

1 DONALD SPECTER – 083925
REBEKAH EVENSON – 207825
2 PRISON LAW OFFICE
1917 Fifth Street
3 Berkeley, California 94710-1916
Telephone: (510) 280-2621
4 Facsimile: (510) 280-2704

GEOFFREY T. HOLTZ – 191370
MORGAN LEWIS & BOCKIUS LLP
One Market, Spear Street Tower
San Francisco, California 94105-1596
Telephone: (415) 442-1000
Facsimile: (415) 442-1001

5 LINDA D. KILB – 136101
DISABILITY RIGHTS EDUCATION &
6 DEFENSE FUND, INC.
3075 Adeline Street, Suite 201
7 Berkeley, California 94703
Telephone: (510) 644-2555
8 Facsimile: (510) 841-8645

MICHAEL W. BIEN – 096891
ERNEST GALVAN – 196065
GAY C. GRUNFELD – 121944
BLAKE THOMPSON – 255600
MICHAEL FREEDMAN – 262850
ROSEN BIEN GALVAN &
GRUNFELD LLP
315 Montgomery Street, Tenth Floor
San Francisco, California 94104-1823
Telephone: (415) 433-6830
Facsimile: (415) 433-7104

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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
17 Plaintiffs,
18 v.
19 EDMUND G. BROWN, JR., et al.,
20 Defendants.

Case No. C94 2307 CW

~~PROPOSED~~ STIPULATED ORDER
CONFIRMING UNDISPUTED
ATTORNEYS' FEES AND COSTS
FOR THE FIRST QUARTER OF 2015

Judge: Hon. Claudia Wilken

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 April 15, 2015 Plaintiffs served on Defendants
5 their First Quarterly Statement for 2015 by overnight delivery. The parties completed their
6 meet-and-confer process on June 17, 2015 as to the fees and costs incurred on all matters.

7 As a result of the June 17, 2015 agreement, the parties agree to the following:

8 The parties agree to the payment of \$862,373.62 to resolve all fees and costs
9 incurred during the First Quarter of 2015, for monitoring and/or litigation activities in the
10 California Department of Corrections of Rehabilitation Division of Adult Operations and
11 Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are
12 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
13 the parties to settle these claims.

14 The parties agree to the payment of \$25,364.59 to resolve all fees and costs incurred
15 during the First Quarter of 2015, for monitoring and/or litigation activities in the Board of
16 Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts setting
17 forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the parties to
18 settle these claims.

19 The parties agree to the payment of \$189,847.67 to resolve all fees and costs
20 incurred during the First Quarter of 2015, for monitoring and/or litigation activities in the
21 Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as
22 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts
23 agreed to by the parties to settle these claims.

24 The parties agree to the payment of \$13,132.42 to resolve all fees and costs incurred
25 during the First Quarter of 2015, for fees on fees. Attached hereto as **Exhibit D** are charts
26 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the
27 parties to settle these claims.

28 IT IS HEREBY ORDERED that the amounts set forth above are due and

1 collectable as of forty-five days from the date of entry of this Order. Interest on these fees
2 and costs will run from May 18, 2015, accruing at the rate provided by 28 U.S.C. § 1961.

3
4 DATED: 06/29/2015

5 

6 _____
7 THE HONORABLE CLAUDIA WILKEN
8 UNITED STATES DISTRICT JUDGE

9 APPROVED AS TO FORM:

10
11 DATED: June 26, 2015

/s/ Edward R. Fluet

12 Edward R. Fluet
13 Deputy Attorney General
14 Attorney for Defendants

15
16 DATED: June 26, 2015

/s/ Blake Thompson

17 Blake Thompson
18 Rosen Bien Galvan & Grunfeld LLP
19 Attorneys for Plaintiffs

EXHIBIT A

Armstrong v. Brown
First Quarterly Statement of 2015
January 1, 2015 through March 31, 2015

CDCR/AOAP SUMMARY OF CLAIMED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
CDCR/AOAP MONITORING	\$842,624.64	\$19,748.98
	TOTAL:	\$862,373.62

