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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MEGAN WHITE, JERONIMO  
AGUILAR, LOREN WAYNE KIDD,  
LYRIC NASH, NICOLLETTE JONES,  
and ODETTE ZAPATA,

Plaintiffs,

v.

SACRAMENTO POLICE DEPARTMENT,  
THE CITY OF SACRAMENTO, and  
DANIEL HAHN,

Defendants.

No. 2:21-cv-02211-JAM-SCR

**ORDER DENYING IN PART AND  
GRANTING IN PART PLAINTIFFS'  
MOTION FOR ATTORNEYS' FEES AND  
COSTS**

I. INTRODUCTION

This matter is before the Court on Plaintiffs Megan White, Jeronimo Aguilar, Loren Kidd, Lyric Nash, Nicolette Jones, and Odette Zapata's motion for attorneys' fees and costs. ECF No. 186, Plaintiffs' Memorandum of Points and Authorities ("Mot."). Plaintiffs request \$2,579,483.51 in fees for the work of 17 attorneys, and 7 paralegals and staff, from 3 different, concurrently staffed firms and organizations since March 2021. Mot. at 2-3. Plaintiffs also request reimbursement for \$54,833.38 in costs, and another \$74,350.13 for their legal team's work preparing the pending motion for fees and costs. Mot. at 2-4; see also ECF No. 186-1, ¶ 57; ECF No. 186-3, ¶ 10;

1 ECF No. 186-6, ¶ 34; ECF No. 186-8, ¶ 44. Defendants Sacramento  
2 Police Department, City of Sacramento, and Daniel Hahn oppose  
3 Plaintiffs' motion (ECF No. 16 ("Opp'n")), arguing an award for  
4 fees and costs should be limited to \$300,000, and \$25,000,  
5 respectively. Plaintiffs filed a reply and an amended  
6 declaration to the reply. ECF Nos. 188 ("Reply"), 189.  
7 Plaintiffs requested an additional \$17,950.50 in fees for their  
8 work on the reply.<sup>1</sup> Reply at pg. 18.

9 For the reasons detailed below, the Court orders an award of  
10 \$230,247 in attorneys' fees and \$19,192 in costs. The Court  
11 denies Plaintiffs' request for additional fees related to the  
12 preparation of the pending motion and reply.

## 13 II. BACKGROUND

14 Since the factual background and procedural history have  
15 been extensively summarized and documented in a number of orders  
16 by this Court, the Court only provides a brief summary here.  
17 See, e.g., ECF Nos. 22, 92, 95, 106, 175.

18 This case originated with a complaint filed by Plaintiff  
19 Megan White in November 2021. ECF No. 1. A month later, a first  
20 amended complaint was filed by all 6 named Plaintiffs, asserting  
21 11 causes of action. ECF No. 4. Defendants filed a motion to  
22 dismiss, and after full briefing, the Court dismissed all of  
23 Plaintiffs Jones, Nash, and Zapata's state law claims (causes of  
24 action 7, 8, 9 and 10) with prejudice, dismissed Plaintiff  
25 Aguilar's same state law claims without prejudice, and dismissed  
26 all Plaintiffs' conspiracy claims, the 5th and 6th causes of

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27 <sup>1</sup> This motion was determined to be suitable for decision without  
28 oral argument. E.D. Cal. L.R. 230(g); see also ECF No. 190.

1 action, without prejudice. ECF No. 22.

2 Plaintiffs' second amended complaint was filed in July 2022,  
3 asserting 11 causes of action against Defendants. ECF No. 31.  
4 After settlement conferences and a discovery dispute, Defendants  
5 filed a motion for partial summary judgment. See ECF No. 78.  
6 Defendants motion was successful on the 5th and 6th causes of  
7 action, for conspiracy and failure to intervene, respectively.  
8 See ECF Nos. 92, 106. After further briefing, the Court also  
9 granted summary judgment on Plaintiff Kidd's claim for failure to  
10 accommodate, the 11th cause of action. See ECF No. 95. The  
11 matter was subsequently confirmed for jury trial. See ECF No.  
12 108.

13 Days before trial was scheduled to begin, the parties  
14 reached a partial settlement, and the trial was rescheduled and  
15 converted to a bench trial. See ECF Nos. 127, 128. The  
16 settlement resolved all Plaintiffs' requests for monetary damages  
17 in exchange for \$350,000, but did not resolve claims for  
18 declaratory relief and injunctive relief. See ECF No. 127.

19 The case proceeded to trial at the end of March. ECF Nos.  
20 128, 138, 143, 144, 147, 152, 153, 154, 157. The bench trial  
21 lasted 8 days, conducted generally between 9:15 a.m. and 2 p.m.,  
22 with one day having a slightly longer session and one having only  
23 an approximately 2.5 hour session. A verdict was reached and  
24 judgment was entered in favor of the Defendants on all of  
25 Plaintiffs' causes of action and claims for injunctive relief.  
26 ECF Nos. 175, 177. Plaintiffs abandoned their claims for  
27 declaratory relief and did not present evidence supporting these  
28 claims nor make any requests for the Court to provide declaratory

1 relief at trial. See generally ECF No. 127, 175. Accordingly,  
2 judgment was also entered in favor of Defendants on Plaintiffs'  
3 claims for declaratory relief. ECF No. 177.

4 Plaintiffs' claims stem from allegations that the  
5 "Sacramento Police Department's policies and practices are  
6 discriminatory, racist, and inhumane," Defendants' failure to  
7 properly train and discipline its police officers[] were the  
8 moving forces behind the constitutional violations they  
9 suffered," and a permanent injunction was necessary to prevent  
10 ongoing harm. See ECF Nos. 31, 175. Indeed, the majority of the  
11 operative complaint focused on evidence supporting Plaintiffs'  
12 claims for declaratory and injunctive relief. Id. Although this  
13 was the thrust of Plaintiffs' case, the Court entered a verdict  
14 for the Defendants on these issues. See ECF Nos. 175, 177.  
15 Indeed, the Court found the Plaintiffs failed to introduce  
16 evidence at trial demonstrating they had standing for permanent  
17 injunctive relief on at least one of their claims and that  
18 "Plaintiffs did not introduce any evidence of allegedly  
19 unconstitutional conduct by [Defendants] during public protests  
20 over the past five years from which th[e] Court could . . . ,"  
21 grant the injunctive relief Plaintiffs' sought. ECF No. 175.

### 22 III. OPINION

#### 23 A. Legal Standard

24 "[T]he Civil Rights Attorney's Fees Awards Act of 1976, 42  
25 U.S.C. § 1988, authoriz[es] the district courts to award a  
26 reasonable attorney's fee to prevailing parties in civil rights  
27 litigation." Hensley v. Eckerhart, 461 U.S. 424, 429 (1983).  
28 The prevailing party "should ordinarily recover an attorney's fee

1 unless special circumstances would render an award unjust,” (id.  
2 (quoting S.Rep.No. 94-1011, pg. 4 (1976), U.S. Code Cong. & Admin  
3 News 1976, pg. 5912 and Newman v. Piggie Park Enterprises, 390  
4 U.S. 400, 402 (1968)) (internal quotations removed)), and “the  
5 fee applicant bears the burden of establishing entitlement to an  
6 award and documenting the appropriate hours expended and hourly  
7 rates.” Id. at 437. While the Ninth Circuit has clarified “it  
8 is not per se unreasonable for the prevailing party [] to be  
9 awarded an amount of attorney’s fees that exceeds the amount of  
10 money recovered by [the] client,” (Gonzalez v. City of Maywood,  
11 729 F.3d 1196, 1200 (9th Cir. 2013)), it is critical for a  
12 district court to “strike a balance between granting sufficient  
13 fees . . . and avoiding a windfall to counsel.” Moreno v. City  
14 of Sacramento, 534 F.3d 1106, 1111 (9th Cir. 2008) (citations  
15 omitted).

16 In this case, it is not disputed that Plaintiffs met the  
17 “statutory threshold” to be considered the prevailing party. See  
18 Hensley, 461 U.S. at 433; Farrar v. Hobby, 506 U.S. 103, 111  
19 (“[T]o qualify as a prevailing party, a civil rights plaintiff  
20 must obtain at least some relief on the merits of his claim  
21 [including,] an enforceable judgment against the defendant from  
22 whom fees are sought, or comparable relief through a consent  
23 decree or settlement.” (citations omitted)); Mot., Opp’n, and  
24 Reply, generally; Maher v. Gagne, 448 U.S. 122, 132 n.15 (1980)  
25 (supporting the analysis of Plaintiffs’ concurrent request for  
26 fees pursuant to Cal. Civ. Code §§ 52.1(i) and 51.7-52(b)(3)  
27 under 42 U.S.C. § 1988). Defendants, however, contend the  
28 Plaintiffs should only be considered the prevailing party as to

1 their damages claims, "involv[ing] separate legal theories," and  
2 accordingly the fee award should be severed. See, e.g., Opp'n at  
3 9-11. Since the Plaintiffs are technically the prevailing party,  
4 the Court turns to the lodestar method to assess the Plaintiffs'  
5 request for fees and addresses the Defendants' arguments  
6 regarding degree of success and separability of Plaintiffs'  
7 claims, *infra*, at II.C. See Gonzalez, 729 F.3d at 1202.

