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 11 Attorneys for Plaintiffs

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 13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

15 JOHN ARMSTRONG, et al.,  
 16  
 Plaintiffs,  
 17  
 v.  
 18 EDMUND G. BROWN, JR., et al.,  
 19  
 Defendants.  
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Case No. C94 2307 CW  
**[PROPOSED] STIPULATED ORDER  
 CONFIRMING UNDISPUTED  
 ATTORNEYS' FEES AND COSTS  
 FOR THE FOURTH QUARTER OF  
 2014**  
 Judge: Hon. Claudia Wilken

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

4 Pursuant to these procedures, on January 28, 2015, Plaintiffs served on Defendants  
5 their Fourth Quarterly Statement for 2014 by overnight delivery. The parties completed  
6 their meet-and-confer process on March 24, 2015 as to the fees and costs incurred on all  
7 matters.

8 As a result of the March 24, 2015 agreement, the parties agree to the following:

9 The parties agree to the payment of \$950,580.12 to resolve all fees and costs  
10 incurred during the Fourth Quarter of 2014, for monitoring and/or litigation activities in  
11 the California Department of Corrections of Rehabilitation Division of Adult Operations  
12 and Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are  
13 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by  
14 the parties to settle these claims.

15 The parties agree to the payment of \$28,932.41 to resolve all fees and costs incurred  
16 during the Fourth Quarter of 2014, for monitoring and/or litigation activities in the Board  
17 of Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts  
18 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the  
19 parties to settle these claims.

20 The parties agree to the payment of \$201,125.59 to resolve all fees and costs  
21 incurred during the Fourth Quarter of 2014, for monitoring and/or litigation activities in  
22 the Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as  
23 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts  
24 agreed to by the parties to settle these claims.

25 The parties agree to the payment of \$9,741.87 to resolve all fees and costs incurred  
26 during the Fourth Quarter of 2014, for fees on fees. Attached hereto as **Exhibit D** are  
27 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by  
28 the parties to settle these claims.

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IT IS HEREBY ORDERED that the amounts set forth above are due and collectable as of forty-five days from the date of entry of this Order. Interest on these fees and costs will run from March 2, 2015, accruing at the rate provided by 28 U.S.C. § 1961.

DATED: March 27, 2015



THE HONORABLE CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

DATED: March 26, 2015

s/Edward R. Fluet  
Edward R. Fluet  
Deputy Attorney General  
Attorney for Defendants

DATED: March 25, 2015

s/Gay Crosthwait Grunfeld  
Gay Crosthwait Grunfeld  
Rosen Bien Galvan & Grunfeld LLP  
Attorneys for Plaintiffs

# **EXHIBIT A**

**Armstrong v. Brown**  
Fourth Quarterly Statement of 2014  
October 1, 2014 through December 31, 2014

**CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
CDCR/AOAP MONITORING	\$922,720.80	\$27,859.32
	<b>TOTAL:</b>	<b>\$950,580.12</b>

**Armstrong v. Brown**  
 Fourth Quarterly Statement of 2014  
 October 1, 2014 through December 31, 2014  
 Matter: *CDCR/AOAP Monitoring/Merits*

