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9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION

13 **PRISON LEGAL NEWS,**

14 Plaintiff,

15 v.

16 **ARNOLD SCHWARZENEGGER, et al.,**

17 Defendants.
18
19

C 07-2058 CW

**STIPULATION AND ~~PROPOSED~~
ORDER RE SETTLEMENT OF
PLAINTIFF'S MOTION FOR
ATTORNEYS' FEES AND COSTS**

No hearing following Court's September 30,
2010 Order

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21 The parties, through their counsel of record, stipulate to the following regarding Plaintiff's
22 August 23, 2010 motion for attorneys' fees and expenses seeking \$205,716.05 for work through
23 July 31, 2010 pertaining to Defendants' appeal to the United States Court of Appeals for the
24 Ninth Circuit in this matter, reported at 608 F.3d 446 (9th Cir. 2010):

25 1. The California Department of Corrections and Rehabilitation shall pay Prison Legal
26 News \$185,000 for all attorneys' fees and expenses claimed by the August 23, 2010 motion.
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1 2. Payment of the settlement amount shall be made as soon reasonably possible, with
2 interest accruing forty-five (45) days after the District Court's entry of the stipulation and order.
3 Interest will be calculated following 28 U.S.C. § 1961, at a rate equal to the weekly average 1-
4 year constant maturity Treasury yield, as published by the Board of Governors of the Federal
5 Reserve System.

6 3. Plaintiff agrees to fully discharge and release all claims and causes of action, whether
7 known or unknown, against Defendants claimed by the August 23, 2010 attorneys' fees and cost
8 motion.

9 4. All further briefing for the August 23, 2010 motion is vacated.

11 Dated: December 20, 2010

/s/ Emily L. Brinkman

13 Emily L. Brinkman Deputy Attorney General for
14 Defendants Schwarzenegger, Tilton, Prunty, Kessler,
Chrones, and Montes

17 Dated: December 20, 2010

/s/ Sanford Jay Rosen

19 Sanford Jay Rosen
20 Attorney for Plaintiff Prison Legal News

21 **IT IS SO ORDERED.**

23 Dated: 12/22/2010



24 Honorable Claudia Wilken
25 U.S. District Court Judge