8 The lodestar method entails determining a reasonable hourly  
9 fee rate for each attorney at "the prevailing local rate for an  
10 attorney of the skill required to perform the litigation."  
11 Moreno, 534 F.3d at 1111 (citing Blum v. Stenson, 465 U.S. 886,  
12 895 (1984)). The Court then multiplies this hourly rate by "the  
13 number of hours reasonably expended on the litigation . . . ."  
14 Hensley, 461 U.S. at 433. The Court must provide a clear  
15 explanation for its determination of what constitutes a  
16 reasonable fee. Moreno, 534 F.3d at 1111.

17 The Court begins, below, by determining the reasonable  
18 hourly rates for attorneys and staff that worked on this matter  
19 for the Plaintiffs, before addressing the reasonable number of  
20 hours for which Plaintiffs' legal team should receive  
21 compensation.

22 B. Attorneys' and Staff's Hourly Rates

23 Plaintiffs request the Court set their attorneys' hourly  
24 rates between \$901.39 and \$373.67, and rates from \$162.74 to  
25 \$203.82 per hour for paralegals and other staff, using the  
26 Laffey Matrix, with a reduction for the Sacramento market. See,  
27 e.g., Mot. at 2-4, 19-24. Defendants argue Plaintiffs'  
28 requested rates are unreasonable, citing other cases within this

1 district generally setting rates closer to \$400-\$600 for  
2 attorneys, and note courts in the Eastern District have  
3 generally rejected the Laffey Matrix as a tool to set hourly  
4 rates. Opp'n at 16-18. The Court agrees the Laffey Matrix is  
5 not a helpful starting point to determine reasonable hourly  
6 rates and instead follows the Supreme Court's counsel to look to  
7 "the prevailing market rates in the relevant community" (Blum v.  
8 Stenson, 456 U.S. 886, 895-96 (1984)), which is "the forum in  
9 which the district court sits." Camacho v. Bridgeport  
10 Financial, Inc., 523 F.3d 973, 979 (9th Cir. 2008) (citing  
11 Barjon v. Dalton, 132 F.3d 496, 500 (9th Cir. 1997)).

12 Several recent cases compiling and analyzing fee awards  
13 from this district are instructive: U.S. ex rel. Terry v.  
14 Wasatch Advantage Group, LLC., No. 15-cv-00799, 2025 WL 406589  
15 (E.D. Cal. Feb. 5, 2025), Goodson v. County of Plumas, No. 18-  
16 cv-03105, 2024 WL 99847 (E.D. Cal. Jan. 9, 2024), and Diaz v.  
17 United Parcel Service, Inc., No. 22-cv-00246, 2023 WL 8622325  
18 (E.D. Cal. Dec. 13, 2023). In collecting cases from the Eastern  
19 District, the Terry court observed:

20 Judges within this District's Sacramento courthouse  
21 have approved a relatively wide range of hourly rates  
22 in recent years, depending on the type of case and its  
23 complexity. At the higher end of this spectrum, courts  
24 have awarded fees based on hourly rates between \$600  
25 and \$700 per hour for attorneys with thirty years'  
26 experience or more who represent clients in class  
27 actions and complex civil cases. Courts commonly award  
28 rates between \$500 and \$600 per hour in complex civil  
cases for attorneys with multiple decades' experience,  
but hourly rates between \$400 and \$500 are more  
common. Paralegals are compensated reasonably between  
\$100 and \$250 per hour within this District, depending  
on experience. Courts within this District and the  
broader Ninth Circuit also have issued orders  
compensating the time of certified law school students  
and pre-graduation law clerks between \$125 and \$150

1 per hour.

2 2025 WL 406589, at \*5 (E.D. Cal. Feb. 5, 2025) (citations  
3 omitted).

4 Similarly, in Goodson, the court summarized a wide range of  
5 fee awards to determine a reasonable rate within this district:

6 [F]ees awarded in other civil cases involving some  
7 level of complexity in this district and by judges in  
8 this courthouse commonly are greater than \$500 per  
9 hour, and in some cases \$600 per hour, for reputable  
10 attorneys with a great deal of relevant experience and  
11 \$300 or less for attorneys with less than ten years'  
12 experience, depending on the type of litigation and  
13 other circumstances. See, e.g., Diaz v. United Parcel  
14 Serv., Inc., No. 22-00246, 2023 WL 8622325, at \*17  
15 (E.D. Cal. Dec. 13, 2023) (reporting results of "comp-  
16 rehensive survey of fees awarded" in this district, in  
17 determining appropriate fees in class action  
18 settlement); Avery v. Akima Support Operations, LLC,  
19 No. 19-00924, 2022 WL 4473211, at \*13 (E.D. Cal. Sept.  
20 26, 2022) (describing results of similar analysis,  
21 also in class action settlement context). In general,  
22 however, most other published cases did not involve  
23 complex discrimination claims and did not go to  
24 trial. See, e.g., Schmidt v. Shasta Cnty. Marshal's  
25 Off., No. 14-02471, 2020 WL 1158083, at \*4 (E.D. Cal.  
26 Mar. 10, 2020) (\$400, \$280 and \$175 per hour for  
27 attorneys with undisclosed experience in a civil  
28 rights action following summary judgment); Prehired,  
LLC v. Provins, No. 22-00384, 2023 WL 4187461, at \*4  
(E.D. Cal. June 26, 2023) (\$395 per hour for a  
litigator with 45 years' experience was on the low end  
of the range following successful motion to strike  
under California Code of Civil Procedure section  
425.16, the "anti-SLAPP" statute); Olfati v. City of  
Sacramento, No. 21-00606, 2023 WL 2602227, at \*2 (E.D.  
Cal. Mar. 22, 2023) (\$400 per hour for litigating  
straightforward discovery dispute in civil rights  
action); Davis v. Mercedes-Benz USA, LLC, No. 21-0174,  
2022 WL 16529527, at \*2 (E.D. Cal. Oct. 28,  
2022) (\$175-\$300 for attorneys with less than ten  
years' experience in an action under the Song-Beverly  
Consumer Warranty Act); Reynolds v. Singh, No. 22-  
00601, 2022 WL 3135895, at \*4 (E.D. Cal. Aug. 5,  
2022) (\$450 for an experienced litigator litigating  
remand in personal injury suit); Cianchetta v. BMW of  
N. Am., LLC, No. 20-00241, 2022 WL 2160556, at \*5-6  
(E.D. Cal. June 15, 2022) (\$225-\$505 per hour based on  
one to eight years' experience in an action under the  
Song-Beverly Consumer Warranty Act); Quinonez v. FCA  
US, LLC, No. 19-02032, 2022 WL 2007429, at \*2 (E.D.

1 Cal. June 6, 2022) (\$500 for attorneys with more than  
2 20 years' experience in an action under the Song-  
3 Beverly Consumer Warranty Act); Price Simms Holding,  
4 LLC v. Candle3, LLC, No. 18-1851, 2021 WL 1884995, at  
5 \*2 (E.D. Cal. May 11, 2021), findings & recommendation  
6 adopted, 2021 WL 2016915 (E.D. Cal. May 20,  
7 2021) (\$450 per hour for experienced litigator after  
8 settlement in a contract dispute).

9 2024 WL 99847, at \*3 (E.D. Cal. Jan. 9, 2024); see also Diaz v.  
10 United Parcel Service, Inc., No. 22-00246, 2023 WL 8622325, at  
11 \*16-18 (E.D. Cal. Dec. 13, 2023) (summarizing reasonable hourly  
12 rates from fee awards in the Eastern District ranging from \$175-  
13 \$750 for attorneys and \$75-\$150 for paralegals).