<u>Monitoring (581-3)</u>	Actual	Claimed	2014	Total	Fees Now Owing Based on Negotiated Compromise
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Claimed Fees</u>	<u>Compromise</u>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	6.40	6.40	\$800	\$5,120.00	\$4,915.20
Gay C. Grunfeld (GCG)	15.30	15.30	\$675	\$10,327.50	\$9,914.40
Ernest Galvan (EG)	1.20	1.20	\$650	\$780.00	\$748.80
Thomas Nolan (TN)	164.80	164.80	\$550	\$90,640.00	\$87,014.40
Lisa Ells (LAE)	101.50	96.60	\$470	\$45,402.00	\$43,585.92
Aaron Fischer (AJF)	0.20	0.20	\$460	\$92.00	\$88.32
Blake Thompson (BT)	104.80	102.80	\$450	\$46,260.00	\$44,409.60
Michael Freedman (MLF)	127.80	126.10	\$440	\$55,484.00	\$53,264.64
Benjamin Bien-Kahn (BBK)	0.20	0.00	\$410	\$0.00	\$0.00
Krista Stone-Manista (KSM)	98.90	98.70	\$410	\$40,467.00	\$38,848.32
Kevin Jones (KEJ)	0.10	0.00	\$290	\$0.00	\$0.00
Rolayn Tauben (RLT)	122.40	109.50	\$290	\$31,755.00	\$30,484.80
Karen Stilber (KES)	57.10	56.50	\$270	\$15,255.00	\$14,644.80
Diana Gama (DAG)	18.90	18.70	\$230	\$4,301.00	\$4,128.96
Lauren Vandemortel (LWV)	6.80	6.80	\$215	\$1,462.00	\$1,403.52
Haruka Roudebush (HR)	350.70	331.60	\$230	\$76,268.00	\$73,217.28
Doris Tseng (DT)	2.50	0.00	\$230	\$0.00	\$0.00
Greg Gonzalez (GZG)	2.00	0.00	\$230	\$0.00	\$0.00
Lucy Taylor (LRT)	181.30	166.80	\$230	\$38,364.00	\$36,829.44
Total Hours:	<b>1362.90</b>	<b>1302.00</b>		<b>\$461,977.50</b>	
<b>RBGG UNDISPUTED FEES:</b>					<b>\$443,498.40</b>
<b><u>PRISON LAW OFFICE</u></b>					
Donald Specter (DS)	14.80	14.80	\$800	\$11,840.00	\$11,366.40
Steve Fama (SF)	24.30	24.30	\$745	\$18,103.50	\$17,379.36
Sara Norman (SN)	0.90	0.90	\$620	\$558.00	\$535.68
Rebekah Evenson (RE)	193.60	193.60	\$570	\$110,352.00	\$105,937.92
Penny Godbold (PG)	116.70	116.70	\$490	\$57,183.00	\$54,895.68
Corene Kendrick (CK)	124.60	124.60	\$490	\$61,054.00	\$58,611.84
Kelly Knapp (KK)	143.10	143.10	\$450	\$64,395.00	\$61,819.20
Amber Norris (AN)	286.30	286.30	\$260	\$74,438.00	\$71,460.48
Megan Lynch (ML)	83.00	83.00	\$240	\$19,920.00	\$19,123.20
Nora Searle (NS)	143.30	143.30	\$240	\$34,392.00	\$33,016.32
John Bonacorsi (JB)	56.10	56.10	\$240	\$13,464.00	\$12,925.44
Joyce de la Pena (JP)	60.90	60.90	\$240	\$14,616.00	\$14,031.36
Sarah Hopkins (SH)	50.10	50.10	\$240	\$12,024.00	\$11,543.04
Viviana Arcia (VA)	25.10	25.10	\$240	\$6,024.00	\$5,783.04
Total Hours:	<b>1322.80</b>	<b>1322.80</b>		<b>\$498,363.50</b>	
<b>PLO UNDISPUTED FEES:</b>					<b>\$478,428.96</b>
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Linda Kilb (LDK)	0.60	0.60	\$725	\$435.00	\$417.60
Hongyu Min (HM)	2.70	2.70	\$145	\$391.50	\$375.84
Total Hours:	<b>3.30</b>	<b>3.30</b>		<b>\$826.50</b>	
<b>DREDF UNDISPUTED FEES:</b>					<b>\$793.44</b>
<b>TOTAL UNDISPUTED CDCR/AOAP MONITORING FEES:</b>					<b>\$922,720.80</b>

**Armstrong v. Brown**  
 Fourth Quarterly Statement of 2014  
 October 1, 2014 through December 31, 2014

Costs

**Matter: CDCR/AOAP Merits/Monitoring**

<u>Rosen, Bien, Galvan &amp; Grunfeld (581-3)</u>	<u>Claimed Costs</u>	<u>Withdrawn by Plaintiffs</u>	<u>Undisputed Costs Now Owing</u>
Photocopying (In house)	\$1,603.00	\$64.12	\$1,538.88
Photocopying (Outside)	\$2,174.01	\$86.96	\$2,087.05
Online Research - PACER	\$7.30	\$0.29	\$7.01
Postage & Delivery	\$639.68	\$25.59	\$614.09
Travel - Mileage, Tolls, Food	\$9,284.25	\$371.37	\$8,912.88
Telephone	<u>\$8.45</u>	<u>\$0.34</u>	<u>\$8.11</u>
<b>Total RBGG Costs:</b>	<b>\$13,716.69</b>	<b>\$548.67</b>	<b>\$13,168.02</b>

