

LODGED

SEP 18 1985

MARY E. MCCLYMONT
ALVIN J. BRONSTEIN
National Prison Project of the American
Civil Liberties Union Foundation
1616 P Street, N.W.
Washington, D.C. 20036
202/331-0500

CLERK, U. S. DISTRICT COURT
DISTRICT OF HAWAII

MICHAEL D. WILSON
Suite 610, 333 Queen Street
Honolulu, Hawaii 96813
808/526-0811

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MARK S. DAVIS
10 Marin Street
Honolulu, Hawaii 96817
808/524-7500

OCT 7 1985

at 9 o'clock and 45 min. A.M.
WALTER A. Y. H. CHINI, CLERK

PAMELA J. BERMAN
Suite 606, 1314 So. King Street
Honolulu, Hawaii 96814
808/526-9781

ERIC A. SEITZ
Suite 105, 547 Halekauwila Street
Honolulu, Hawaii 96813
808/533-7434

DANIEL R. FOLEY
American Civil Liberties
Union of Hawaii
33 South King Street, Suite 412
Honolulu, Hawaii 96813
808/545-1722

Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

AGNES SPEAR, et al.,)
)
 Plaintiffs,)
)
 v.)
)
 GEORGE ARIYOSHI, et al.,)
)
 Defendants.)

Civil No. 84-1104

STIPULATION OF SETTLEMENT ; *OK PER*

Spear v. Waihee



PC-HI-0001-0003

It is hereby stipulated by the attorneys for all of the parties that all pending claims by plaintiffs for reasonable attorneys' fees, costs and expenses are settled in full upon the following terms and conditions:

1. The claim for attorneys' fees, costs and expenses submitted by plaintiffs' attorneys as set forth in the letters of July 12, 1985 and July 23, 1985 from Alvin J. Bronstein to James H. Dannenberg, as more fully detailed on the schedules of fees, costs and expenses submitted with those letters, is settled in full for the sum of Two Hundred and Twenty Thousand (220,000) Dollars in fees and Eighty Three Thousand Two Hundred and Fifty Nine (83,259) Dollars in costs and expenses. It is understood that this settlement includes all fees, costs and expenses through and including the entry of the Consent Decree herein on June 12, 1985 and all of the time spent on this fee, costs and expense claim. It is further understood that the defendants will pay all appropriate state taxes on this settlement amount.

2. The undersigned attorney for the plaintiffs certifies that he has the authority from all plaintiffs' counsel to enter into this settlement stipulation.


3. This stipulation shall be submitted to the Court for the entry of a judgement pursuant to Rule 54, Fed.R.Civ.Pr. in favor of the plaintiffs in accordance with its terms and said judgement shall accrue interest pursuant to 28 U.S.C. Sec.1961.

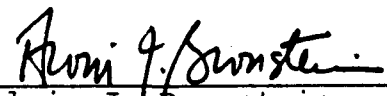
It is understood and agreed, however, that the defendants will pay this judgement on or about June 15, 1986 and that the plaintiffs will take no action on this judgement unless said payment is not made at that time.

4. It is agreed that the settlement amount referred to above shall be paid in one sum to the National Prison Project of the ACLU Foundation, Inc. and that undersigned counsel for the plaintiffs shall be responsible for distribution of appropriate sums to all other counsel.

5. It is understood and agreed that this agreement or any payments made in accordance herewith shall not be construed as nor constitute an admission of liability on the part of the defendants.

Agreed to this 11th day of September, 1985


James H. Dannenberg
First Deputy Attorney General
Counsel for Defendants


Alvin J. Bronstein
National Prison Project of
the American Civil Liberties
Union Foundation, Inc.

Mary E. McClymont
Michael D. Wilson
Mark S. Davis
Pamela J. Berman
Eric A. Seitz
Daniel R. Foley

Counsel for Plaintiffs

Approved And So Ordered:


United States District Judge

Agnes Spear, et al., individually and on behalf of all other persons similarly situated, Plaintiffs, vs. George Ariyoshi, et al., Defendants - Civil No. 84-1104 - Stipulation of settlement, Order and Judgement.