14 It is Plaintiffs' burden to "justify the reasonableness of  
15 [their] requested rate[s]," by producing evidence that those  
16 rates "are in line with those prevailing in the community for  
17 similar services by lawyers of reasonably comparable skill,  
18 experience and reputation." Blum, 465 U.S. at 895 n.11. In  
19 addition to the declarations submitted from Plaintiffs' own  
20 attorneys, Plaintiffs also provide declarations from attorneys  
21 Mark Merin and Dan Stormer in support of their proposed hourly  
22 rates. See ECF No. 186-4 ("Merin Decl.") and ECF No. 186-5  
23 ("Stormer Decl."). Merin has extensive experience as an  
24 attorney, having practiced for approximately 57 years, as does  
25 Stormer, with 51 years as a lawyer. See Merin Decl. ¶¶ 2-32;  
26 Stormer Decl. ¶¶ 2-15. While Merin opines the rates requested by  
27 the Plaintiffs' attorneys and staff are reasonable "for  
28 attorneys performing work in Sacramento," Merin acknowledges  
that he was awarded \$580 per hour in an Eastern District case,  
which the court considered an "exceptional hourly rate," given  
the uniqueness of his experience. Merin Decl. ¶¶ 37-38, 52; see

1 also Stomer Decl. ¶ 21 (“I have reviewed the rates sought  
2 . . . . I am aware the rates requested follow a methodology  
3 . . . where the plaintiffs were awarded a rate based on the  
4 Laffey Matrix reduced by a percentage . . . . Although I have  
5 not personally used this approach, I can see that it is a  
6 conservative approach to calculating a prevailing rate in the  
7 Sacramento area.”). Neither Stomer nor Merin provide any other  
8 insight or evidence relevant to the “the prevailing market  
9 rates” within this district; accordingly, the Court does not  
10 find them persuasive in setting reasonable rates for attorneys  
11 and paralegals in this case. Cf. Chaudhry v. City of Los  
12 Angeles, 751 F.3d 1096, 1110-11 (9th Cir. 2014) (“Affidavits of  
13 the plaintiffs’ attorneys and other attorneys regarding  
14 prevailing fees in the community . . . are satisfactory evidence  
15 of the prevailing market rate”) (citations, brackets, and  
16 quotations omitted).

17 The Court finds rates requested by Plaintiffs are  
18 inconsistent with reasonable rates within this district and  
19 Sacramento. Relying on the cases cited and summarized above,  
20 the Court finds \$650 per hour to be reasonable for attorneys  
21 with 30 or more years’ experience, \$450 per hour for attorneys  
22 admitted to the bar between 2013-2014, \$325 per hour for  
23 attorneys with 7-8 years’ experience, \$250 per hour for  
24 attorneys with 5-6 years’ experience, \$200 for attorneys with up  
25 to 3 years’ experience, and between \$75-125 per hour for  
26 paralegals and staff. These rates are consistent with other fee  
27 award hourly rates within this district, and the Court finds  
28 Plaintiffs have not provided any evidence supporting a variance

1 from these rates. Accord Terry, 2025 WL 406589, at \*5 (E.D.  
2 Cal. Feb. 5, 2025) (awarding between \$600-695 per hour to  
3 attorneys with at least 35 years' experience, \$550-570 for  
4 attorneys with 18-26 years' experience, \$400-535 for attorneys  
5 with more than 5 years' experience, \$300-\$400 for attorneys with  
6 less than 5 years' experience, and approximately \$75-200 for law  
7 clerks and paralegals with up to 20 years' experience); Diaz,  
8 2023 WL 8622325, at \*17 (E.D. Cal. Dec. 13, 2023) (awarding \$695  
9 per hour for attorneys with 40 or more years' experience, \$450  
10 for an attorney with 14 years' experience, \$300 for an attorney  
11 with 5 years' experience, and \$100 for a paralegal); Goodson  
12 2024 WL 99847, at \*4 (E.D. Cal. Jan. 9, 2024) (awarding \$650 per  
13 hour for lead counsel, an attorney with 44 years' experience, a  
14 "good reputation[, ] and extensive relevant experience . . . ,"  
15 \$500 for the second-chair trial attorney, barred in 2011 after  
16 working in law enforcement for 20 years, and \$400 for an  
17 attorney that graduated in 2003, but began his law practice in  
18 2013); Moreno v. City of Sacramento, 534 F.3d 1106, 1111 (9th  
19 Cir. 2008) ("The district court may then adjust upward or  
20 downward based on a variety of factors.") (citing Hensley, 461  
21 U.S. at 434). The Court finds an additional adjustment to these  
22 rates is unwarranted, since these rates are consistent with "the  
23 novelty and difficulty of the issues, the skill required to try  
24 the case, the experience held by counsel and fee awards in  
25 similar cases," and does not find the Kerr factors, or any other  
26 "variety of factors," merit an upward or downward change. See  
27 Moreno, 534 F.3d at 1111, 1114; Kerr v. Screen Extras Guild,  
28 Inc., 526 F.2d 67 (9th Cir. 1975) (abrogated on other grounds by

1 City of Burlington v. Dague, 505 U.S. 557 (1992)); Mot. at 12-  
2 17.

3 With this framework, the Court turns to the rates requested  
4 for each individual attorney and staff member from Plaintiffs'  
5 legal team at the Lawyers' Committee for Civil Rights of the San  
6 Francisco Bay Area ("LCCRSF"), Sigel, Yee, Brunner & Mehta, and  
7 the Civil Rights Education and Enforcement Center, now  
8 Disability Law United ("CREEC/DLU"), applying its findings  
9 below.

10 1. LCCRSF

11 Declarations were submitted from attorneys Nisha Kashyap,  
12 Marissa Hatton, and Andrew Ntim, in support of LCCRSF's request  
13 for attorneys' fees, fees for the work of a paralegal/law clerk,  
14 and costs. ECF Nos. 186-8, Declaration of Nisha Kashyap  
15 ("Kashyap Decl."), 186-9, Declaration of Marissa Hatton ("Hatton  
16 Decl."), and 186-10, Declaration of Andrew Ntim ("Ntim Decl.").

17 a. Nisha Kashyap

18 Kashyap was admitted to the California Bar in 2014, after  
19 graduating law school that year. Kashyap Decl. ¶¶ 4-5.  
20 Beginning in 2018, Kashyap indicates she has worked on "several  
21 complex civil rights, economic justice, and consumer protection  
22 matters." Id. at ¶ 8. Kashyap attests that she entered her  
23 appearance in this case in February 2024 (id. at ¶ 11), but the  
24 Court notes according to the billing records submitted, she  
25 seeks fees for work beginning in November 2023. See ECF 186-8,  
26 Exh. A, pg. 60. Kashyap indicates she worked extensively on  
27 discovery, "supervised and second-chaired depositions taken or  
28 defended by [] Andrew Ntim," worked with expert witness Sarah

1 Butler, was the primary drafter of discovery-related briefing,  
2 edited summary judgment briefing, participated in settlement  
3 conferences, contributed to trial strategy, and worked on trial-  
4 related and settlement documents, among other things. Kashyap  
5 Decl. ¶¶ 12-20.

6 Although Kashyap requests an hourly rate of \$748.92  
7 (Kashyap Decl. ¶¶ 21-26, 40), the Court finds an hourly rate of  
8 \$450 is reasonable and consistent with the prevailing market  
9 rates in this district for the reasons detailed above.

10 b. Marissa Hatton

11 Hatton is a "Senior Staff Attorney in the Radical Justice  
12 Program" at LCCRSF. Hatton Decl. ¶ 1. She graduated law school  
13 and was admitted to the bar in 2017, and has been litigating  
14 "complex federal cases almost exclusively focused on *Monell*  
15 liability, police misconduct, and personal injury," for the past  
16 8 years. Id. ¶¶ 5-6. Hatton entered her appearance in this  
17 case on September 30, 2024 (id. at ¶ 11), and according to the  
18 billing records submitted, she seeks fees for work at the start  
19 of that same month. See ECF 186-8, Exh. A, pg. 109. Hatton  
20 indicates she reviewed "over twenty deposition transcripts,  
21 hundreds of documents, and thousands of hours of body-worn  
22 camera [] footage," after joining the case. Hatton Decl. ¶ 12.  
23 Hatton also worked on the opposition to defendant's motion for  
24 summary judgment, participated in settlement negotiations,  
25 conducted substantial trial preparation, and "served as the lead  
26 trial counsel for LCCRSF." Id. ¶¶ 12-17.

27 Although Hatton requests an hourly rate of \$662.81 (Kashyap  
28 Decl. ¶ 40), the Court finds an hourly rate of \$325 is

1 reasonable and consistent with the prevailing market rates in  
2 this district for the reasons detailed above.

3 c. Zal Shroff

4 Shroff graduated from law school in 2017. Kashyap Decl.  
5 ¶ 33. Shroff's resume is provided as Exhibit E to Kashyap's  
6 Declaration, in support of the request for fees on his behalf.  
7 See id. and Exh. E. There is no additional information in the  
8 declaration about Shroff's work in this matter, other than what  
9 is included in the billing records. The hourly rate requested  
10 for Shroff is \$425.02, since he last worked on the case in 2023  
11 when he had approximately 6 years' experience. Kashyap Decl.  
12 ¶ 33. Consistent with the Court's findings above regarding  
13 prevailing market rates within this district, the Court finds an  
14 hourly rate of \$250 is reasonable given Shroff's experience at  
15 the time he worked on this matter.

16 d. Lauren Carbajal

17 Carbajal graduated from law school in 2020. Kashyap Decl.  
18 ¶ 35. Carbajal's resume is provided as Exhibit F to Kashyap's  
19 Declaration, in support of the request for fees on her behalf.  
20 See id. and Exh. F. There is no additional information in the  
21 declaration about Carbajal's work in this matter, other than  
22 what is included in the billing records. The hourly rate  
23 requested for Carbajal is \$326.27, since she last worked on the  
24 case in 2022 when she had approximately 2 years' experience.  
25 Kashyap Decl. ¶ 34-35. Consistent with the Court's findings  
26 above regarding prevailing market rates within this district,  
27 the Court finds an hourly rate of \$200 is reasonable given  
28 Carbajal's experience at the time she worked on this matter.

