

1 Edward W. Swanson, SBN 159859
2 SWANSON & McNAMARA LLP
3 300 Montgomery Street, Suite 1100
4 San Francisco, California 94104
5 Telephone: (415) 477 3800
6 Facsimile: (415) 477-9010
7 Email: ed@smlp.law

8 Court Expert

9 UNITED STATES DISTRICT COURT
10
11 NORTHERN DISTRICT OF CALIFORNIA

12 JOHN ARMSTRONG, et al.,
13
14 Plaintiffs,

15 v.

16 GAVIN C. NEWSOM, et al.,
17
18 Defendants.

Case No. C 94-2307 CW

**ADMINISTRATIVE MOTION AND
ORDER FOR PAYMENT**

19
20 **ADMINISTRATIVE MOTION**

21 Pursuant to the Court's order of June 11, 2007 (Docket No. 1121), court expert Edward
22 Swanson hereby moves the Court for an order for payment of the attached invoice dated
23 October 10th, 2022.

24
25 Dated: October 10th, 2022

Respectfully submitted,

26
27 _____
/s/

EDWARD W. SWANSON

28 Court Expert

ORDER

Pursuant to the Court’s order of June 11, 2007, the Court HEREBY ORDERS payment from the court registry to court expert Edward Swanson per the court expert’s invoice dated October 10th, 2022.

Dated: 10/12/2022



HON. CLAUDIA WILKEN

United States District Court

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Swanson & McNamara LLP
 300 Montgomery Street
 Suite 1100
 San Francisco, CA 94104
 415-477-3800
 EIN: 94-3309866

Invoice submitted to:
 Armstrong

October 10, 2022

Invoice # 31531

Professional Services

| | | <u>Hrs/Rate</u> | <u>Amount</u> |
|----------|---|-------------------|---------------|
| 9/1/2022 | EWS Review correspondence from plaintiffs, CCHCS. | 0.30 825.00/hr | 247.50 |
| | EWS Conference with CCHCS. | 0.70 825.00/hr | 577.50 |
| 9/2/2022 | EWS Conference with A. Gugelmann re SATF. Email to A. Barron. | 0.40 825.00/hr | 330.00 |
| | APG Conference with E Swanson re RVRs and SATF | 0.40 700.00/hr | 280.00 |
| | EWS Conference with CCHCS, plaintiffs re DME reconciliation. | 0.90 825.00/hr | 742.50 |
| 9/4/2022 | EWS Review data, emails, memo from colleagues. Review correspondence from CDCR. | 0.50 825.00/hr | 412.50 |
| | EWS Conference with colleague re report. Review email from counsel. | 0.30 825.00/hr | 247.50 |
| 9/6/2022 | APG Begin review of plaintiffs letter re quarterly productions | 1.10 700.00/hr | 770.00 |
| | EWS Conference with A. Barron. Review emails from counsel. | 0.30 825.00/hr | 247.50 |
| | EWS Review email re RVR process. Review email re quarterly reports. Confer with A. Gugelmann. | 0.40 825.00/hr | 330.00 |
| | AAB Conference with E. Swanson re SATF report, DME issues, incontinence issues, RVR issues. | 1.20 550.00/hr | 660.00 |

| | | | <u>Hrs/Rate</u> | <u>Amount</u> |
|----------|-----|--|-------------------|---------------|
| 9/6/2022 | AAB | Review of materials from parties. | 2.20 550.00/hr | 1,210.00 |
| | APG | Conference with E Swanson re letters | 0.10 700.00/hr | 70.00 |
| | EWS | Conference with A. Barron re SATF report, DME issues, incontinence issues, RVR issues. | 1.20 825.00/hr | 990.00 |
| 9/7/2022 | AAB | Phone call with E. Swanson. | 0.30 550.00/hr | 165.00 |
| | AAB | Meeting with parties re RVRs. | 1.20 550.00/hr | 660.00 |
| | EWS | Review and respond to emails from counsel. Confer with A. Gugelmann. | 0.20 825.00/hr | 165.00 |
| | EWS | Conference with A. Barron re report. | 0.30 825.00/hr | 247.50 |
| | EWS | Conference with A. Barron re CCHCS meeting. | 0.20 825.00/hr | 165.00 |
| | AAB | Meeting with E. Swanson. | 0.30 550.00/hr | 165.00 |
| | APG | Review information re RVRs | 0.30 700.00/hr | 210.00 |
| 9/8/2022 | APG | Conference with E Swanson | 0.30 700.00/hr | 210.00 |
| | APG | Review objections to new regulations | 0.40 700.00/hr | 280.00 |
| | EWS | Phone call with A. Gugelmann to discuss quarterly report, letters from counsel. | 0.30 825.00/hr | 247.50 |
| | EWS | Review correspondence from parties. | 0.20 825.00/hr | 165.00 |
| | EWS | Conference with CCHCS. Call with A. Barron. | 1.70 825.00/hr | 1,402.50 |
| | AAB | Phone call with E. Swanson. | 0.20 550.00/hr | 110.00 |
| | AAB | Meeting with CCHCS staff. | 1.60 550.00/hr | 880.00 |
| 9/9/2022 | EWS | Conference with A. Barron re report. | 0.20 825.00/hr | 165.00 |

