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United States District Court
For the Northern District of California

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

VICTOR GUERRERO,
Plaintiff,

No. C 13-05671 WHA

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION;
STATE PERSONNEL BOARD,
Defendants.

**ORDER APPOINTING
ATTORNEY MATTHEW
BORDEN AS SPECIAL
MASTER**

Pursuant to Rules 53(c) and 54(d)(2)(D), this order hereby appoints Attorney Matthew Borden of BraunHagey & Borden, LLP, as a special master regarding attorney’s fees in this case. As a service to the Court and to save the parties expense, Attorney Borden has generously agreed to cap his hourly rate at **\$200 PER HOUR**. The Court will allocate the fees of the special master in a fair and reasonable manner, taking into account the reasonableness of the parties’ respective positions and the special master’s recommendation in this regard. If the movant must pay, then the special master’s compensation shall be *deducted* from the attorney’s fee award. If the opposing party must pay the special master, then it shall pay the special master *and* pay the award. The Court will, however, reserve final judgment on allocation of the expense of the special master until a final determination of the fee issues.


As a preliminary matter, counsel for all parties shall participate in a phone conference with Attorney Borden to discuss any conflict-related matters by **FEBRUARY 2, 2016**. Attorney

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Borden's office phone number is (415) 599-0212. By **FEBRUARY 4 AT NOON**, the parties must submit any objection to Attorney Borden serving as special master based on any conflict. If no reasonable objections are filed, a subsequent order will lay out the scope of Attorney Borden's duties and set a timeline for his report and recommendation.

IT IS SO ORDERED.

Dated: January 28, 2016.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE