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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  
 BOARD OF PAROLE HEARINGS  
 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 \$127,388.29 for fees and  
2 costs incurred during the Second Quarter of 2010 in the Board of Parole Hearings portion of  
3 the case are undisputed. Attached hereto as Exhibit A is a chart setting forth the balance due  
4 for the Second Quarter of 2010, which will become due and owing forty-five days from the  
5 entry of this Order. Exhibit A also reflects the claimed fees that remain in dispute.

6 IT IS HEREBY ORDERED that \$127,388.29 is due and collectable as of forty-five  
7 days from the date of entry of this Order. Interest on these fees and costs will run from  
8 September 18, 2010, accruing at the rate provided by 28 U.S.C. § 1961.

9 IT IS SO ORDERED.

10  
11 DATED: 10/26/2010 \_\_\_\_\_

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

12  
13 APPROVED AS TO FORM:

14  
15 /s/ Jay C. Russell  
Jay C. Russell  
Deputy Attorney General  
16 Attorney for Defendants

DATED: October 12, 2010

17  
18 /s/ Holly M. Baldwin  
Holly M. Baldwin  
Rosen, Bien & Galvan, LLP  
19 Attorneys for Plaintiffs

DATED: October 12, 2010