1 e. Andrew Ntim

2 Ntim graduated from law school and was admitted to the bar  
3 in 2022. Ntim Decl. ¶ 2. Ntim joined LCCRSF in 2023 as a fellow  
4 and entered his appearance in this case in September 2023. Id.  
5 ¶¶ 4-5. In this case, Ntim defended and conducted depositions,  
6 “led meet and confers,” reviewed discovery to “draft internal  
7 proof charts,” drafted and edited portions of briefs, and  
8 participated in settlement negotiations and the trial. Id. ¶¶ 6-  
9 9. Consistent with the Court’s findings above regarding  
10 prevailing market rates within this district, the Court finds an  
11 hourly rate of \$200 is reasonable given Ntim’s experience at the  
12 time he worked on this matter.

13 f. Neda Shahram

14 Kashyap attests that Neda Shahram was a “Program  
15 Coordinator” for LCCRSF, most recently worked on this matter in  
16 2023, and graduated from Lewis & Clark Law School in 2018.  
17 Kashyap Decl. ¶¶ 36-37 and Exh. G. There is no other  
18 information about Shahram’s work on this matter or role at  
19 LCCRSF, other than what is included in the billing records, but  
20 Shahram’s resume indicates she is a “[p]rofessional legal  
21 assistant.” Id., Exh. G. In Plaintiffs’ motion, they indicate  
22 Shahram was working as “a law clerk” for LCCRSF, citing  
23 paragraph 37 of Kashyap’s declaration for support. Mot. at 23.  
24 However, this information is absent from Kashyap’s declaration.  
25 Cf. Kashyap Decl. ¶¶ 36-37 (“Exhibit A includes hours spent on  
26 this litigation recorded by Neda Shahram, Hadley Rood, and  
27 Khrystan Policarpio, former legal support staff at LCCRSF. Ms.  
28 Shahram worked for LCCRSF as a Program Coordinator . . . .

1 Attached to this declaration as Exhibit G is a true and correct  
2 copy of the résumé LCCRSF keeps on file for Ms. Shahram. She is  
3 a 2018 graduate of Lewis & Clark Law School and most recently  
4 worked on this case in July 2023.”)

5 It is unclear whether Shahram was a program coordinator,  
6 law clerk, or legal assistant, and it is Plaintiffs’ burden to  
7 justify their requested rate, \$188.81 an hour, supported by  
8 evidence. See Blum, 465 U.S. at 895 n.11; Mot. at 23. Given  
9 the conflicting and unclear evidence and information before the  
10 Court, the Court finds an hourly rate of \$75 is reasonable for  
11 Shahram. See Diaz, 2023 WL 8622325, at \*17 (E.D. Cal. Dec. 13,  
12 2023) (citing other cases supporting a reduction in a requested  
13 rate, including down to \$75 an hour, when plaintiffs failed to  
14 provide information about staffs’ experience).

15 2. Siegel, Yee, Brunner & Mehta

16 Attorneys EmilyRose Johns and Sara Beladi and paralegal  
17 Kayla Jerome submitted declarations in support of law firm  
18 Siegel, Yee, Brunner & Mehta’s request for fees and costs. ECF  
19 Nos. 186-1, Declaration of EmilyRose Johns (“Johns Decl.”), 186-  
20 2, Declaration of Sara Beladi (“Beladi Decl.”), and 186-3,  
21 Declaration of Kayla Jerome (“Jerome Decl.”).

22 a. Dan Siegel

23 EmilyRose Johns primarily provided information about Mr.  
24 Siegel, supplemented by Mark Merin and Dan Stomer, as Mr.  
25 Siegel passed away in July 2025. Johns Decl. ¶ 36; Merin Decl.  
26 ¶¶ 39-42; Stomer Decl. ¶¶ 19. Sigel began his legal career in  
27 1970. Johns Decl. ¶ 40. His experience included work in the  
28 public and private sector, though primarily at Siegel, Yee,

1 Brunner & Mehta. Id. ¶ 42-45. Siegel’s “practice emphasized  
2 employment, civil rights, and labor matters;” he completed more  
3 than 130 jury trials and argued approximately 40 appellate  
4 matters in state and federal court. Id. ¶ 45. Siegel also  
5 taught at Golden Gate University School of Law and the School of  
6 Education at Mills College, served as a judicial arbitrator in  
7 Alameda County, and was recognized by a number of publications  
8 for his work. Id. ¶ 46.

9 In this case, Siegel supervised discovery tasks, supervised  
10 junior attorneys defending depositions, led settlement  
11 discussions and meet and confer efforts, took 3 30(b)(6)  
12 depositions and defendant Hahn’s deposition, and “provided  
13 extensive guidance on trial strategy and trial preparation.”  
14 Johns Decl. ¶ 49. Though the requested hourly rate for Siegel  
15 is \$901.39 (Johns Decl. ¶ 51), the Court finds an hourly rate of  
16 \$650 is reasonable.

17 b. EmilyRose Johns

18 Johns was admitted to the California Bar in 2013, after  
19 graduating law school that year. Johns Decl. ¶ 5. Johns has  
20 worked at Siegel, Yee, Brunner & Mehta since 2015, where she  
21 “handle[s] many fact-filled, lengthy, and complicated prison and  
22 police-misconduct litigation cases.” Id. ¶¶ 6-7. At the firm,  
23 Johns is a senior associate, has first and second-chaired  
24 trials, and settled “a substantial number of cases arising from  
25 [] police officer or correctional officer misconduct.” Id.  
26 ¶¶ 8-16. Johns entered her appearance in this case in June 2022  
27 (id. at ¶ 17), but she seeks fees for work beginning in May 2022  
28 according to the billing records submitted. See ECF 186-1, Exh.

1 A, pg. 1. Johns attests she took 4 30(b)(6) depositions, 2  
2 witness depositions, defended 2 plaintiff depositions, worked on  
3 discovery, and took a leadership role in trial preparation.  
4 Johns Decl. ¶¶ 23, 26.

5 While Johns requests an hourly rate of \$748.92 (Johns Decl.  
6 ¶ 33), the Court finds an hourly rate of \$450 is reasonable.

7 c. Sara Beladi

8 Beladi graduated from law school in 2021, then sat for and  
9 passed the bar exam in 2022. Beladi Decl. ¶ 3. Beladi was  
10 admitted to practice in March 2023. Id. ¶ 4. Beladi attests in  
11 this case she worked on written discovery, "spent a significant  
12 amount of time reviewing defendants' document production," and  
13 prepared 2 witnesses for trial. Id. ¶ 8.

14 Although Beladi represents that "[a]t the time of the  
15 litigation here, [she] was an associate attorney" and requests  
16 an hourly rate of \$373.67, there are several billing entries  
17 from 2022, before her admission to practice. Id. ¶ 6; ECF 186-  
18 2, Exh. A. Accordingly, for Beladi's work before her admission  
19 to practice in March 2023, the Court finds an hourly rate of  
20 \$125 is reasonable, equivalent to a rate for the work of a  
21 certified law student or law clerk in the Eastern District.  
22 After Beladi's bar admission, the Court finds an hourly rate of  
23 \$200 is reasonable.

24 d. Kayla Jerome

25 Jerome received her bachelor's degree in criminal justice  
26 and began working as a paralegal in 2018, before joining Siegel,  
27 Yee, Brunner & Mehta in 2021. Jerome Decl. ¶ 2. Jerome attests  
28 she worked on discovery in this matter, including reviewing and

1 indexing documents, identified trial exhibits, and provided  
2 trial support, among other things. Id. ¶ 3-4. While Jerome  
3 requests an hourly rate of \$203.82, the Court finds an hourly  
4 rate of \$125 is reasonable.

5 3. CREEC/DLU

6 Attorney Cynthia Rice submitted a declaration in support of  
7 CREEC/Disability Law United's request for attorneys' fees, fees  
8 for the work of several paralegals, and costs. ECF No. 186-6,  
9 Declaration of Cynthia Rice ("Rice Decl."). Paralegal Ana Diaz  
10 also submitted a declaration in support of their request for  
11 fees. ECF No. 186-7, Declaration of Ana Diaz ("Diaz Decl.").

12 a. Cynthia Rice

13 Rice was admitted to the California bar in 1979. Rice  
14 Decl. ¶ 2. Rice "specialized in Civil Rights litigation"  
15 throughout her career, working as an attorney, managing  
16 attorney, and director in several nonprofit organizations, and  
17 also in private practice. Id. ¶ 3-4. Rice has been the Legal  
18 Director for Disability Law United/CREEC since 2023. Id. ¶ 3.