Armstrong v. Brown

First Quarterly Statement of 2015
 January 1, 2015 through March 31, 2015
 Matter: CDCR/AOAP Monitoring/Merits

<u>Monitoring (581-3)</u>	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2015 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based on Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael W. Bien (MWB)	7.60	7.60	\$840	\$6,384.00	\$6,128.64
Gay C. Grunfeld (GCG)	28.70	28.70	\$710	\$20,377.00	\$19,561.92
Thomas Nolan (TN)	183.00	176.20	\$590	\$103,958.00	\$99,799.68
Lisa Ells (LAE)	12.80	12.50	\$525	\$6,562.50	\$6,300.00
Aaron Fischer (AJF)	0.50	0.00	\$490	\$0.00	\$0.00
Blake Thompson (BT)	11.20	11.10	\$480	\$5,328.00	\$5,114.88
Michael Freedman (MLF)	142.90	140.60	\$470	\$66,082.00	\$63,438.72
Benjamin Bien-Kahn (BBK)	0.10	0.00	\$440	\$0.00	\$0.00
Krista Stone-Manista (KSM)	91.20	84.60	\$440	\$37,224.00	\$35,735.04
Sarah Poppy Alexander (SPA)	0.10	0.00	\$380	\$0.00	\$0.00
Rolayn Tauben (RLT)	193.40	153.40	\$295	\$45,253.00	\$43,442.88
Karen Stilber (KES)	55.50	53.90	\$290	\$15,631.00	\$15,005.76
Diana Gama (DAG)	48.70	45.40	\$250	\$11,350.00	\$10,896.00
Doris Tseng (DT)	12.80	12.30	\$250	\$3,075.00	\$2,952.00
Lauren Vandemortel (LWV)	12.70	12.70	\$220	\$2,794.00	\$2,682.24
Haruka Roudebush (HR)	57.80	41.20	\$250	\$10,300.00	\$9,888.00
Fely Villadelgado (FFV)	0.30	0.00	\$250	\$0.00	\$0.00
Greg Gonzalez (GZG)	2.40	0.00	\$250	\$0.00	\$0.00
Lucy Taylor (LRT)	131.80	113.30	\$250	\$28,325.00	\$27,192.00
Charlotte Landes (CJL)	25.80	21.60	\$220	\$4,752.00	\$4,561.92
Kelly McGraw (KAM)	162.80	144.00	\$220	\$31,680.00	\$30,412.80
Sasha Beder-Schenker (SBS)	1.3	0	\$220	\$0.00	\$0.00
Total Hours:	1183.40	1059.10		\$399,075.50	
RBGG CLAIMED FEES:					\$383,112.48
<u>PRISON LAW OFFICE</u>					
Donald Specter (DS)	16.00	16.00	\$845	\$13,520.00	\$12,979.20
Sara Norman (SN)	42.90	42.90	\$640	\$27,456.00	\$26,357.76
Alison Hardy (AH)	1.10	1.10	\$630	\$693.00	\$665.28
Rebekah Evenson (RE)	204.40	204.40	\$600	\$122,640.00	\$117,734.40
Penny Godbold (PG)	123.90	123.90	\$510	\$63,189.00	\$60,661.44
Corene Kendrick (CK)	109.90	109.90	\$510	\$56,049.00	\$53,807.04
Kelly Knapp (KK)	89.00	89.00	\$480	\$42,720.00	\$41,011.20
Amber Norris (AN)	238.10	238.10	\$290	\$69,049.00	\$66,287.04
Megan Lynch (ML)	106.60	106.60	\$250	\$26,650.00	\$25,584.00
Nora Searle (NS)	38.20	38.20	\$250	\$9,550.00	\$9,168.00
John Bonacorsi (JB)	102.80	102.80	\$250	\$25,700.00	\$24,672.00
Joyce de la Pena (JP)	19.60	19.60	\$250	\$4,900.00	\$4,704.00
Sarah Hopkins (SH)	7.80	7.80	\$250	\$1,950.00	\$1,872.00
Viviana Arcia (VA)	55.50	55.50	\$250	\$13,875.00	\$13,320.00
Total Hours:	1155.80	1155.80		\$477,941.00	
PLO CLAIMED FEES:					\$458,823.36
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Linda Kilb (LDK)	0.50	0.50	\$745	\$372.50	\$357.60
Hongyu Min (HM)	2.30	2.30	\$150	\$345.00	\$331.20
Total Hours:	2.80	2.80		\$717.50	
DREDF CLAIMED FEES:					\$688.80
TOTAL UNDISPUTED CDCR/AOAP MONITORING FEES:					\$842,624.64

