

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

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

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,

Plaintiffs,

v.

EDMUND G. BROWN, JR., et al.,

Defendants.

Case No. C94 2307 CW

**[PROPOSED] STIPULATED ORDER
CONFIRMING UNDISPUTED
ATTORNEYS' FEES AND COSTS
FOR THE SECOND 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 July 28, 2015 Plaintiffs served on Defendants their
5 Second Quarterly Statement for 2015 by overnight delivery. The parties completed their
6 meet-and-confer process on September 10, 2015 as to the fees and costs incurred on all
7 matters.

8 As a result of the September 10, 2015 agreement, the parties agree to the following:

9 The parties agree to the payment of \$903,315.08 to resolve all fees and costs
10 incurred during the Second Quarter of 2015, for monitoring and/or litigation activities in
11 the California Department of Corrections of Rehabilitation Division of Adult Operations
12 and Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are
13 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
14 the parties to settle these claims.

15 The parties agree to the payment of \$45,226.42 to resolve all fees and costs incurred
16 during the Second Quarter of 2015, for monitoring and/or litigation activities in the Board
17 of Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts
18 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the
19 parties to settle these claims.

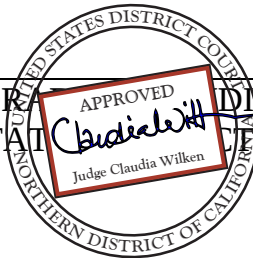
20 The parties agree to the payment of \$280,952.71 to resolve all fees and costs
21 incurred during the Second Quarter of 2015, for monitoring and/or litigation activities in
22 the Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as
23 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts
24 agreed to by the parties to settle these claims.

25 The parties agree to the payment of \$16,609.14 to resolve all fees and costs incurred
26 during the Second Quarter of 2015, for fees on fees. Attached hereto as **Exhibit D** are
27 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
28 the parties to settle these claims.

1 IT IS HEREBY ORDERED that the amounts set forth above are due and
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees
3 and costs will run from August 29, 2015, accruing at the rate provided by 28 U.S.C.
4 § 1961.

5
6 DATED: 9/25/15

7
8
9 THE HONORABLE CLAUDIA WILKEN
10 UNITED STATES DISTRICT COURT JUDGE
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



11 APPROVED AS TO FORM:

13 DATED: September 17, 2015

/s/ Sharon A. Garske

Sharon A. Garske
Deputy Attorney General
Attorney for Defendants

16 DATED: September 17, 2015

/s/ Blake Thompson

Blake Thompson
Rosen Bien Galvan & Grunfeld LLP
Attorneys for Plaintiffs

EXHIBIT A

Armstrong v. Brown
Second Quarterly Statement of 2015
April 1, 2015 through June 30, 2015

CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
CDCR/AOAP MONITORING	\$882,166.56	\$21,148.52
	TOTAL:	\$903,315.08

