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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RALPH COLEMAN, et al.,
Plaintiffs,
v.
EDMUND G. BROWN, JR., et al.,
Defendants.

Case No. Civ S 90-0520 LKK_JFM

**STIPULATION AND ORDER RE:
PARALEGAL AND LITIGATION
ASSISTANT RATES FOR 2010 AND THE
FIRST QUARTER OF 2011**

1 On June 28, 2011 the parties stipulated to meet and confer regarding the 2010
2 hourly rate for paralegals and certain other litigation assistants within 30 days after
3 resolution of the parties' related litigation on this issue in *Armstrong v. Brown*, C94 2307
4 CW (N.D. Cal.). See Docket No. 4029 ¶¶ 4, 6. On August 8, 2011, the *Armstrong* Court
5 granted Plaintiffs' motion to compel compensation at their counsel's billed 2010 hourly
6 rates (*Armstrong* Docket No. 1919).

7 In light of the *Armstrong* Court's order, Plaintiffs now seek a total of \$311,947.33
8 for the four quarters of 2010 and \$107,010.25 for the first quarter of 2011. These numbers
9 represent the difference between Plaintiffs' demanded PLRA-capped hourly rates for
10 paralegal and litigation assistants and the \$82.50 per hour Defendants have paid during the
11 pendency of this dispute. Attached hereto as **Exhibit A** are charts setting forth the fees
12 payable to Plaintiffs for the undisputed hours incurred in these five quarters.

13 WHEREFORE, Defendants agree to pay Plaintiffs' counsel \$418,957.58 within 45
14 days of the signing of this Order. On the 45th day following the entry of this Order,
15 interest on any unpaid amount will begin to accrue at the rate provided by 28 U.S.C.
16 § 1961 (i.e., the weekly average 1 year constant maturity Treasury yield for the calendar
17 week preceding the date of the Order).

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1 **IT IS SO STIPULATED.**

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3 Dated: September 22, 2011

Respectfully submitted,

4 ROSEN, BIEN & GALVAN, LLP

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6 By: /s/ Ernest Galvan

Ernest Galvan

7 Attorneys for *Coleman* Plaintiffs

8 Dated: September 22, 2011

OFFICE OF THE ATTORNEY GENERAL

9
10 By: /s/

David Brice, Deputy Attorney General

11 Attorneys for *Coleman* Defendants

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13 **IT IS SO ORDERED.**

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15 Dated: October 3, 2011.

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17 UNITED STATES MAGISTRATE JUDGE