<u>Prison Law Office</u>	<u>Claimed Costs</u>	<u>Withdrawn by Plaintiffs</u>	<u>Undisputed Costs Now Owing</u>
Photocopying (In house)	\$1,413.20	\$56.53	\$1,356.67
Expert Services	\$2,309.50	\$92.38	\$2,217.12
Postage & Delivery	\$1,185.96	\$47.44	\$1,138.52
Travel - Mileage, Tolls, Food	\$9,224.29	\$368.97	\$8,855.32
Interpreting and Translation Services	<u>\$964.64</u>	<u>\$38.59</u>	<u>\$926.05</u>
<b>Total PLO Costs:</b>	<b>\$15,097.59</b>	<b>\$603.90</b>	<b>\$14,493.69</b>

<u>Disability Rights Education &amp; Defense Fund, Inc.</u>	<u>Claimed Costs</u>	<u>Withdrawn by Plaintiffs</u>	<u>Undisputed Undisputed Costs Now Owing</u>
Photocopying (in-house)	\$160.60	\$6.42	\$154.18
Postage & Delivery	\$40.45	\$1.62	\$38.83
Online Research - PACER	<u>\$4.80</u>	<u>\$0.19</u>	<u>\$4.61</u>
<b>Total DREDF Costs:</b>	<b>\$205.85</b>	<b>\$8.23</b>	<b>\$197.62</b>

**TOTAL UNDISPUTED CDCR/AOAP MERITS/MONITORING** **\$27,859.32**

# **EXHIBIT B**



**Armstrong v. Brown**  
Fourth Quarterly Statement of 2014  
October 1, 2014 through December 31, 2014

**BPH SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
BPH	\$28,051.68	\$880.73
	<b>TOTAL:</b>	<b>\$28,932.41</b>

**Armstrong v. Brown**  
 Fourth Quarterly Statement of 2014  
 October 1, 2014 through December 31, 2014  
**Matter: BPH**

<u><b>BPH (581-4)</b></u>	Actual	Claimed	2014	Total	Fees Now Owing Based on Negotiated Compromise
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Claimed Fees</u>	<u>Compromise</u>
<u><b>BPH MONITORING (581-4)</b></u>					
<u><b>ROSEN, BIEN, GALVAN &amp; GRUNFELD</b></u>					
Gay C. Grunfeld (GCG)	0.10	0.10	\$675	\$67.50	\$64.80
Blake Thompson (BT)	18.00	18.00	\$450	\$8,100.00	\$7,776.00
Rolayn Tauben (RLT)	0.80	0.70	\$290	<u>\$203.00</u>	<u>\$194.88</u>
Total Hours:	<b>18.90</b>	<b>18.80</b>		\$8,370.50	
<b>RBGG UNDISPUTED FEES:</b>					<b>\$8,035.68</b>
<u><b>PRISON LAW OFFICE</b></u>					
Sara Norman (SN)	0.30	0.30	\$620	\$186.00	\$178.56
Rana Anabtawi (RA)	50.40	50.40	\$410	<u>\$20,664.00</u>	<u>\$19,837.44</u>
Total Hours:	<b>50.70</b>	<b>50.70</b>		\$20,850.00	
<b>PLO UNDISPUTED FEES:</b>					<b>\$20,016.00</b>
<b>TOTAL UNDISPUTED FEES FOR BPH WORK:</b>					<b>\$28,051.68</b>

**Armstrong v. Brown**  
Fourth Quarterly Statement of 2014  
October 1, 2014 through December 31, 2014  
**Costs**

**Matter: BPH**

**Rosen, Bien, Galvan & Grunfeld (581-4)**

	<u>Claimed Costs</u>	<u>Withdrawn by Plaintiffs</u>	<u>Undisputed Costs Now Owing</u>
Telephone	\$2.25	\$0.09	\$2.16
Travel - Mileage, Tolls, Food	<u>\$81.20</u>	<u>\$3.25</u>	<u>\$77.95</u>
<b>Total RBGG Costs:</b>	\$83.45	\$3.34	\$80.11

**Prison Law Office**

Travel - Mileage, Tolls, Food	<u>\$833.98</u>	<u>\$33.36</u>	<u>\$800.62</u>
<b>Total PLO Costs:</b>	\$833.98	\$33.36	\$800.62

**TOTAL UNDISPUTED BPH COSTS: \$880.73**

# **EXHIBIT C**

**Armstrong v. Brown**  
Fourth Quarterly Statement of 2014  
October 1, 2014 through December 31, 2014

**DAPO SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
DAPO MONITORING	\$196,315.68	\$4,809.91
	<b>TOTAL:</b>	<b>\$201,125.59</b>