| | | | <u>Hrs/Rate</u> | <u>Amount</u> |
|-----------|-----|--|-------------------|---------------|
| 9/9/2022 | AAB | Interview of incarcerated person. | 0.50 150.00/hr | 75.00 |
| | AAB | Meeting with E. Swanson. | 0.20 550.00/hr | 110.00 |
| | APG | Emails parties re quarterly report | 0.10 700.00/hr | 70.00 |
| | EWS | Phone call from counsel. Review email from counsel. | 0.20 825.00/hr | 165.00 |
| 9/12/2022 | AAB | Meeting with Ps. | 1.60 550.00/hr | 880.00 |
| | EWS | Conference with plaintiffs' counsel re SATF issues. | 1.00 825.00/hr | 825.00 |
| | APG | Conference with E Swanson re reporting | 0.20 700.00/hr | 140.00 |
| | EWS | Conference with A. Gugelmann re quarterly report. | 0.20 825.00/hr | 165.00 |
| 9/13/2022 | AAB | Drafting report. | 1.70 550.00/hr | 935.00 |
| | APG | Conference with E Swanson re quarterly reporting, BWC | 0.40 700.00/hr | 280.00 |
| | EWS | Conference with A. Gugelmann re quarterly reports. Email with parties re meetings. | 0.30 825.00/hr | 247.50 |
| | EWS | Review correspondence from parties re advocacy letters. | 0.20 825.00/hr | 165.00 |
| | EWS | Conference with A. Barron re contact with counsel. | 0.70 825.00/hr | 577.50 |
| | AAB | Meeting with E. Swanson | 0.70 550.00/hr | 385.00 |
| | EWS | Conference with colleagues re BWC issue. | 0.10 825.00/hr | 82.50 |
| 9/14/2022 | AAB | Review of data, documents re SATF. | 1.60 550.00/hr | 880.00 |
| | AAB | Phone call with E. Swanson. | 0.60 550.00/hr | 330.00 |
| | APG | Review information on CST and draft list of issues for follow-up | 0.30 700.00/hr | 210.00 |

| | | | <u>Hrs/Rate</u> | <u>Amount</u> |
|-----------|-----|---|-------------------|---------------|
| 9/14/2022 | EWS | Conference with A. Gugelmann re quarterly report data. | 0.30 825.00/hr | 247.50 |
| | EWS | Review and edit minutes. Review correspondence from counsel. | 0.30 825.00/hr | 247.50 |
| | EWS | Conference with A. Barron re data from CDCR, plaintiffs. | 0.50 825.00/hr | 412.50 |
| | APG | Conference with E Swanson re quarterly report | 0.30 700.00/hr | 210.00 |
| 9/15/2022 | APG | Meeting with parties re regulations (partial attendance) | 1.00 700.00/hr | 700.00 |
| | EWS | Meeting with parties re regulatory changes. | 1.20 825.00/hr | 990.00 |
| | APG | Conference with E. Swanson re investigation regulations. | 0.30 700.00/hr | 210.00 |
| | EWS | Conference with A. Gugelmann re investigation regulations. | 0.30 825.00/hr | 247.50 |
| | EWS | Preparation for coordination meeting. | 0.30 825.00/hr | 247.50 |
| | EWS | Meeting with coordinating committee. | 1.20 825.00/hr | 990.00 |
| 9/16/2022 | AAB | Phone call with Plaintiffs. | 0.60 550.00/hr | 330.00 |
| | AAB | All parties meeting [partial attendance] | 1.00 550.00/hr | 550.00 |
| | AAB | Drafting report. | 2.40 550.00/hr | 1,320.00 |
| | EWS | Preparation for parties' meeting. Review emails from counsel. | 0.20 825.00/hr | 165.00 |
| | EWS | Meeting with parties. (Partial attendance) | 2.50 825.00/hr | 2,062.50 |
| | APG | Email parties re data for quarterly report | 0.20 700.00/hr | 140.00 |
| 9/18/2022 | AAB | Drafting report. | 3.30 550.00/hr | 1,815.00 |
| 9/19/2022 | AAB | Review of voicemails from class members. | 0.20 550.00/hr | 110.00 |

