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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,  
  
Plaintiffs,  
  
v.  
  
EDMUND G. BROWN, JR., et al.,  
  
Defendants.<sup>1</sup>

Case No. C94 2307 CW

**STIPULATION AND ~~PROPOSED~~  
ORDER RESOLVING CERTAIN  
DISPUTED ATTORNEY'S FEES  
FROM THE FIRST QUARTER OF  
2011**

Judge: Hon. Claudia Wilken

<sup>1</sup> The names of Defendants currently serving and their capacities have been substituted pursuant to Fed. R. Civ. P. 25.

1 On July 29, 2011, the Court approved the parties' Stipulated Order confirming  
2 Plaintiffs' entitlement to undisputed attorney's fees and costs for the first quarter of 2011.  
3 See Docket No. 1909. In that order, the parties preserved their dispute over "the time spent  
4 by Plaintiffs to litigate the pending rates dispute[.]" *Id.*, 2:8-9.

5 Plaintiffs prevailed in rate the dispute. On August 8, 2011 the Court granted  
6 Plaintiffs' motion to compel compensation at their counsel's reasonable 2010 hourly rates  
7 (Docket No. 1919). Accordingly, the parties agree that Plaintiffs' counsel shall now be  
8 compensated for the work done in the first quarter of 2011 to litigate that motion.

9 The parties agree to the payment of \$114,289.00 for Plaintiffs' fee collection  
10 activities related to the dispute over hourly rates in the first quarter of 2011. Attached  
11 hereto as **Exhibit A** is a chart setting forth the undisputed hours and rates. Remaining in  
12 dispute is the difference between Plaintiffs' 2010 and 2011 rates for hours incurred in  
13 Quarter 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 run from May 23, 2011, accruing at the rate provided by 28 U.S.C. § 1961.

4 IT IS SO ORDERED.

5  
6 DATED: 10/5/2011

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9 THE HONORABLE CLAUDIA WILKEN  
10 UNITED STATES DISTRICT JUDGE

11 APPROVED AS TO FORM:

12  
13 /s/ *Scott Feudale*

DATED: October 4, 2011

14 Scott J. Feudale  
15 Deputy Attorney General  
16 Attorney for Defendants

17 /s/ *Kenneth Walczak*

DATED: September 30, 2011

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