19 In this case, Rice was "actively involved in the strategic  
20 planning of the case," responsible for 3 30(b)(6) depositions,  
21 defended 2 Plaintiffs' depositions, reviewed and edited  
22 pleadings, drafted some discovery, and was involved in trial  
23 preparation. Id. ¶ 17-18. Though the requested hourly rate for  
24 Rice is \$901.39 (id. ¶ 22), the Court finds an hourly rate of  
25 \$650 is reasonable.

26 b. Elizabeth Ballart

27 Ballart graduated from law school in 2014. Rice Decl. ¶  
28 26. Ballart's resume is provided as Exhibit F to Rice's

1 Declaration, in support of the request for fees on her behalf.  
2 See Rice Decl. ¶ 26 and Exh. F. There is no additional  
3 information in the declaration about Ballart's work in this  
4 matter, other than what is included in the billing records. The  
5 hourly rate requested for Ballart is \$534.04, since she last  
6 worked on the case in 2022 when she had approximately 8 years'  
7 experience. Rice Decl. ¶ 26. Consistent with the Court's  
8 findings above regarding prevailing market rates within this  
9 district, the Court finds an hourly rate of \$325 is reasonable  
10 given Ballart's experience at the time she worked on this  
11 matter.

12 c. Aviance Brown

13 Brown graduated from law school in 2018. Rice Decl. ¶ 23.  
14 Brown's resume is provided as Exhibit C to Rice's Declaration,  
15 in support of the request for fees on her behalf. See id. and  
16 Exh. C. According to Rice, Brown had "primary responsibility  
17 for discovery, motions and trial preparations for issues related  
18 to use of less lethal force," on behalf of CREEC, including  
19 working with expert Maguire. Rice Decl. ¶ 19. Brown also  
20 attended depositions "on behalf of CREEC/DLU" and was "heavily  
21 involved in settlement negotiations, [and] pre-trial witness and  
22 expert preparation [] prior to the damages settlement." Id.

23 Although the requested hourly rate for Brown is \$458.99  
24 (id. ¶ 22), the Court finds an hourly rate of \$325 is  
25 reasonable.

26 d. Pilar Gonzalez Morales

27 Rice attests that Morales graduated from law school in  
28 2016, however, the hourly rate requested for Morales reflects

1 her approximately 6 years' experience when she worked on this  
2 matter, according to Rice's Declaration. Rice Decl. ¶ 24.  
3 Morales' resume is provided as Exhibit D to Rice's Declaration,  
4 in support of the request for fees on her behalf. Id. ¶ 24 and  
5 Exh. D. There is no additional information in the declaration  
6 about Morales's work in this matter, other than what is included  
7 in the billing records. The hourly rate requested by CREEC for  
8 Morales is \$450.31, since she last worked on the case in 2022  
9 when she had approximately 6 years' experience. Rice Decl.  
10 ¶ 24.

11 Morales' experience and bar admission is not clear to the  
12 Court. Morales' resume indicates she graduated from law school  
13 in 2010, but her resume does not show when she was admitted to  
14 the bar. See Exh. D. In Plaintiffs' fee motion, they list  
15 Morales' graduate year/experience as 2022 and request an hourly  
16 rate of \$369.72. Mot. at 3. Plaintiffs bear the burden of  
17 establishing a reasonable fee and from the information in Rice's  
18 declaration and Exhibit D, CREEC appears to request an hourly  
19 rate for an attorney with 6 years' experience. See Rice Decl.  
20 ¶ 24. Given the information before the Court, the Court finds  
21 an hourly rate of \$250 is reasonable given the request that  
22 Morales' hourly fee should be equivalent to someone with 6  
23 years' experience, consistent with the prevailing market rate as  
24 discussed above.

25 e. Ana Diaz, Sassia Morris & Mikhal Kidane

26 Rice requests an hourly rate of \$164.32 for paralegals  
27 Morris, Diaz, and Kidane. Rice Decl. ¶ 28-29, 31.

28 According to Diaz, she was employed as a paralegal with

1 CREEC beginning in 2018. Diaz Decl. ¶ 3. Since then, she has  
2 been promoted to lead paralegal/office manager, then director of  
3 operations. Id. Given Diaz's experience as a paralegal and  
4 office professional, the Court finds \$125 is a reasonable hourly  
5 rate, consistent with the prevailing market rate as discussed  
6 above.

7 There is no additional information provided regarding  
8 paralegals Morris and Kidane's experience or work on the case,  
9 other than what is included in the billing records provided by  
10 Plaintiffs. See Rice Decl. Consistent with the court's findings  
11 in Diaz, the Court finds \$75 is a reasonable hourly rate for a  
12 paralegal without any further information about their background  
13 and experience. See Diaz, 2023 WL 8622325, at \*17 (E.D. Cal.  
14 Dec. 13, 2023) ("The rate for Paralegal Carcione shall be  
15 adjusted to \$100. [] Englert v. City of Merced, [No. 18-cv-  
16 01239], 2020 WL 2215749, at \*13 [(E.D. Cal. May 7, 2020)]  
17 (rejecting the requested rates of \$125 to \$150 per hour for the  
18 paralegals and reducing them to \$75 when the plaintiffs "provided  
19 no information on the experience of the paralegals"); Freshko  
20 Produce Servs. v. Write on Mktg., No. 1:18-cv-01703[], 2019 WL  
21 37898491, at \*3 (E.D. Cal. Aug. 13, 2019) (finding the proposed  
22 hourly rate of \$150 was not reasonable because counsel "fail[ed]  
23 to identify the education and experience of [the] paralegal to  
24 justify the upper rate of \$150," and adjusting the hourly rate to  
25 \$100)).

26 4. Other attorneys and staff

27 Consistent with the Plaintiffs' reply, the Court has removed  
28 from the lodestar, attorneys and staff that did "de minimis" work

1 on this matter. Reply at 13. This removes approximately 66.6  
2 hours logged by 5 attorneys, as well as 7.7 hours of paralegal  
3 work, and is consistent with the Court's finding below regarding  
4 an extraordinary number of unnecessary, duplicative, excessive  
5 billing entries. Accordingly, the Court does not include Tifanei  
6 Ressler-Moyer, Khrystan Policarpio, Haley Rood, Amy Robertson,  
7 Marie Lafferty, and Yashna Eswaran in its analysis of appropriate  
8 hourly rates, above.

9 C. Hours Worked

10 Continuing with the lodestar method, the Court "must  
11 determine a reasonable number of hours for which the prevailing  
12 party should be compensated." Gonzalez v. City of Maywood, 729  
13 F.3d 1196, 1202 (9th Cir. 2013). "Ultimately, a reasonable  
14 number of hours equals the number of hours which could  
15 reasonably have been billed to a private client. The prevailing  
16 party has the burden of submitting billing records to establish  
17 that the number of hours it has requested are reasonable." Id.  
18 (citing and quoting Moreno, 534 F.3d at 1111 and In re Wash.  
19 Pub. Power Supply Sys. Sec. Litig., 19 F.3d 1291, 1305 (9th  
20 Cir.1994)) (internal quotations and citations omitted). The  
21 Court must exclude "hours that were not 'reasonably expended,'"   
22 which include overstaffing, and "hours that are excessive,  
23 redundant, or otherwise unnecessary . . . ." Hensley, 461 U.S.  
24 at 434 (noting the same ethical obligations apply as in private  
25 practice to exclude these hours from a client's bill); see also  
26 McCown, 565 F.3d at 1102. It is also well established that  
27 "purely clerical or secretarial tasks should not be billed at a  
28 paralegal or [lawyer's] rate, regardless of who performs them."

1 See Missouri v. Jenkins, 491 U.S. 274, 288 n.10 (1989). This  
2 includes downloading, saving, and forwarding documents,  
3 calendaring, and filing. See Diaz, 2023 WL 8622325, at \*15  
4 (E.D. Cal. Dec. 13, 2023).

5 Plaintiffs argue the more than 2.5 million dollars in fees  
6 they seek are reasonable, given “the complexity of the case” and  
7 “multiple firms assign[ing] multiple staff to th[is] case.”  
8 Mot. at 18. Plaintiffs’ counsel attest they have reviewed the  
9 billing records submitted to eliminate duplication, clerical  
10 tasks, and hours related to unsuccessful claims or abandoned  
11 issues, and also claim the billing entries are “reasonable and  
12 reflect[] time that would normally be billed to a client who  
13 paid on an hourly basis.” Id.; see also Rice Decl. ¶ 10;  
14 Kashyap Decl. ¶¶ 41-42 (“I personally reviewed the hours . . .  
15 for appropriateness and accuracy,” and eliminated duplicative  
16 time). Defendants counter that the fee request here is  
17 “profoundly unreasonable” and excessive, arguing an across the  
18 board 75% reduction is warranted. Opp’n at 19-21.