| | | | <u>Hrs/Rate</u> | <u>Amount</u> |
|-----------|-----|--|-------------------|---------------|
| 9/19/2022 | APG | Conference with E Swanson | 0.20 700.00/hr | 140.00 |
| | EWS | Conference with A. Gugelmann re CST issues. | 0.20 825.00/hr | 165.00 |
| 9/20/2022 | AAB | Review of murder investigation documents. | 0.30 550.00/hr | 165.00 |
| | APG | Review information re CST screening | 1.00 700.00/hr | 700.00 |
| | APG | Conference with E Swanson | 0.20 700.00/hr | 140.00 |
| | APG | Meeting with parties re CST | 1.80 700.00/hr | 1,260.00 |
| | EWS | Conference with parties re CST issues. | 1.50 825.00/hr | 1,237.50 |
| | APG | Conference with E. Swanson re CST issues. | 0.20 700.00/hr | 140.00 |
| | EWS | Conference with A. Gugelmann. | 0.20 825.00/hr | 165.00 |
| | EWS | Conference with A. Gugelmann re CST issues. | 0.20 825.00/hr | 165.00 |
| 9/21/2022 | AAB | Review of murder investigation documents. | 1.60 550.00/hr | 880.00 |
| | AAB | Review of records from CCHCS/CDCR | 2.20 550.00/hr | 1,210.00 |
| | APG | Conference with E Swanson re misconduct allegations | 0.20 700.00/hr | 140.00 |
| | APG | Review staff misconduct/investigation allegations and associated files/footage | 1.00 700.00/hr | 700.00 |
| | APG | Meeting with plaintiffs | 1.00 700.00/hr | 700.00 |
| | EWS | Review report on investigations from plaintiffs. Conference with A. Gugelmann. | 0.60 825.00/hr | 495.00 |
| | EWS | Conference with plaintiffs re investigations/discipline letter. | 1.00 825.00/hr | 825.00 |
| | AAB | Conference with E. Swanson. | 0.50 550.00/hr | 275.00 |

| | | | <u>Hrs/Rate</u> | <u>Amount</u> |
|-----------|-----|---|-------------------|---------------|
| 9/21/2022 | EWS | Conference with A. Barron re SATF report. | 0.60 825.00/hr | 495.00 |
| 9/22/2022 | AAB | Meeting of deaf and HOH work group. | 2.30 550.00/hr | 1,265.00 |
| | AAB | Preparation for CCHCS call. | 0.40 550.00/hr | 220.00 |
| | AAB | Meeting with CCHCS. | 0.70 550.00/hr | 385.00 |
| | EWS | Conference with CDCR and CCHCS re doc production. | 0.60 825.00/hr | 495.00 |
| 9/23/2022 | AAB | Review of documents and drafting report. | 2.70 550.00/hr | 1,485.00 |
| | AAB | Phone call with E. Swanson. | 0.30 550.00/hr | 165.00 |
| | AAB | Phone call with CDCR; emails with CDCR and CCHCS planning institution visit. | 0.30 550.00/hr | 165.00 |
| | EWS | Conference with A. Barron re SATF. | 0.20 825.00/hr | 165.00 |
| | EWS | Review correspondence from counsel re CMF, other matters. | 0.30 825.00/hr | 247.50 |
| 9/26/2022 | APG | Review correspondence re regulations and ADI. Meeting with parties | 1.40 700.00/hr | 980.00 |
| | EWS | Meeting with parties re regulatory language. (Partial attendance.) Conference with A. Gugelmann. | 0.40 825.00/hr | 330.00 |
| 9/27/2022 | AAB | Review of documents. | 1.00 550.00/hr | 550.00 |
| | APG | Review and take notes on correspondence from parties relevant to quarterly report | 1.60 700.00/hr | 1,120.00 |
| | EWS | Review and respond to emails from plaintiffs' counsel. Email to A. Barron. | 0.20 825.00/hr | 165.00 |
| 9/28/2022 | AAB | Review of documents. | 1.20 550.00/hr | 660.00 |
| | AAB | Review of documents. | 0.20 550.00/hr | 110.00 |
| | AAB | Meeting with CCHCS. | 0.30 550.00/hr | 165.00 |