Armstrong v. Brown
 First Quarterly Statement of 2015
 January 1, 2015 through March 31, 2015
Costs

Matter: CDCR/AOAP Merits/Monitoring

<u>Rosen, Bien, Galvan & Grunfeld (581-3)</u>	<u>Claimed Costs</u>	<u>Withdrawn by Plaintiffs</u>	<u>Undisputed Costs Now Owing</u>
Photocopying (In house)	\$1,556.00	\$62.24	\$1,493.76
Photocopying/printing (Outside)	\$792.17	\$31.69	\$760.48
Interpreting services	\$600.00	\$24.00	\$576.00
Transcripts	\$96.60	\$3.86	\$92.74
Online Research - PACER	\$16.40	\$0.66	\$15.74
Postage & Delivery	\$580.61	\$23.22	\$557.39
Travel - Mileage, Tolls, Food	\$5,087.14	\$203.49	\$4,883.65
Telephone	\$12.55	\$0.50	\$12.05
Total RBGG Costs:	\$8,741.47	\$349.66	\$8,391.81
<u>Prison Law Office</u>			
Photocopying (In house)	\$1,145.50	\$45.82	\$1,099.68
Expert Services (Subia Consulting)	\$975.00	\$39.00	\$936.00
Postage & Delivery	\$1,051.78	\$42.07	\$1,009.71
Travel - Mileage, Tolls, Food	\$8,432.74	\$337.31	\$8,095.43
Interpreting and Translation Services	\$75.00	\$3.00	\$72.00
Total PLO Costs:	\$11,680.02	\$467.20	\$11,212.82
<u>Disability Rights Education & Defense Fund, Inc.</u>			
Photocopying (in-house)	\$116.20	\$4.65	\$111.55
Postage & Delivery	\$34.16	\$1.37	\$32.79
Total DREDF Costs:	\$150.36	\$6.01	\$144.35
 TOTAL UNDISPUTED CDCR/AOAP MERITS/MONITORING COSTS:			 \$19,748.98

EXHIBIT B

Armstrong v. Brown
First Quarterly Statement of 2015
January 1, 2015 through March 31, 2015

BPH SUMMARY OF CLAIMED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
BPH	\$24,845.76	\$518.83
	TOTAL:	\$25,364.59

Armstrong v. Brown
 First Quarterly Statement of 2015
 January 1, 2015 through March 31, 2015
Matter: BPH

<u>BPH (581-4)</u>	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2015 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based on Negotiated Compromise</u>
<u>BPH MONITORING (581-4)</u>					
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Gay C. Grunfeld (GCG)	0.30	0.30	\$710	\$213.00	\$204.48
Thomas Nolan (TN)	13.20	13.20	\$590	\$7,788.00	\$7,476.48
Blake Thompson (BT)	3.10	3.10	\$480	\$1,488.00	\$1,428.48
Total Hours:	16.60	16.60		\$9,489.00	
RBGG CLAIMED FEES:					\$9,109.44
<u>PRISON LAW OFFICE</u>					
Sara Norman (SN)	1.00	1.00	\$640	\$640.00	\$614.40
Rana Anabtawi (RA)	35.80	35.80	\$440	\$15,752.00	\$15,121.92
Total Hours:	36.80	36.80		\$16,392.00	
PLO CLAIMED FEES:					\$15,736.32
TOTAL UNDISPUTED FEES FOR BPH WORK:					\$24,845.76

Armstrong v. Brown
 First Quarterly Statement of 2015
 January 1, 2015 through March 31, 2015
Costs