**Armstrong v. Brown**  
 Fourth Quarterly Statement of 2014  
 October 1, 2014 through December 31, 2014  
**Matter: DAPO Monitoring**

<u>DAPO Monitoring (581-9)</u>	Actual	Claimed	2014	Total	Fees Now Owing Based on Negotiated Compromise
	<u>Hours</u>	<u>Hours</u>	<u>Rates</u>	<u>Claimed Fees</u>	<u>Compromise</u>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael Bien (MWB)	0.60	0.60	\$800	\$480.00	\$460.80
Gay C. Grunfeld (GCG)	15.10	15.10	\$675	\$10,192.50	\$9,784.80
Ernest Galvan (EG)	0.70	0.70	\$650	\$455.00	\$436.80
Tom Nolan (TN)	0.10	0.00	\$550	\$0.00	\$0.00
Lisa Ells (LAE)	0.20	0.00	\$470	\$0.00	\$0.00
Aaron Fischer (AJF)	74.40	73.70	\$460	\$33,902.00	\$32,545.92
Blake Thompson (BT)	16.20	15.70	\$450	\$7,065.00	\$6,782.40
Michael Freedman (MLF)	10.10	10.10	\$440	\$4,444.00	\$4,266.24
Benjamin Bien-Kahn (BBK)	134.60	130.90	\$410	\$53,669.00	\$51,522.24
Margot Mendelson (MKM)	25.10	23.90	\$410	\$9,799.00	\$9,407.04
Jennifer Stark (JLS)	0.80	0.00	\$410	\$0.00	\$0.00
Jenny Yelin (JSY)	98.40	98.20	\$390	\$38,298.00	\$36,766.08
Rolayn Tauben (RLT)	42.00	27.80	\$290	\$8,062.00	\$7,739.52
Kevin Jones (KJ)	0.40	0.00	\$290	\$0.00	\$0.00
Karen Stilber (KES)	0.80	0.00	\$270	\$0.00	\$0.00
Lucy Taylor (LRT)	70.90	68.50	\$230	\$15,755.00	\$15,124.80
Diana Gama (DAG)	93.10	62.10	\$230	\$14,283.00	\$13,711.68
Haruka Roudebush (HR)	1.40	0.00	\$230	\$0.00	\$0.00
<b>Total Hours:</b>	<b>584.90</b>	<b>527.30</b>		\$196,404.50	
<b>RBGG UNDISPUTED FEES:</b>					<b>\$188,548.32</b>
<b><u>MORGAN LEWIS</u></b>					
Cameron Saul (CS)	17.40	17.40	\$465	\$8,091.00	\$7,767.36
<b>Total Hours:</b>	<b>17.40</b>	<b>17.40</b>		\$8,091.00	
<b>ML UNDISPUTED FEES:</b>					<b>\$7,767.36</b>
<b>TOTAL UNDISPUTED FOR DAPO MONITORING WORK:</b>					<b>\$196,315.68</b>

**Armstrong v. Brown**  
 Fourth Quarterly Statement of 2014  
 October 1, 2014 through December 31, 2014

**Costs**

**Matter: DAPO Monitoring**

<b><u>Rosen, Bien, Galvan &amp; Grunfeld (581-9)</u></b>	<b>Claimed Costs</b>	<b>Withdrawn by Plaintiffs</b>	<b>Undisputed Costs Now Owing</b>
Photocopying (in-house)	\$1,143.00	\$45.72	\$1,097.28
Photocopying (outside)	\$137.82	\$5.51	\$132.31
Lexis/Westlaw	\$47.25	\$1.89	\$45.36
Online Research - PACER and Legislative History	\$21.10	\$0.84	\$20.26
Postage & Delivery	\$191.88	\$7.68	\$184.20
Telephone	\$7.40	\$0.30	\$7.10
Travel - Mileage, Tolls, Food	<u>\$3,196.87</u>	<u>\$127.87</u>	<u>\$3,069.00</u>
<b>Total RBGG Costs:</b>	<b>\$4,745.32</b>	<b>\$189.81</b>	<b>\$4,555.51</b>
<b><u>Morgan, Lewis &amp; Bockius LLP</u></b>	<b>Claimed Costs</b>	<b>Withdrawn by Plaintiffs</b>	<b>Undisputed Costs Now Owing</b>
Photocopying (in-house)	\$44.00	\$1.76	\$42.24
Travel - Mileage, Tolls, Food	<u>\$221.00</u>	<u>\$8.84</u>	<u>\$212.16</u>
<b>Total ML Costs:</b>	<b>\$265.00</b>	<b>\$10.60</b>	<b>\$254.40</b>
<b>TOTAL UNDISPUTED DAPO MONITORING COSTS:</b>			<b>\$4,809.91</b>

