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9
10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13
14 **DERRICK CLARK, et al.,**

15 Plaintiffs,

16 **v.**

17 **STATE OF CALIFORNIA, et al.,**

18 Defendants.

C 96-1486 CRB

19 **STIPULATION REGARDING**
ATTORNEY'S FEES; ~~PROPOSED~~
ORDER

Judge The Honorable Charles R.
Breyer
20 Action Filed: April 22, 1996

21 1. On September 16, 2010, this Court issued its Findings of Facts and Conclusions of
22 Law denying Defendants' Motion to Terminate the Settlement Agreement. (Doc. 500.)

23 2. The parties have been engaged in negotiations on Plaintiffs' request for attorneys' fees
24 and costs for the time period from July 1, 2009 through September 29, 2010 for Jones Day, and
25 July 1, 2009 through September 17, 2010 for the Prison Law Office. Plaintiffs have provided
26 Defendants time runs and itemized costs, and Defendants have responded with objections. The
27 parties have reached agreement to compromise Plaintiffs' requests for any and all attorneys' fees
28

1 and costs for these time periods (including, but not limited to, work connected to the hearing on
2 the motion to terminate) in the amount of \$2,300,000. No other fees or costs will be paid arising
3 out of these time periods for these or any other counsel or entities, and Plaintiffs waive their right
4 to any such fees or costs.

5
6 3. This agreement does not constitute a waiver by the parties of their respective legal
7 arguments regarding the propriety of the fees and costs at issue.

8 Therefore, the parties, through their respective counsel, stipulate as follows:

9 Within 30 days of the date that the Court approves this Stipulation and Order, Defendants
10 shall pay Plaintiffs' counsel \$2,300,000 for any and all attorneys' fees and costs incurred by any
11 and all attorneys, law firms, and non-profit organizations in this case during the relevant time
12 periods. Defendants will write one check to the Prison Law Office, and the Prison Law Office
13 will coordinate with any other attorney, law firm, or non-profit organization that is owed fees and
14 costs.
15

16 IT IS SO STIPULATED.

17 Dated: December 29, 2010

_____/s/_____
Donald Specter, Esq.
Prison Law Office
Attorney for Plaintiffs

20 Dated: December 29, 2010

_____/s/_____
Jose A. Zelidon-Zepeda
California Attorney General's Office
Attorneys for Defendants

25 PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.

26 Dated: January 3, 2011

Honorable Charles R. Breyer
United States District Court