19 As a starting point, this case was consistently staffed  
20 with 7 to 9 attorneys, including 2 senior partners, each with  
21 more than 45 years’ experience, 2 or more senior associates with  
22 more than 10 years’ experience, a number of mid-level and junior  
23 attorneys, and typically 4 paralegals and staff. There is  
24 nothing in Plaintiffs’ motion or the supporting declarations  
25 that explains why this case required such extraordinary staffing  
26 and effort. The Court has reviewed in detail the submitted  
27 Plaintiffs’ attorneys’ billing records and discovered extensive  
28 duplication and an extreme number of excessive or unnecessary

1 hours logged by attorneys and staff. For each organization or  
2 firm, the Court has denied reimbursement for the vast majority  
3 of time entries that were determined to be unreasonable,  
4 unnecessary, duplicative and improper as a matter of law.  
5 Examples of some of the more egregious time entries are  
6 discussed in more detail below. Justified reductions to  
7 paralegal and staff billing, and additional reductions based on  
8 significant duplication between CREEC, LCCRSF and the Siegel  
9 firm and for the Plaintiffs' limited success are also detailed  
10 below.<sup>2</sup>

11 1. Litigation Team Meetings

12 The extensive billing for weekly meetings exemplifies the  
13 unnecessary and excessive hours included in Plaintiffs' fee  
14 request. Throughout this case, Plaintiffs conducted weekly team  
15 meetings, though sometimes these meetings were held more  
16 frequently. These meetings often included 6 to 7 or more  
17 attorneys, including several senior partners and associates,  
18 mid-level and junior associates, as well as typically 3 to 4  
19 paralegals or staff. At Plaintiffs' requested rates, these  
20 weekly meetings totaled approximately \$5,500, or the equivalent  
21 of \$285,000 a year. Even at the Court's reduced hourly rates, a  
22 conservative estimate for just the lawyers' attendance at these  
23 meetings cost approximately \$4,800 each, or nearly \$250,000 a  
24 year, and span the duration of a case that was litigated for  
25 years. Although there is a representation that "[t]hese

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26 <sup>2</sup> The Court has also stricken billing entries for Tifanei Ressler-  
27 Moyer, Khrystan Policarpio, Haley Rood, Amy Robertson, Marie  
28 Lafferty, and Yashna Eswaran, consistent with its findings, above  
in section A.4.

1 meetings were critical components of the case development.  
2 Strategy was discussed, discovery, motion and trial plans were  
3 developed, discrete tasks were assigned and reported back on”  
4 (Rice Decl. ¶ 17), Plaintiffs otherwise make no attempt to  
5 explain or justify these expenses. It is unreasonable to find  
6 that a private client would pay 6 to 7 or more lawyers nearly  
7 \$20,000 a month to conduct weekly meetings to discuss case  
8 strategy and distribution of work in the case. Plaintiffs have  
9 failed to demonstrate the reasonableness of these billing  
10 entries, and accordingly, entries for team meetings have been  
11 removed from Plaintiffs’ requested fees. The Court notes it has  
12 not eliminated all inter-office conferencing, meetings, or calls  
13 with clients, recognizing there is some amount of collaboration  
14 needed. However, having presided over the litigation and trial  
15 in this matter, the Court finds that the litigation and trial  
16 was not particularly novel, complex, or unique and did not  
17 warrant staffing at the levels utilized by Plaintiffs or require  
18 repetitive weekly meetings. Accord Diaz, 2023 WL 8622325 at \*16  
19 (E.D. Cal. Dec. 13, 2023) (“However, counsel should not bill for  
20 attending the same meetings, internal communications, and  
21 communicating with each other, as such time is unnecessary.”)  
22 (citing Robinson v. Plourde, 717 F. Supp. 2d 1092, 1099 (D. Haw.  
23 2010); Gauchat-Hargis v. Forest River, Inc., No. 2:11-cv-02737-  
24 KJM-EFB, 2013 WL 4828594, at \*3 (E.D. Cal. Sep. 9, 2013)).

## 25 2. Reductions to CREEC’s Fees

26 The Court now turns to categories of fees that have been  
27 removed from Plaintiffs’ requested hours and will not be  
28 awarded, starting with CREEC’s requested fees.

1 a. Database Building and Compiling Data to Share  
2 Across Teams

3 CREEC billed for what appears to be the creation or revision  
4 of a database, "Airtable," and for exploring other document  
5 management systems. This includes entries in 2021 like: "Revised  
6 Sacramento Evidence database on Airtable," (6/2), "Short call  
7 with LCCRSF volunteer ... discussing questions on the Airtable  
8 database and evidence entry in addition to community fact  
9 gathering project," (7/26), "MTW M. Kindane re: database for  
10 tracking evidence we're gathering," (May 18), "Call with  
11 Sacramento team to discuss timeline and division of tasks for the  
12 evidence database" (6/7), "Developed new Bates numbering system  
13 and started renaming social media evidence to be included in  
14 Airtable evidence database in newly created Evidence table"  
15 (6/8), "Revised Community Fact Gathering Survey questions . . .  
16 and included them in a Form on Airtable; edited Form" (7/28),  
17 "Created a table to track client information to eventually be  
18 [sic]" (9/13); and in 2022 like: "Reviewed evidence in Airtable  
19 for Bates stamping" (8/8), 22 entries related to whether CREEC  
20 should use and contract with Everlaw, "Call with DISCO for  
21 potential use of their program for document management" (6/1),  
22 "Email with N. Shahram re: CDISCO costs and case management  
23 software" (6/22), and other emails and calls throughout 2022  
24 regarding document management systems like Relativity and DISCO,  
25 including 2 attorneys billing for participating in a DISCO  
26 database training on August 9. The Court has eliminated these  
27 categories of entries; there was no explanation or justification  
28 by Plaintiffs for the need for the entries. The Court finds they

1 are unreasonable, especially because a private client would not  
2 pay for these types of fees.

3 b. Attempts to Recruit Additional Plaintiffs and  
4 Attorneys

5 CREEC also billed to recruit other attorneys or firms to  
6 work on this matter, as well as finding additional plaintiffs.  
7 The Court finds it is unreasonable to assume that a private  
8 client would pay these fees and "a lawyer in private practice  
9 [would be] ethically [] obligated to exclude such hours from his  
10 fee submission." See Hensley, 461 U.S. at 434. The Court has  
11 stricken these types of entries throughout CREEC's billing, which  
12 include line items like "Working on assembling package for  
13 potential co counsel" (5/20/21), "Go through Mayor Steinberg  
14 Twitter" (4/22/21), "Emails re: potential co-counsel with Wilson  
15 Solsini and call" (8/18/21), "Attended meeting to strategize for  
16 upcoming meeting with potential co-counsel; attended meeting with  
17 Wilson and Sonsini to try to bring them onto the Sacramento Case"  
18 (8/20/21), "Attached [] electronic signature to the co-counsel  
19 agreement ...; sent signed agreement to [] LCCRSF" (9/14/21), "Call  
20 with LCCRSF re: co-counsel" (1/12/22), and "Review co-counsel  
21 agreement for CREEC's obligations" (9/19/22).

22 c. Block Billing and Vague or Incomplete Entries

23 The Court has also eliminated vague and incomplete entries,  
24 as Plaintiffs have failed to meet their burden demonstrating  
25 these are reasonable expenses. Some of the eliminated entries  
26 include: "Completed 'Client as Potential Plaintiff Interview  
27 Memo' for XX" (2.1 hours, 9/16/21), "Call with TRM" (10/14/21),  
28 "Reviewing FAC claims" (1.5 hours on 2/3/22), "Prep call with

1 Elizabeth" (7/21/22), "Call with Tifanei and Elizabeth"  
2 (7/21/22), "Letter Proof (Reading)" (8/15/22), "Case planning"  
3 (1.2 hours on 8/19/22), "Reviewed electronic files" (4/12/23),  
4 "File rev and prep" (8/3/23), "Discovery review" (4/15 &  
5 4/18/24), "Review" (12/18/24), "Updates" (12/23/24), and 5.3  
6 hours for "Continued adding to draft amended complaint  
7 specifically" (12/3/21).

8 Similarly, the Court has reduced a number of unspecific  
9 block billed hours, like: Morales billing 6.8 hours on November  
10 18, 6 hours on November 19, and 7 hours on November 22, 2021 for  
11 "working on complaint," after billing 6 hours on November 3 for  
12 "reviewing and providing input to Wilson Sonsini's first draft of  
13 complaint." See Gonzalez, 729 F.3d 1196, 1203 (citing other  
14 precedent affirming elimination of block billing).

15 d. Entries Re: Outside Counsel's Expertise

16 Plaintiffs' attorneys have also failed to demonstrate  
17 entries related to consultation with other attorneys or firms,  
18 despite the extensive experience they cited, that could  
19 justifiably be billed to a private client. (For example, "Call  
20 with 1st amendment litigator to discuss 1st amendment burden of  
21 proof issues.") Accordingly, the Court removed these types of  
22 entries from the billing records.

23 e. Media and Advocacy

24 The Court has also eliminated CREEC's entries related to use  
25 of the media, including social media, to promote their work on  
26 this case, as well as entries related to advocacy within  
27 Sacramento, as the Court finds this could not be reasonably or  
28 ethically funded by a private client. Hensley, 461 U.S. at 434.