# **EXHIBIT D**



**Armstrong v. Brown**  
Fourth Quarterly Statement of 2014  
October 1, 2014 through December 31, 2014

**SUMMARY OF UNDISPUTED FEES WORK AND COSTS**

	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
FEES WORK (ALL MATTERS)	\$9,510.24	\$231.63
	<b>TOTAL:</b>	<b>\$9,741.87</b>

**Armstrong v. Brown**  
 Fourth Quarterly Statement of 2014  
 October 1, 2014 through December 31, 2014  
**Matter: All Matters Fees Work**

<b><u>Fees (581-2)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2014</b>	<b>Total</b>	<b>Fees Now Owing</b>
	<b><u>Hours</u></b>	<b><u>Hours</u></b>	<b><u>Rates</u></b>	<b><u>Claimed Fees</u></b>	<b>Based on Negotiated Compromise</b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Gay C. Grunfeld (GCG)	0.70	0.70	\$675	\$472.50	\$453.60
Lisa Ells (LAE)	0.20	0.00	\$470	\$0.00	\$0.00
Blake Thompson (BT)	8.30	8.30	\$450	\$3,735.00	\$3,585.60
Kevin Jones (KEJ)	0.20	0.00	\$290	\$0.00	\$0.00
Glenn Baldwin (GMB)	1.30	0.00	\$230	\$0.00	\$0.00
Lauren Vandemortel (LWV)	25.60	14.90	\$215	<u>\$3,203.50</u>	<u>\$3,075.36</u>
<b>Total Hours:</b>	<b>10.70</b>	<b>9.00</b>		<b>\$7,411.00</b>	
<b>RBGG UNDISPUTED FEES:</b>					<b>\$7,114.56</b>
<b><u>PRISON LAW OFFICE</u></b>					
Rebekah Evenson (RE)	0.8	0.8	\$570	\$456.00	\$437.76
Edie DeGraff (ED)	7.30	7.30	\$190	<u>\$1,387.00</u>	<u>\$1,331.52</u>
<b>Total Hours:</b>	<b>8.10</b>	<b>8.10</b>		<b>\$1,843.00</b>	
<b>PLO UNDISPUTED FEES:</b>					<b>\$1,769.28</b>
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Linda Kilb (LDK)	0.90	0.90	\$725	<u>\$652.50</u>	<u>\$626.40</u>
<b>Total Hours:</b>	<b>0.90</b>	<b>0.90</b>		<b>\$652.50</b>	
<b>DREDF UNDISPUTED FEES:</b>					<b>\$626.40</b>
<b>TOTAL UNDISPUTED FEES FOR ARMSTRONG FEES WORK:</b>					<b>\$9,510.24</b>

**Armstrong v. Brown**  
 Fourth Quarterly Statement of 2014  
 October 1, 2014 through December 31, 2014  
**Costs**

***Matter: Fees Work in All Matters***

**Rosen, Bien, Galvan & Grunfeld (581-2)**

	<u>Claimed Costs</u>	<u>Withdrawn by Plaintiffs</u>	<u>Undisputed Costs Now Owing</u>
Photocopying and Printing (in-house)	\$179.20	\$7.17	\$172.03
Online Research - PACER	\$25.50	\$1.02	\$24.48
Postage & Delivery	<u>\$29.58</u>	<u>\$1.18</u>	<u>\$28.40</u>
<b>Total RBGG Costs:</b>	\$234.28	\$9.37	<b>\$224.91</b>

**Disability Rights Education & Defense Fund, Inc.**

	<u>Claimed Costs</u>	<u>Withdrawn by Plaintiffs</u>	<u>Undisputed Undisputed Costs Now Owing</u>
Photocopying (in-house)	<u>\$7.00</u>	<u>\$0.28</u>	<u>\$6.72</u>
<b>Total DREDF Costs:</b>	\$7.00	\$0.28	<b>\$6.72</b>

**TOTAL UNISPURED FEES WORK COSTS : \$231.63**