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IN THE UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

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No. C05-5241 JSW

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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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**STIPULATION AND ORDER FOR
 COLLECTION OF 2009 AND 2010
 FORMERLY DISPUTED
 ATTORNEYS' FEES**

1 On August 26, 2010, the parties stipulated that they would meet and confer
2 regarding the hourly rates payable to Plaintiffs' paralegals and litigation assistants, within
3 ten days after the mandate issued in the *Perez v. Cate* appeal in the Ninth Circuit Court of
4 Appeals (Docket No. 543), which addressed 2008 hourly rates for paralegals. Mandate
5 issued on February 4, 2011, and the parties thereafter extended the deadline to meet and
6 confer. The parties have since met and conferred and hereby stipulate to the following:

7 1. This stipulation applies to past due amounts for work performed by
8 paralegals and litigation assistants between the first quarter of 2009 and the second quarter
9 of 2010. During this period, defendants compensated plaintiffs at an interim hourly rate of
10 \$135 for all work performed by paralegals and litigation assistants during the first quarter
11 of 2009, and \$82.50 for work performed by those individuals in the succeeding five
12 quarters.

13 2. The parties have reached an agreement that, in light of the Ninth Circuit
14 decision, Defendants will pay the following hourly rates for work performed by paralegals:
15 \$170 for 2009, and \$180 for 2010. The parties further agree that Defendants will pay the
16 difference between these stipulated hourly rates and the interim hourly rate of either \$135
17 or \$82.50 already paid during the pendency of this dispute.

18 3. The parties have further agreed that Defendants will pay the following
19 hourly rates for work performed by litigation assistants: \$140 for 2009, and \$145 for 2010.
20 The parties further agree that Defendants will pay the difference between these stipulated
21 hourly rates and the interim hourly rate of either \$135 or \$82.50 already paid during the
22 pendency of this dispute.

23 4. Based upon the rates set forth above, for 2009 and the first two quarters of
24 2010, Defendants agree to pay plaintiffs' counsel \$15,105. This amount shall be paid
25 within 30 days of the signing of this Order. On the 31st day following the entry of this
26 Order, interest on any unpaid amount will begin to accrue at the rate provided by 28
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