1 These entries include: "Emails and communications re: media and  
2 plan for contacting named Ps" (1 hour on 12/1/21), "Emails and  
3 communications re: public event around complaint filing" (1 hour  
4 on 12/2/21), "Drafting and sending talking points for media" (.5  
5 hour on 12/10), "Emails re: talking points" (12/13), "Emailed Sam  
6 re: input from clients on media outreach" (12/15), "Review of  
7 talking points and last minute prep for press conference,  
8 discussions with team before and after" (1/4/22), "Call with  
9 named P's re: community engagement and events" (1/12/22), and in  
10 June 2022, 1.5 hours for "Draft and edit press release re: order  
11 on MtD", "Discussed upcoming posts to celebrate decision on  
12 motions to dismiss and social media more generally," and  
13 "Reviewing and providing feedback re: social media posts." Other  
14 eliminated entries include, "Meg White Op Ed piece" (2/28/24),  
15 "Discussion with plaintiff and CBS representative re: potential  
16 for media story to highlight the lawsuit" (4/4/24), "Meeting with  
17 CBS reporter re: putting together a story for protesters rights  
18 in California in the wake of national" and "Telephone conference  
19 prep with Meg prior to call with CBS report" (5/6/24), "Press  
20 release re MSJ and trial" (1/22/25), "Community organizing  
21 meeting" (1/20/22), "Reviewed first draft of advocacy letter to  
22 City Council regarding weapons of war and provided Madeline with  
23 edits/next steps" (7/19/22), "Researching the proposed policies  
24 on weapons of war to prepare advocacy letter to city council"  
25 (also 7/19/22), numerous entries related to receiving and  
26 reviewing an ACLU letter to city council regarding military  
27 weapons (9/7/22), "Review Sacramento 2023-24 budget to assess  
28 identified policing priorities and to determine whether they have

1 made any attempts to incorporate our original demands re:  
2 shifting in budgeting, policy amendments etc.” (2/12/24), “Review  
3 OPISA quarterly reports to assess actions taken by the committee in  
4 response to community” (2/19/24), and “Review notes from debrief of  
5 client meeting with counsel member Valenzuela” (5/22/24).

6 f. Billing for Clerical Tasks

7 Numerous clerical and secretarial tasks were eliminated from  
8 CREEC’s billing, despite it being well established these tasks  
9 should not be billed at a lawyers’ rate. See Jenkins, 491 U.S.  
10 274. These included: “Organizing of internal documents folders”  
11 (2 hours on 7/22/22), “Writing proposal for re-organizing  
12 documents folder” (8/30/22), “Bates stamp and save documents from  
13 Defendants’ Discovery production to CREEC and LCCRSF sharepoints;  
14 create document tracker on Bates stamped documents and documents  
15 that need to be Bates stamped; review ingest tracking document  
16 from LCCRSF” (8/30/22), “Received & downloaded filed notice of  
17 change of address” (10/10/24), “Confirmation and calendaring of  
18 depositions” (10/12/23), “Exchanging emails to reschedule co-  
19 counsel call” (10/1/21), “Email correspondence to expert witness  
20 re: payment of invoice for deposition” (1/6/25), “filing  
21 Plaintiffs’ objections to Defendants’ Exhibits” and “final  
22 formatting, [] and saving in pdf” (3/1/25), and 3.8 hours for  
23 “Exhibit copies” (7/18/24).

24 g. Entries Counsel Represented Were Removed From  
25 Billing

26 Attorney Rice attested that entries were eliminated from  
27 Plaintiffs’ fee request related to an abandoned claim regarding  
28 drones. Rice Decl. ¶ 12. However, the Court found and struck

1 numerous entries that were not removed by Rice, including 14  
2 entries related to drones, like: "Research current search and  
3 seizure law as related to surveillance, generally and drone  
4 surveillance" (4/7/23), "Draft requests for production re drone  
5 logs. collect factual background on drone licensure,  
6 certification and rules for depos. reach out to EFF for leads on  
7 experts on drone use" (5/26/23), "Call from Dave Maass,  
8 Electronic Frontier Foundation re: Expert on Drones" (5/30/23),  
9 "Drone Practices Investigation" (6/9/23), and "Review of drone  
10 information in SAC PD public information channel which only goes  
11 back to 2022. Contrasted published info from other sources  
12 reporting drone use back to 2019" (11/13/23).

13 Similarly, Plaintiffs recovered fees for discovery  
14 litigation (see ECF 83), and despite representing these entries  
15 were eliminated from their requested fees, the Court found a  
16 number of entries still contained in their billing records,  
17 including: "Brief rule 26 research on determining appropriate  
18 next steps in responding to Def's lack of timely disclosure re:  
19 expert witness report" (8/19/24), "Email correspondence to co-  
20 counsel team re: concerns for M&C with OC prior to filing motion  
21 to exclude expert report" (8/28/24), "Review and respond to email  
22 correspondence from cocounsel re: updates from MTE hearing,"  
23 "Motion to compel fees" (10/24/24), and "Emails with co counsel  
24 re fees on motion to compel" (12/17/24).

25 3. Reductions to LCCRSF's Fees

26 The Court found extensive, repeated entries in LCCRSF's  
27 billing records. The Court is unable to discern if they are  
28 erroneous or understand why there may be as many as 18 or more

1 different entries with the same billing text. LCCRSF does not  
 2 provide any explanation for this in their motion, nor in their  
 3 supporting declarations. It appears to the Court that the  
 4 billing documents submitted may have not been audited, despite  
 5 counsel attesting that was done. As detailed more below, the  
 6 Court has eliminated these as excessive, redundant, and  
 7 unnecessary. See Hensley, 461 U.S. at 434.

8 a. Duplicative and Possibly Erroneous Entries

9 Attorney Carbajal seeks fees for a significant number of  
 10 back-to-back, identical entries for tasks like "Creating  
 11 schedule/plan for interview coding" (3 entries on 8/4/21),  
 12 "Coding AH interviews into Airtable for drafting fact section of  
 13 complaint" (8 entries on 8/5/21), and "Coding DZG interviews into  
 14 Airtable for drafting fact section of complaint" (4 entries on  
 15 8/6/21). This continues throughout LCCRSF's billing. Several  
 16 examples are included below:

<u>Communications</u>						
4/6/22	Lauren Carbajal	Pleadings	Prepping hearing outlines - shotgun pleadings	0.9	\$ 326.27	\$ 293.64
4/6/22	Lauren Carbajal	Pleadings	Prepping hearing outlines - shotgun pleadings	0.9	\$ 326.27	\$ 293.64

<u>Communications</u>						
6/14/22	Lauren Carbajal	Discovery	Reviewing PRA responses for conspiracy count	1.2	\$ 326.27	\$ 391.52
6/14/22	Lauren Carbajal	Discovery	Reviewing PRA responses for conspiracy count	0.1	\$ 326.27	\$ 32.63
6/14/22	Lauren Carbajal	Discovery	Reviewing PRA responses for conspiracy count	0.8	\$ 326.27	\$ 261.02
6/14/22	Lauren Carbajal	Discovery	Reviewing PRA responses for conspiracy count	0.7	\$ 326.27	\$ 228.39
6/14/22	Lauren Carbajal	Discovery	Reviewing PRA responses for conspiracy count	0.1	\$ 326.27	\$ 32.63
6/15/22	Lauren Carbajal	Discovery	Reviewing PRA responses for conspiracy count	0.1	\$ 326.27	\$ 32.63
6/15/22	Lauren Carbajal	Discovery	Reviewing PRA responses for conspiracy count	0.3	\$ 326.27	\$ 97.88
6/15/22	Lauren Carbajal	Discovery	Reviewing PRA responses for conspiracy count	0.6	\$ 326.27	\$ 195.76

1	6/15/22	Lauren Carbajal	Discovery	Reviewing PRA responses for conspiracy count	0.1	\$ 326.27	\$ 32.63
2	6/15/22	Lauren Carbajal	Discovery	Reviewing PRA responses for conspiracy count	0.1	\$ 326.27	\$ 32.63
3	6/15/22	Lauren Carbajal	Discovery	Reviewing PRA responses for conspiracy count	0.2	\$ 326.27	\$ 65.25
4	6/15/22	Lauren Carbajal	Discovery	Reviewing PRA responses for conspiracy count	0.1	\$ 326.27	\$ 32.63
5	6/15/22	Lauren Carbajal	Discovery	Reviewing PRA responses for conspiracy count	0.2	\$ 326.27	\$ 65.25
6	6/15/22	Lauren Carbajal	Discovery	Reviewing PRA responses for conspiracy count	0.2	\$ 326.27	\$ 65.25
7	6/15/22	Lauren Carbajal	Discovery	Reviewing PRA responses for conspiracy count	1.1	\$ 326.27	\$ 358.90