Armstrong v. Brown
 Second Quarterly Statement of 2015
 April 1, 2015 through June 30, 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)	7.80	7.60	\$840	\$6,384.00	\$6,128.64
Gay C. Grunfeld (GCG)	42.80	42.60	\$710	\$30,246.00	\$29,036.16
Ernest Galvan (EG)	1.30	0.60	\$690	\$414.00	\$397.44
Thomas Nolan (TN)	211.50	210.70	\$590	\$124,313.00	\$119,340.48
Lisa Ells (LAE)	84.60	76.80	\$525	\$40,320.00	\$38,707.20
Aaron Fischer (AJF)	0.50	0.00	\$490	\$0.00	\$0.00
Blake Thompson (BT)	89.60	86.10	\$480	\$41,328.00	\$39,674.88
Michael Freedman (MLF)	20.70	20.70	\$470	\$9,729.00	\$9,339.84
Krista Stone-Manista (KSM)	112.60	107.30	\$440	\$47,212.00	\$45,323.52
Rolayn Tauben (RLT)	136.40	84.10	\$295	\$24,809.50	\$23,817.12
Karen Stilber (KES)	62.90	62.50	\$290	\$18,125.00	\$17,400.00
Abbye Klamann (ARK)	0.90	0.00	\$250	\$0.00	\$0.00
Doris Tseng (DT)	19.10	18.60	\$250	\$4,650.00	\$4,464.00
Lauren Vandermortel (LWV)	8.20	8.20	\$220	\$1,804.00	\$1,731.84
F. Gail LaPurja (FGL)	36.35	35.65	\$250	\$8,912.50	\$8,556.00
Fely Villadelgado (FFV)	0.90	0.00	\$250	\$0.00	\$0.00
Greg Gonzalez (GZG)	54.20	53.80	\$250	\$13,450.00	\$12,912.00
Charlotte Landes (CJL)	143.40	91.80	\$220	\$20,196.00	\$19,388.16
Nathalie Welch (NCW)	3.00	0.00	\$220	\$0.00	\$0.00
Kelly McGraw (KAM)	346.70	327.90	\$220	\$72,138.00	\$69,252.48
Sasha Beder-Schenker (SBS)	18.10	18.10	\$220	\$3,982.00	\$3,822.72
Total Hours:	1,401.55	1,253.05		\$468,013.00	\$449,292.48
RBGG CLAIMED FEES:					
<u>PRISON LAW OFFICE</u>					
Donald Specter (DS)	1.50	1.50	\$845	\$1,267.50	\$1,216.80
Sara Norman (SN)	0.50	0.50	\$640	\$320.00	\$307.20
Laura Graham (LG)	39.40	39.40	\$250	\$9,850.00	\$9,456.00
Rebekah Evenson (RE)	72.10	72.10	\$600	\$43,260.00	\$41,529.60
Penny Godbold (PG)	112.80	112.80	\$510	\$57,528.00	\$55,226.88
Marc Shinn-Krantz	65.70	65.70	\$275	\$18,067.50	\$17,344.80
Corene Kendrick (CK)	169.70	169.70	\$510	\$86,547.00	\$83,085.12
Cara Trombadore (CT)	65.30	65.30	\$275	\$17,957.50	\$17,239.20
Anjuli Branz (AB)	84.30	84.30	\$250	\$21,075.00	\$20,232.00
Amber Norris (AN)	322.10	322.10	\$290	\$93,409.00	\$89,672.64
Kelly Knapp (KK)	105.00	105.00	\$480	\$50,400.00	\$48,384.00
Megan Lynch (ML)	41.90	41.90	\$250	\$10,475.00	\$10,056.00
Nora Searle (NS)	67.20	67.20	\$250	\$16,800.00	\$16,128.00
John Bonacorsi (JB)	47.70	47.70	\$250	\$11,925.00	\$11,448.00
Viviana Arcia (VA)	45.60	45.60	\$250	\$11,400.00	\$10,944.00
Total Hours:	1,240.80	1,240.80		\$450,281.50	\$432,270.24
PLO CLAIMED FEES:					
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Linda Kilb (LDK)	0.20	0.20	\$745	\$149.00	\$143.04
Hongyu Min (HM)	3.20	3.20	\$150	\$480.00	\$460.80
Total Hours:	3.40	3.40		\$629.00	\$603.84
DREDF CLAIMED FEES:					
TOTAL UNDISPUTED CDCR/AOAP MONITORING FEES:					
				\$918,923.50	\$882,166.56

Armstrong v. Brown

Second Quarterly Statement of 2015

April 1, 2015 through June 30, 2015

Costs***Matter: CDCR/AOAP Merits/Monitoring***

	Total Claimed Costs	Costs Now Owing Based On Negotiated Compromise
<u>Rosen, Bien, Galvan & Grunfeld (581-3)</u>		
Photocopying (In house)	\$2,125.80	\$2,040.77
Photocopying/printing (Outside)	\$1,111.49	\$1,067.03
Interpreting services	\$1,110.00	\$1,065.60
Online Research - PACER	\$4.00	\$3.84
Lexis/Westlaw	\$21.39	\$20.53
Postage & Delivery	\$781.40	\$750.14
Travel - Mileage, Tolls, Food	\$5,881.68	\$5,646.41
Telephone	\$9.95	\$9.55
Total RBGG Costs:	\$11,045.71	\$10,603.88
 <u>Prison Law Office</u>		
Photocopying (In house)	\$1,805.80	\$1,733.57
Postage & Delivery	\$1,157.95	\$1,111.63
Travel - Mileage, Tolls, Food	\$6,543.11	\$6,281.39
Interpreting and Translation Services	\$1,108.13	\$1,063.80
Total PLO Costs:	\$10,614.99	\$10,190.39
 <u>Disability Rights Education & Defense Fund, Inc.</u>		
Photocopying (in-house)	\$336.60	\$323.14
Postage & Delivery	\$32.41	\$31.11
Total DREDF Costs:	\$369.01	\$354.25
 TOTAL UNDISPUTED CDCR/AOAP MERITS/MONITORING COSTS:		\$21,148.52

EXHIBIT B

Armstrong v. Brown
Second Quarterly Statement of 2015
April 1, 2015 through June 30, 2015