Matter: BPH

<u>Rosen, Bien, Galvan & Grunfeld (581-4)</u>	<u>Claimed Costs</u>	<u>Withdrawn by Plaintiffs</u>	<u>Undisputed Costs Now Owing</u>
Telephone	\$1.00	\$0.04	\$0.96
Photocopying (in house)	\$41.20	\$1.65	\$39.55
Travel - Mileage, Tolls, Food	\$97.70	\$3.91	\$93.79
Total RBGG Costs:	\$139.90	\$5.60	\$134.30
<u>Prison Law Office</u>			
Travel - Mileage, Tolls, Food	\$400.55	\$16.02	\$384.53
Total PLO Costs:	\$400.55	\$16.02	\$384.53
TOTAL UNDISPUTED BPH COSTS:			\$518.83

EXHIBIT C

Armstrong v. Brown
First Quarterly Statement of 2015
January 1, 2015 through March 31, 2015

DAPO SUMMARY OF CLAIMED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
DAPO MONITORING	\$183,981.60	\$5,866.07
	TOTAL:	\$189,847.67

Armstrong v. Brown
 First Quarterly Statement of 2015
 January 1, 2015 through March 31, 2015
Matter: DAPO Monitoring

<u>DAPO Monitoring (581-9)</u>	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>2015 Rates</u>	<u>Total Claimed Fees</u>	<u>Fees Now Owing Based on Negotiated Compromise</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Michael Bien (MWB)	0.20	0.20	\$840	\$168.00	\$161.28
Gay C. Grunfeld (GCG)	16.10	16.10	\$710	\$11,431.00	\$10,973.76
Lisa Ells (LAE)	1.70	0.00	\$525	\$0.00	\$0.00
Aaron Fischer (AJF)	70.30	68.50	\$490	\$33,565.00	\$32,222.40
Blake Thompson (BT)	5.30	0.00	\$480	\$0.00	\$0.00
Michael Freedman (MLF)	15.80	13.70	\$470	\$6,439.00	\$6,181.44
Benjamin Bien-Kahn (BBK)	89.00	83.30	\$440	\$36,652.00	\$35,185.92
Krista Stone-Manista (KSM)	0.30	0.00	\$440	\$0.00	\$0.00
Jenny Yelin (JSY)	136.50	123.60	\$420	\$51,912.00	\$49,835.52
Rolayn Tauben (RLT)	20.60	13.70	\$295	\$4,041.50	\$3,879.84
Karen Stilber (KES)	0.40	0.00	\$290	\$0.00	\$0.00
Lucy Taylor (LRT)	55.80	53.50	\$250	\$13,375.00	\$12,840.00
Diana Gama (DAG)	79.40	66.70	\$250	\$16,675.00	\$16,008.00
Kelly McGraw (KAM)	42.90	29.10	\$220	\$6,402.00	\$6,145.92
Total Hours:	534.30	468.40		\$180,660.50	
RBGG CLAIMED FEES:					\$173,434.08
<u>MORGAN LEWIS</u>					
Geoffrey Holtz (GH)	0.20	0.20	\$785	\$157.00	\$150.72
Cameron Saul (CS)	22.80	22.80	\$475	\$10,830.00	\$10,396.80
Total Hours:	22.80	22.80		\$10,987.00	
ML CLAIMED FEES:					\$10,547.52
TOTAL UNDISPUTED FEES FOR DAPO MONITORING WORK:					\$183,981.60