| | | | <u>Hrs/Rate</u> | <u>Amount</u> |
|-----------|-----|--|-------------------|---------------|
| 9/28/2022 | AAB | Review of documents. | 0.50 550.00/hr | 275.00 |
| | AAB | Review of documents. | 1.40 550.00/hr | 770.00 |
| | AAB | Drafting report. | 1.10 550.00/hr | 605.00 |
| | APG | Draft quarterly report. Review data on CST | 2.40 700.00/hr | 1,680.00 |
| | EWS | Meeting re audit tool. | 1.50 825.00/hr | 1,237.50 |
| | EWS | Review emails from counsel. Conference with A. Gugelmann re CST. | 0.30 825.00/hr | 247.50 |
| | EWS | Review and respond to emails re CST data. | 0.20 825.00/hr | 165.00 |
| | EWS | Conference with A. Barron re SATF issues. Call with CCHCS. | 0.60 825.00/hr | 495.00 |
| 9/29/2022 | APG | Review information on regulations; draft quarterly report | 3.20 700.00/hr | 2,240.00 |
| | APG | Conference with E Swanson | 0.80 700.00/hr | 560.00 |
| | APG | Meeting with parties re CST data | 1.10 700.00/hr | 770.00 |
| | APG | Meeting with plaintiffs | 0.60 700.00/hr | 420.00 |
| | EWS | Conference with A. Gugelmann re CST. | 0.80 825.00/hr | 660.00 |
| | EWS | Meeting with counsel re CST, quarterly report. | 1.10 825.00/hr | 907.50 |
| | EWS | Review and respond to emails from counsel, colleague re SATF report. | 0.20 825.00/hr | 165.00 |
| | EWS | Conference with counsel re quarterly report. | 0.60 825.00/hr | 495.00 |
| 9/30/2022 | AAB | Review of SATF documents. | 1.30 550.00/hr | 715.00 |
| | AAB | Review of documents. | 0.70 550.00/hr | 385.00 |

| | <u>Hrs/Rate</u> | <u>Amount</u> |
|--|-------------------|---------------------------|
| 9/30/2022 AAB Drafting report. | 1.60 550.00/hr | 880.00 |
| APG Draft quarterly report | 2.50 700.00/hr | 1,750.00 |
| APG Emails with parties re status of regulations | 0.20 700.00/hr | 140.00 |
| APG Conference with E Swanson | 0.20 700.00/hr | 140.00 |
| APG Further conference with E Swanson | 0.40 700.00/hr | 280.00 |
| EWS Review and edit quarterly report. | 0.80 825.00/hr | 660.00 |
| EWS Conference with A. Barron re new SATF issues. Review related emails. | 0.20 825.00/hr | 165.00 |
| EWS Conference with A. Gugelmann re quarterly report, A. Barron re SATF. | 0.30 825.00/hr | 247.50 |
| EWS Conference with A. Gugelmann re quarterly report. | 0.30 825.00/hr | 247.50 |
| For professional services rendered | <u>97.90</u> | <u>\$65,842.50</u> |
| Additional Charges : | | |
| 9/30/2022 Westlaw monthly research | | 3.05 |
| Total additional charges | | <u>\$3.05</u> |
| Total amount of this bill | | <u>\$65,845.55</u> |
| Previous balance | | \$44,732.60 |
| Accounts receivable transactions | | |
| 9/20/2022 Payment - thank you | | (<u>\$44,732.60</u>) |
| Total payments and adjustments | | (<u>\$44,732.60</u>) |
| Balance due | | <u><u>\$65,845.55</u></u> |

Timekeeper Summary

| <u>Name</u> | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|-------------------------------|--------------|-------------|---------------|
| Audrey Barron - Associate | 41.50 | 550.00 | \$22,825.00 |
| Audrey Barron - Associate | 0.50 | 150.00 | \$75.00 |
| August P. Gugelmann - Partner | 25.40 | 700.00 | \$17,780.00 |
| Edward W. Swanson - Partner | 30.50 | 825.00 | \$25,162.50 |