BPH SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
BPH	\$44,558.88	\$667.54
	TOTAL:	\$45,226.42

Armstrong v. Brown

Second Quarterly Statement of 2015

April 1, 2015 through June 30, 2015

Matter: BPH**BPH (581-4)****Actual
Hours****Claimed
Hours****2015
Rates****Total
Claimed Fees****Fees Now Owing Based on
Negotiated Compromise****BPH MONITORING (581-4)****ROSEN, BIEN, GALVAN & GRUNFELD**

Gay C. Grunfeld (GCG)	6.40	6.40	\$710	\$4,544.00	\$4,362.24
Ernest Galvan (EG)	0.80	0.80	\$690	\$552.00	\$529.92
Thomas Nolan (TN)	9.60	9.60	\$590	\$5,664.00	\$5,437.44
Blake Thompson (BT)	21.10	21.00	\$480	\$10,080.00	\$9,676.80
Rolayn Tauben (RLT)	4.30	3.20	\$295	\$944.00	\$906.24
Karen Stilber (KES)	0.90	0.00	\$290	\$0.00	\$0.00
Total Hours:	43.10	41.00			

RBGG CLAIMED FEES:**\$21,784.00****\$20,912.64****PRISON LAW OFFICE**

Donald Specter (DS)	0.70	0.70	\$845	\$591.50	\$567.84
Sara Norman (SN)	5.80	5.80	\$640	\$3,712.00	\$3,563.52
Rana Anabtawi (RA)	46.20	46.20	\$440	\$20,328.00	\$19,514.88
Total Hours:	52.70	52.70			

PLO CLAIMED FEES:**\$24,631.50****\$23,646.24****TOTAL UNDISPUTED FEES FOR
BPH WORK:****\$46,415.50****\$44,558.88**

Armstrong v. Brown

Second Quarterly Statement of 2015

April 1, 2015 through June 30, 2015

Costs***Matter: BPH***

	Total Claimed Costs	Costs Now Owing Based On Negotiated Compromise
<u>Rosen, Bien, Galvan & Grunfeld (581-4)</u>		
Postage & Delivery	\$17.10	\$16.42
Travel - Mileage, Tolls, Food	\$243.80	\$234.05
Total RBGG Costs:	\$260.90	\$250.46

Prison Law Office

Travel - Mileage, Tolls, Food	\$434.45	\$417.07
Total PLO Costs:	\$434.45	\$417.07

TOTAL UNDISPUTED BPH COSTS:		\$667.54
------------------------------------	--	-----------------

EXHIBIT C

Armstrong v. Brown
Second Quarterly Statement of 2015
April 1, 2015 through June 30, 2015

DAPO SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
DAPO MONITORING	\$273,359.04	\$7,593.67
	TOTAL:	\$280,952.71

Armstrong v. Brown

Second Quarterly Statement of 2015

April 1, 2015 through June 30, 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)	2.10	1.40	\$840	\$1,176.00	\$1,128.96
Gay C. Grunfeld (GCG)	23.60	23.60	\$710	\$16,756.00	\$16,085.76
Ernest Galvan (EG)	0.30	0.00	\$690	\$0.00	\$0.00
Jane E. Kahn (JEK)	1.10	0.00	\$590	\$0.00	\$0.00
Lisa Ells (LAE)	0.60	0.00	\$525	\$0.00	\$0.00
Aaron Fischer (AJF)	163.80	163.40	\$490	\$80,066.00	\$76,863.36
Blake Thompson (BT)	27.00	26.30	\$480	\$12,624.00	\$12,119.04
Michael Freedman (MLF)	6.40	6.40	\$470	\$3,008.00	\$2,887.68
Benjamin Bien-Kahn (BBK)	141.60	129.70	\$440	\$57,068.00	\$54,785.28
Margot Mendelson (MKM)	36.00	33.60	\$440	\$14,784.00	\$14,192.64
Jennifer Stark (JLS)	36.30	34.20	\$440	\$15,048.00	\$14,446.08
Jenny Yelin (JSY)	101.80	98.10	\$420	\$41,202.00	\$39,553.92
Rolayn Tauben (RLT)	40.10	28.40	\$295	\$8,378.00	\$8,042.88
Abbye Klamann (ARK)	21.10	10.60	\$275	\$2,915.00	\$2,798.40
Greg Gonzalez (GZG)	2.10	0.00	\$250	\$0.00	\$0.00
Charlotte Landes (CJL)	4.70	3.60	\$220	\$792.00	\$760.32
Kelly McGraw (KAM)	106.80	79.80	\$220	\$17,556.00	\$16,853.76
Nathalie Welch (NCW)	110.30	60.10	\$220	\$13,332.00	\$12,798.72
Sasha Beder-Schenker (SBS)	0.20	0.20	\$220	\$44.00	\$42.24
Total Hours:	825.90	699.40			
RBGG CLAIMED FEES:				\$284,749.00	\$273,359.04
TOTAL UNDISPUTED FEES FOR DAPO MONITORING WORK:				\$284,749.00	\$273,359.04