Armstrong v. Brown

First Quarterly Statement of 2015
January 1, 2015 through March 31, 2015

Costs**Matter: DAPO Monitoring**

	<u>Claimed Costs</u>	<u>Withdrawn by Plaintiffs</u>	<u>Undisputed Costs Now Owing</u>
<u>Rosen, Bien, Galvan & Grunfeld (581-9)</u>			
Photocopying (in-house)	\$680.20	\$27.21	\$652.99
Photocopying (outside)	\$302.54	\$12.10	\$290.44
Lexis/Westlaw	\$227.60	\$9.10	\$218.50
Online Research - PACER and Legislative History	\$0.30	\$0.01	\$0.29
Interpeting Services	\$1,345.00	\$53.80	\$1,291.20
Postage & Delivery	\$6.37	\$0.25	\$6.12
Telephone	\$16.20	\$0.65	\$15.55
Travel - Mileage, Tolls, Food	\$2,626.56	\$105.06	\$2,521.50
Total RBGG Costs:	\$5,204.77	\$208.19	\$4,996.58
<u>Morgan, Lewis & Bockius LLP</u>			
Travel - Mileage, Tolls, Food	\$905.72	\$36.23	\$869.49
Total ML Costs:	\$905.72	\$36.23	\$869.49
TOTAL UNDISPUTED DAPO MONITORING COSTS:			\$5,866.07

EXHIBIT D

Armstrong v. Brown
First Quarterly Statement of 2015
March 1, 2015 through March 31, 2015

SUMMARY OF CLAIMED FEES WORK AND COSTS

	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
FEES WORK (ALL MATTERS)	\$12,930.24	\$202.18
	TOTAL:	\$13,132.42

Armstrong v. Brown
 First Quarterly Statement of 2015
 January 1, 2015 through March 31, 2015
Matter: All Matters Fees Work

<u>Fees (581-2)</u>	Actual Hours	Claimed Hours	2015 Rates	Total Claimed Fees	Fees Now Owing Based on Negotiated Compromise
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>					
Gay C. Grunfeld (GCG)	5.80	5.80	\$710	\$4,118.00	\$3,953.28
Lisa Ells (LAE)	0.30	0.00	\$525	\$0.00	\$0.00
Blake Thompson (BT)	3.90	3.90	\$480	\$1,872.00	\$1,797.12
Karen Stilber (KES)	4.20	4.20	\$290	\$1,218.00	\$1,169.28
Rolayn Taugen (RLT)	0.30	0.00	\$295	\$0.00	\$0.00
Lauren Vandemortel (LWV)	11.90	11.10	\$220	\$2,442.00	\$2,344.32
Total Hours:	10.00	9.70		\$9,650.00	
RBGG CLAIMED FEES:					\$9,264.00
<u>PRISON LAW OFFICE</u>					
Rebekah Evenson (RE)	2.2	2.2	\$600	\$1,320.00	\$1,267.20
Edie DeGraff (ED)	6.60	6.60	\$195	\$1,287.00	\$1,235.52
Total Hours:	8.80	8.80		\$2,607.00	
PLO CLAIMED FEES:					\$2,502.72
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Linda Kilb (LDK)	1.10	1.10	\$745	\$819.50	\$786.72
Total Hours:	1.10	1.10		\$819.50	
DREDF CLAIMED FEES:					\$786.72
<u>MORGAN LEWIS</u>					
Geoffrey Holtz (GH)	0.50	0.50	\$785	\$392.50	\$376.80
Total Hours:	0.50	0.50		\$392.50	
MORGAN LEWIS CLAIMED FEES:					\$376.80
TOTAL UNDISPUTED FEES FOR ARMSTRONG FEES WORK:					\$12,930.24

Armstrong v. Brown
 First Quarterly Statement of 2015
 January 1, 2015 through March 31, 2015
Costs

Matter: Fees Work in All Matters

<u>Rosen, Bien, Galvan & Grunfeld (581-2)</u>	<u>Claimed Costs</u>	<u>Withdrawn by Plaintiffs</u>	<u>Undisputed Costs Now Owing</u>
Photocopying and Printing (in-house)	\$143.40	\$5.74	\$137.66
Telephone	\$0.10	\$0.00	\$0.10
Postage & Delivery	\$57.90	\$2.32	\$55.58
Total RBGG Costs:	\$201.40	\$8.06	\$193.34
<u>Disability Rights Education & Defense Fund, Inc.</u>			
Photocopying (in-house)	\$9.20	\$0.37	\$8.83
Total DREDF Costs:	\$9.20	\$0.37	\$8.83
TOTAL UNDISPUTED FEES WORK COSTS :			\$202.18