

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CALIFORNIA STATE FOSTER PARENT
ASSOCIATION, CALIFORNIA STATE CARE
PROVIDERS ASSOCIATION, and LEGAL
ADVOCATES FOR PERMANENT
PARENTING,

No. C 07-05086 WHA

Plaintiffs,

v.

**ORDER ADOPTING
SPECIAL MASTER'S
DECISION AND ORDER
RE ATTORNEY'S FEES**

JOHN A. WAGNER, Director of the California
Department of Social Services, in his official
capacity; MARY AULT, Deputy Director fo the
Children and Family Services Division of the
California Department of Social Services, in her
official capacity,

Defendants.

In this civil rights action, the parties filed competing cross-motions for summary judgment on September 11, 2008. The Court denied defendants' motion for summary judgment and granted plaintiffs' motion insofar as plaintiffs argued that defendants were in violation of the Child Welfare Act, but denied it insofar as plaintiffs asserted that defendants must be in exact compliance with its particular measure of child welfare maintenance payments. The Court determined that its order effectively ended the action, and this determination has not been disputed.


Plaintiffs subsequently filed a motion for attorney's fees pursuant to 42 U.S.C. 1988. An order on February 6, 2009, noted that it was undisputed that plaintiffs were entitled to fees and the only matter in dispute was the amount of fees to which they were entitled. The parties were

1 ordered to meet and confer but were unable to reach agreement on the appropriate fees. The
2 parties thereafter agreed to the appointment of a special master pursuant to Federal Rule of Civil
3 Procedure 53 who ordered supplemental briefing and conducted an extensive hearing, and has
4 now issued his decision and order regarding the issue of attorney's fees.

5 The time for parties to file objections or move to modify the special master's order
6 pursuant to Rule 53(f)(2) has passed and no objections or motions to modify have been
7 received. For the reasons set forth in the special master's decision and order (Dkt. No. 142),
8 this order hereby **ADOPTS** the findings and holdings of the special master's order in full.
9 Plaintiffs are hereby awarded attorney's fees in the amount of \$926,797.12. Plaintiffs shall
10 determine how these fees are apportioned among co-counsel. Costs are \$3,372.22.

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12 **IT IS SO ORDERED.**

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14 Dated: December 10, 2009.

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17 WILLIAM ALSUP
18 UNITED STATES DISTRICT JUDGE
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