Armstrong v. Brown

Second Quarterly Statement of 2015

April 1, 2015 through June 30, 2015

Costs***Matter: DAPO Monitoring*****Rosen, Bien, Galvan & Grunfeld (581-9)**

	Total Claimed Costs	Costs Now Owing Based On Negotiated Compromise
Photocopying (in-house)	\$2,147.60	\$2,061.70
Photocopying (outside)	\$173.56	\$166.62
Lexis/Westlaw	\$200.66	\$192.63
Interpeting Services	\$742.50	\$712.80
Telephone	\$12.75	\$12.24
Travel - Mileage, Tolls, Food	\$4,633.00	\$4,447.68
Total RBGG Costs:	\$7,910.07	\$7,593.67

TOTAL UNDISPUTED DAPO MONITORING COSTS:**\$7,593.67**

EXHIBIT D

Armstrong v. Brown
Second Quarterly Statement of 2015
April 1, 2015 through June 30, 2015

SUMMARY OF UNDISPUTED FEES WORK AND COSTS

	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
FEES WORK (ALL MATTERS)	\$16,436.64	\$172.50
TOTAL:		\$16,609.14

Armstrong v. Brown

Second Quarterly Statement of 2015

April 1, 2015 through June 30, 2015

Matter: All Matters Fees Work

<u>Fees (581-2)</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>					
Gay C. Grunfeld (GCG)	9.00	9.00	\$710	\$6,390.00	\$6,134.40
Lisa Ellis (LAE)	0.40	0.00	\$525	\$0.00	\$0.00
Blake Thompson (BT)	7.30	7.10	\$480	\$3,408.00	\$3,271.68
Karen Stilber (KES)	10.60	10.30	\$290	\$2,987.00	\$2,867.52
Rolayn Tauben (RLT)	0.20	0.00	\$295	\$0.00	\$0.00
Fely Villadelgado (FFV)	0.30	0.00	\$250	\$0.00	\$0.00
Lauren Vandemortel (LWV)	3.70	3.40	\$220	\$748.00	\$718.08
Total Hours:	31.50	29.80			
RBGG CLAIMED FEES:				\$13,533.00	\$12,991.68
<u>PRISON LAW OFFICE</u>					
Rebekah Evenson (RE)	0.2	0.2	\$600	\$120.00	\$115.20
Corene Kendrick (CK)	0.9	0.9	\$510	\$459.00	\$440.64
Edie DeGraff (ED)	9.60	9.60	\$195	\$1,872.00	\$1,797.12
Total Hours:	10.70	10.70			
PLO CLAIMED FEES:				\$2,451.00	\$2,352.96
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>					
Linda Kilb (LDK)	1.00	1.00	\$745	\$745.00	\$715.20
Total Hours:	1.00	1.00			
DREDF CLAIMED FEES:				\$745.00	\$715.20
<u>MORGAN LEWIS</u>					
Geoffrey Holtz (GH)	0.50	0.50	\$785	\$392.50	\$376.80
Total Hours:	0.50	0.50			
MORGAN LEWIS CLAIMED FEES:				\$392.50	\$376.80
TOTAL UNDISPUTED FEES FOR ARMSTRONG FEES WORK:				\$17,121.50	\$16,436.64

Armstrong v. Brown

Second Quarterly Statement of 2015

April 1, 2015 through June 30, 2015

Costs***Matter: Fees Work in All Matters***

	Total Claimed Costs	Costs Now Owing Based On Negotiated Compromise
<u>Rosen, Bien, Galvan & Grunfeld (581-2)</u>		
Photocopying and Printing (in-house)	\$105.60	\$101.38
Postage & Delivery	\$63.89	\$61.33
Total RBGG Costs:	\$169.49	\$162.71

Disability Rights Education & Defense Fund, Inc.

Photocopying (in-house)	\$10.20	\$9.79
Total DREDF Costs:	\$10.20	\$9.79

TOTAL UNDISPUTED CDCR/AOAP MERITS/MONITORING COSTS: \$172.50