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14 Attorneys for Respondent California Department of Corrections and Rehabilitation

15 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
 16 FOR THE CITY AND COUNTY OF SACRAMENTO
 17 Unlimited Civil Jurisdiction

BY FAX

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| 19 PRISON LEGAL NEWS, |) Case No.: 34-2007-00883573-CU-PT-GDS |
| 20 |) |
| 21 Petitioner, |) SETTLEMENT AGREEMENT AND |
| 22 v. |) STIPULATION RE PETITIONER'S |
| 23 JAMES FILTON, Secretary, California |) ENTITLEMENT TO ATTORNEY'S |
| Department of Corrections and Rehabilitation, |) FEES |
| 24 Respondent. |) California Public Records Act; |
| 25 |) Government Code §§ 6250, et seq. |
| 26 |) For Determination Without Hearing |
| 27 |) Dept: 54 |
| 28 |) Judge: Hon. Shelleyanne W.L. Chang |
| |) Trial date: None set |

SETTLEMENT AGREEMENT AND STIPULATION RE PETITIONER'S ENTITLEMENT TO ATTORNEY'S FEES
 Case No. 34-2007-00883573-CU-PT-GDS

(02888-1)

1 **SETTLEMENT AGREEMENT AND STIPULATION RE PETITIONER'S**
2 **ENTITLEMENT TO REASONABLE ATTORNEY'S FEES AND COSTS**

3 The Parties to this action, through their respective counsel, jointly file the following
4 Settlement Agreement and Stipulation and request that the Court enter the Proposed Order
5 submitted herewith.

6 1. This action was filed on December 18, 2007 with regard to certain California
7 Public Records Act requests. On December 23, 2009, the Court ordered Respondent to produce
8 certain public records under the California Public Records Act. On June 16, 2010, Respondent
9 produced the last set of documents pursuant to the Court's Order.

10 2. Issues regarding Respondent's production of those documents have been resolved,
11 and the parties have settled all issues arising in this matter, including Petitioner's Prison Legal
12 News's entitlement to attorney's fees and costs, and are prepared to stipulate to dismissal of this
13 action.

14 3. The parties have negotiated Petitioner's entitlement to fees and costs under the
15 California Public Records Act, Cal. Government Code § 6259, subsection (d), for work in
16 litigating this matter. The Parties, through their counsel, have agreed to settle all claims for fees
17 and costs in this matter for a total payment of One Hundred-Fifty-Five Thousand Dollars and No
18 Cents (\$155,000.00). In return, Petitioner releases the Respondent from all claims for attorney's
19 fees and costs in the above-captioned matter.

20 4. The Parties have agreed that the amount of One Hundred-Fifty-Five Thousand
21 Dollars and No Cents (\$155,000.00) shall be paid by check made out to Petitioner's counsel,
22 Rosen, Bien & Galvan, LLP. The payment shall be made no later than 60 calendar days from the

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1 date of the Order approving this Stipulation. Amounts remaining unpaid thereafter shall accrue
2 interest at the seven percent interest rate provided in Article 15, Section 1 of the California
3 Constitution. Upon receipt of the full payment, Petitioner agrees to dismiss the action with
4 prejudice.

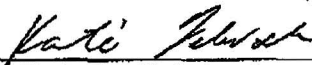
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6 Dated: September ²⁹, 2010

Respectfully Submitted,
ROSEN, BIEN & GALVAN, LLP

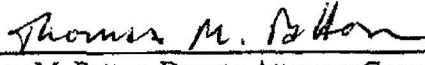
8
9 By: 
10 Ernest Galvan
11 Attorneys for Petitioner PRISON LEGAL NEWS

12 Dated: September 28, 2010

California Department of Corrections and Rehabilitation
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PO Box 4036
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13
14 By: 
15 Name: Katherine K. Tebrock Bar No. 221074
16 Title: ~~Assistant General Counsel~~
Chief Deputy General Counsel, Policy

17 Dated: September 28 2010

ATTORNEY GENERAL OF CALIFORNIA
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19 By: 
20 Thomas M. Patton, Deputy Attorney General
21 Attorney for Respondent JAMES TILTON, Secretary,
22 California Department of Corrections and Rehabilitation
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