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11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 OAKLAND DIVISION  
14

15 JOHN ARMSTRONG, et al.,

16 Plaintiffs,

17 v.

18 ARNOLD SCHWARZENEGGER, et al.,

19 Defendants.  
20

Case No. C94 2307 CW

**ORDER CONFIRMING UNDISPUTED  
CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND  
REHABILITATION, ADULT  
OPERATIONS AND ADULT  
PROGRAMS ATTORNEY'S FEES AND  
COSTS FOR THE SECOND QUARTER  
OF 2010**

21 On March 26, 1997, the District Court established procedures by which Plaintiffs are to  
22 collect periodic attorneys' fees and costs in this case in connection with their work monitoring  
23 Defendants' compliance with the Court's Orders and collecting fees.

24 Pursuant to these procedures, Plaintiffs served by overnight delivery their Second  
25 Quarterly Statement for 2010 on Defendants on August 17, 2010. Defendants responded on  
26 September 23, 2010. The parties completed their meet-and-confer process on October 6, 2010  
27 as to number of hours and costs incurred, but not as to Plaintiffs' claim to 2010 hourly rates.  
28

1 Subject to resolution of the rates dispute, the parties agree that \$639,491.37 of fees and  
2 costs incurred during the Second Quarter of 2010 are undisputed in the California Department  
3 of Corrections and Rehabilitation, Adult Operations and Adult Programs portion of the case.  
4 Attached hereto as Exhibit A is a chart setting forth the balance due for the Second Quarter of  
5 2010, which will become due and owing forty-five days from the entry of this Order. Exhibit  
6 A also reflects the claimed fees that remain in dispute.

7 IT IS HEREBY ORDERED that \$639,491.37 is due and collectable as of forty-five  
8 days from the date of entry of this Order. Interest on these fees and costs will run from  
9 September 18, 2010, accruing at the rate provided by 28 U.S.C. § 1961.

10  
11 DATED: 10/26/2010

  
\_\_\_\_\_  
12 THE HONORABLE CLAUDIA WILKEN  
13 UNITED STATES DISTRICT JUDGE

14 APPROVED AS TO FORM:

15 /s/ Jay C. Russell  
16 Jay C. Russell  
17 Deputy Attorney General  
18 Attorney for Defendants

DATED: October 12, 2010

19 /s/ Holly M. Baldwin  
20 Holly M. Baldwin  
21 Rosen, Bien & Galvan, LLP  
22 Attorneys for Plaintiffs

DATED: October 12, 2010