffs' statement to notify plaintiffs of any disputed items. A parties meet and confer on any of defendant's objections, counsel shall then prepare stipulated order for payment of the fees not subject to defendants' objections. The O also states that defendants shall have thirty (30) days from the entry of the order to p undisputed fees and that interest on any undisputed fees will run from the thirty-first after the Order is filed, accruing at the rate provided by 28 U.S.C. § 1961.</li> <li>Pursuant to this procedure, plaintiffs' counsel served their fourth quarter billi Stipulation and Order Re: Collection of Fourth Quarter Fees</li> </ul>	2		25			
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Facsimile: (510) 280-2704         6         Attorneys for Plaintiffs         7         8         10         11         12         13         14         15         16         17         18         19         10         11         12         13         14         15         16         17         18         19         11         12         13         14         15         16         17         18         19         10         11         12         13         14         15         16         17         18         19         10         10         11         12         13         14         15         16         17         10						
7       8         9       IN THE UNITED STATES DISTRICT COURT         10       NORTHERN DISTRICT OF CALIFORNIA         11       No. C05-5241 JSW         12       CARLOS PEREZ, et al.,         13       Plaintiffs,         14       Plaintiffs,         15       NATTHEW CATE, et al.,         16       Defendants.         17       On April 10, 2007, this Court established a procedure by which plaintiffs are         18       On April 10, 2007, this Court established a procedure by which plaintiffs are         19       collect attorneys' fees and costs incurred in connection with the Amended Stipulatio         10       Order. This procedure requires plaintiffs' counsel to submit to defendants a quarter         11       statement of fees incurred in monitoring work, and permits defendants thirty (30) da         12       from the receipt of plaintiffs' statement to notify plaintiffs of any disputed items. A:         13       parties meet and confer on any of defendant's objections, counsel shall then prepare         14       stipulated order for payment of the fees not subject to defendants' objections. The O         15       also states that defendants shall have thirty (30) days from the entry of the order to p         16       undisputed fees and that interest on any undisputed fees will run from the thirty-firs         17       <		Facsimile: (510) 280-2704				
8       IN THE UNITED STATES DISTRICT COURT         9       NORTHERN DISTRICT OF CALIFORNIA         10       No. C05-5241 JSW         11       Plaintiffs,         13       Plaintiffs,         14       V.         15       MATTHEW CATE, et al.,         16       Defendants.         17       On April 10, 2007, this Court established a procedure by which plaintiffs are         18       On April 10, 2007, this Court established a procedure by which plaintiffs are         19       collect attorneys' fees and costs incurred in connection with the Amended Stipulatio         10       Order. This procedure requires plaintiffs' counsel to submit to defendants a quarter         11       statement of fees incurred in monitoring work, and permits defendants thirty (30) da         12       from the receipt of plaintiffs' statement to notify plaintiffs of any disputed items. A:         13       parties meet and confer on any of defendant's objections, counsel shall then prepare         14       stipulated order for payment of the fees not subject to defendants' objections. The Q         15       also states that defendants shall have thirty (30) days from the entry of the order to p         15       undisputed fees and that interest on any undisputed fees will run from the thirty-first         16       Duresuant to this procedure, plaintiffs' counsel served their fourth	6	Attorneys for Plaintiffs				
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	28	Pursuant to this procedure, plaintiffs' counsel served their fourth quarter billing				
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statement demanding \$18,659 for the period from October 1, 2008 through December 31,
 2008 on February 11, 2009. Defendants agreed to pay this amount. (Because defendants
 object to plaintiffs' regular rate for paralegal work, plaintiffs calculated the billing
 statement at the rate defendants are willing to pay. Plaintiffs, however, reserve the right to
 move to compel payment at the higher paralegal rate, as provided in the April 10, 2007
 order.)

WHEREFORE, defendants agree to pay plaintiffs' counsel \$18,659 within 30 days
of the signing of this Order. On the 31<sup>st</sup> day following the entry of this Order, interest on
any unpaid amount will begin to accrue at the rate provided by 28 U.S.C. § 1961 (<u>i.e.</u>, the
weekly average 1 year constant maturity Treasury yield for the calendar week preceding
the date of the Order.)

12 AGREED TO BY THE PARTIES:

13 Date: March 19, 2009

14 Alison Hardy Attorney for Plaintiffs 15 16 Date: March 17, 2009 17 Lindsay Deputy Attorney General 18 Attorney for Defendants 19 20 I, Alison Hardy, attest that Phillip Lindsay signed this document on March 17, 2009 21 22 23 IT IS SO ORDERED. Hey Stath 24 March 20 Date: , 2009 25 Juffrey S. White United States District Court Judge 26 27 28 Stipulation and Order Re: Collection of Fourth Quarter Fees 2 Perez v. Cate, 05–5241 JSW