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11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA

14 JOHN ARMSTRONG, et al.,  
 15 Plaintiffs,  
 16 v.  
 17 EDMUND G. BROWN, JR., et al.,  
 18 Defendants.

Case No. C94 2307 CW

**~~PROPOSED~~ ORDER FOR  
 PAYMENT OF ATTORNEY’S FEES  
 FOR 2010 AND THE FIRST  
 QUARTER OF 2011, PURSUANT TO  
 THE COURT’S AUGUST 8, 2011  
 ORDER**

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 20 On August 8, 2011 the Court granted Plaintiffs’ motion to compel compensation at  
 21 their counsel’s reasonable 2010 hourly rates (Docket No. 1919). The Court decided that  
 22 “the requested hourly rates fall within the range of prevailing market rates in the Bay Area,  
 23 and [Defendants’] objection regarding the rate increases is not well-taken. Accordingly,  
 24 Plaintiffs’ counsel shall be compensated at the rates they requested for work completed in  
 25 2010. ... Defendants shall pay the disputed amounts forthwith, with interest paid thereon,  
 26 as provided under 28 U.S.C. § 1961.” *Id.*, 6:12-22.

27 Pursuant to the Court’s August 8, 2011 Order, Defendants are ordered to pay the  
 28 following principal amounts, plus interest:

1           • \$ 432,940.94 for fees incurred during 2010 and the First Quarter of 2011, for  
2 monitoring and fee collection activities in the California Department of Corrections of  
3 Rehabilitation Division of Adult Operations and Adult Programs (CDCR AOAP) portion  
4 of the case. Attached hereto as **Exhibit A** are charts setting forth the fees payable to  
5 Plaintiffs for the undisputed hours incurred in these five Quarters. Remaining in dispute is  
6 the difference between Plaintiffs’ 2010 and 2011 rates for the hours incurred in Quarter  
7 One of 2011.

8           • \$ 151,550.55 for fees incurred during 2010 and the First Quarter of 2011, for  
9 monitoring and fee collection activities in the Board of Parole Hearings (BPH) portion of  
10 the case. Attached hereto as **Exhibit B** are charts setting forth the fees payable to  
11 Plaintiffs for the undisputed hours incurred in these five Quarters. Remaining in dispute is  
12 the difference between Plaintiffs’ 2010 and 2011 rates for the hours incurred in Quarter  
13 One of 2011.

14           • \$ 49,006.54 for fees incurred during 2010 and the First Quarter of 2011, for  
15 monitoring and fee collection activities in the Division of Adult Parole Operations (DAPO)  
16 portion of the case. Attached hereto as **Exhibit C** are charts setting forth the fees payable  
17 to Plaintiffs for the undisputed hours incurred in these five Quarters. Remaining in dispute  
18 is the difference between Plaintiffs’ 2010 and 2011 rates for the hours incurred in Quarter  
19 One of 2011.

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1 IT IS HEREBY ORDERED that the amounts set forth above are due and  
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees  
3 and costs will continue to run from the dates set forth in the chart attached as **Exhibit D**  
4 hereto, accruing at the rate provided by 28 U.S.C. § 1961 (also shown on Exhibit D).

5 **IT IS SO ORDERED.**

6 DATED: 10/3/2011

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8   
9 THE HONORABLE CLAUDIA WILKEN  
10 UNITED STATES DISTRICT JUDGE

11 APPROVED AS TO FORM:

12 *s/ Jay Russell*

DATED: September 30, 2011

13 \_\_\_\_\_  
14 Jay C. Russell  
15 Deputy Attorney General  
16 Attorney for Defendants

17 */s/ Kenneth Walczak*

DATED: September 29, 2011

18 \_\_\_\_\_  
19 Kenneth M. Walczak  
20 Rosen, Bien & Galvan, LLP  
21 Attorneys for Plaintiffs