9	6/28/22	Lauren Carbajal	Pleadings	Amending conspiracy claim	0.6	\$ 326.27	\$ 195.76
10	6/28/22	Lauren Carbajal	Pleadings	Amending conspiracy claim	0.6	\$ 326.27	\$ 195.76
11	6/28/22	Lauren Carbajal	Pleadings	Amending conspiracy claim	0.2	\$ 326.27	\$ 65.25
12	6/28/22	Lauren Carbajal	Pleadings	Amending conspiracy claim	0.2	\$ 326.27	\$ 65.25

14	9/29/23	Andrew Ntim	Discovery	Meet and Confer with City on RFP 2, plus follow up debrief	2.0	\$ 373.67	\$ 747.34
16	9/29/23	Andrew Ntim	Discovery	meet and confer on RFP 2 and interrogatories including debrief after	1.5	\$ 373.67	\$ 560.51

18 Other examples include 5 entries for "Editing NS draft of  
 19 PRA request" on 10/1/21, 6 entries for "Research on effects of  
 20 small claims actions on larger lawsuits" on 10/5/21, 4 entries of  
 21 for "Reading Portland case and research in anticipating of  
 22 complaint", 8 entries (7 back-to-back) for "Addressing PG  
 23 comments + following up with witnesses" 8 entries, 7 back to back  
 24 on 12/19/21, 2 more on 12/20/21, and 7 more on 12/21/21, in  
 25 billing, 15 entries over 2 days for "Amending conspiracy claim"  
 26 between 6/28 and 6/29/22, and in May 2023, 3 entries for  
 27 "Internal litigation team meeting re strategy, upcoming tasks and  
 28 division of labor."

1 The Court has also eliminated what appear to be excessive  
 2 inter-office conferencing and duplication of work. Below are  
 3 examples from July 2023:

4	7/10/23	Zal Shroff	Co-Counsel Meetings and Communications	Discussion about PRA litigation and how it overlaps with discovery in the action	1.0	\$ 425.02	\$ 425.02
5	7/10/23	Zal Shroff	Co-Counsel Meetings and Communications	Sacramento Litigation Team	1.0	\$ 425.02	\$ 425.02
6	7/10/23	Zal Shroff	Co-Counsel Meetings and Communications	Internal litigation team meeting re strategy, upcoming tasks and division of labor	0.5	\$ 425.02	\$ 212.51
7	7/10/23	Zal Shroff	Co-Counsel Meetings and Communications	Preparation of proposed deadline and task list for litigation	0.2	\$ 425.02	\$ 85.00
8	7/11/23	Zal Shroff	Co-Counsel Meetings and Communications	Case planning meeting to discuss all claims, etc.	2.0	\$ 425.02	\$ 850.04
9				<del>SALUSCU</del>			
10	7/14/23	Zal Shroff	Co-Counsel Meetings and Communications	Discussion re propounding additional interrogatories	0.3	\$ 425.02	\$ 127.51
11	7/17/23	Zal Shroff	Co-Counsel Meetings and Communications	Sacramento Litigation Team	1.0	\$ 425.02	\$ 425.02
12	7/17/23	Zal Shroff	Co-Counsel Meetings and Communications	Internal litigation team meeting re strategy, upcoming tasks and division of labor	0.5	\$ 425.02	\$ 212.51

13  
14  
15  
16  
17  
18 In August 2024, Kashyap and Ntim had billing entries for  
19 reviewing expert report(s), and 3 attorneys billed for reviewing  
20 what appears to be the same discovery in September 2024.  
21 Similarly, on September 28, Hatton billed for reviewing  
22 defendant's motion for summary judgment, then on September 30,  
23 Kashyap billed for the same work. Additionally, 3 attorneys  
24 billed for work on the joint pretrial statement, despite at  
25 least 4 other lawyers from CREEC and the Siegel firm also  
26 working on it.

27 b. Database Building and Recruiting

28 Like CREEC, LCCRSF also seeks reimbursement for

1 impermissible billing for database building, as well as attempts  
2 to recruit other plaintiffs and lawyers to work on this case.  
3 For the same reasons, the Court has not included entries related  
4 to Airtable and other discovery databases or tools, as well as  
5 entries related to recruitment in the final attorneys fee award.  
6 (See, for example, 3 separate entries on 8/30/21 for "Creating  
7 table for organizational outreach", "Strategy meeting to talk  
8 about interviews and prospective additional clients" (9/8/21),  
9 "Creating spreadsheet for client outreach plan and scheduling  
10 interviews" (9/9/21), and "Reading and taking notes on LCCRSF  
11 engagement letter").

12 c. Vague, Erroneous, Questionable and Excessive  
13 Entries

14 As with CREEC's billing records, LCCRSF includes a number of  
15 entries that are difficult to decipher, excessive, and possibly  
16 erroneous. The Court has likewise eliminated entries that are  
17 not reasonable and that Plaintiffs have failed to justify a  
18 private client subsidizing. Some examples include 3.8 hours on  
19 9/7/21 between 3 entries for "Re-organizing + retrieving client  
20 information," "Thoughts on written discovery as interacting with  
21 settlement" (9/8/23), "Correspondence with Kate on discovery  
22 date" (1/30/24), "Weekly all racial justice staff meeting,  
23 discussing ongoing sacramento projects including doc review"  
24 (6/7/24), 25 separate entries over 2 days for "Review interviews  
25 and begin drafting facts section" (12/6-12/8/21), 2 back-to-back  
26 entries for "Reviewing work from last two days and strategizing  
27 for fact gathering" (12/8/21), 18 entries for "Drafting facts  
28 section of complaint" over 3 days, but primarily on 12/14 and

1 12/15/21, "Meeting with ZS on long term advocacy goals for  
2 sacramento case" (1/22/24), "Weekly meeting with NK on ongoing  
3 sacramento projects" (1/23/24), entries for "early initial  
4 research into epc [and privacy] claim[s]" in January 2024 despite  
5 repeated billing previously on research and memos on this same  
6 issue, "Check in with zal on deposition and other ongoing  
7 sacramento issues" (2/14/24), multiple deposition moots (4/12-  
8 4/15/24), "Drafting agenda for meeting with nisha re sac and  
9 summarizing ongoing projects" (5/30/24), and, after more than 50  
10 entries related to drafting the complaint, multiple entries for  
11 "Reviewing complaint to plan for declarations" and 5 entries for  
12 "drafting email for declaration planning" in January 2022.

13 Also of concern is an entry from Ntim on September 28, 2023,  
14 for "Attending Lt. Kaneyuki Deposition; take notes for LCCR."  
15 That same day, CREEC attorney Rice bills for "[E]mails and texts  
16 re cancellation of Kaneyuki deposition," and it appears from the  
17 other billing records that deposition actually occurred in March  
18 2024.

19 d. Media and Advocacy

20 Like CREEC, LCCRSF also seeks reimbursement for  
21 impermissible billing for media and advocacy. Some examples  
22 include: "Meeting with team and SL about media" (12/20/21),  
23 "Sacramento Community Event Planning Meeting" (1/12/22), and  
24 "Follow up research on political & media targets after meeting  
25 with Meg" (1/26/24). For the same reasons detailed above, the  
26 Court has not included these types of entries in the attorneys'  
27 fees award.

28 ///

1 e. Billing for Clerical Tasks

2 As with CREEC's billing, numerous clerical and secretarial  
3 tasks were eliminated from LCCRSF's billing, despite it being  
4 well established these tasks should not be billed at a lawyers'  
5 rate. See Jenkins, 491 U.S. 274. These included: "Filing and  
6 documenting plaintiff files" (4/4/22), "Gathering 30b6  
7 transcripts to review" (1/8/24), "Correspondence confirming  
8 deposition dates with all clients & setting calendar invitations"  
9 (1/9/24), "Collecting client contact info" (1/9/24), "Setting up  
10 & sending calendar invitations for depositions" (1/9/24),  
11 "Troubleshooting issues with getting rfp production into  
12 sharepoint & disco" (4/2/24), "Access and upload files and  
13 document production from Sac City Atty's office re Meredith  
14 deposition" (11/12/24), "Travel to/from Fedex, print and hole  
15 punch all MSJ briefing; organize in binder in anticipation of  
16 oral argument; review, add sticky flags, and annotate in  
17 anticipation of oral argument" (12/16/24), "Sending various  
18 scheduling emails and texts for settlement conference and client  
19 meeting" (1/7/25), "Attempt at finding social media of witnesses"  
20 (1/28/25), "Second attempted outreach to potential witnesses over  
21 social media" (2/12/25), and an entry that included "collate PDF"  
22 (4/7/25).

23 f. Entries Counsel Represented Were Removed from  
24 Billing

25 Attorney Hatton attested that entries were eliminated from  
26 Plaintiffs' fee request related to fees recovered for discovery  
27 litigation (see ECF 83, Hatton Decl. ¶ 20), and despite this  
28 representation, the Court found a number of entries still

1 contained in their billing records, including: "Combine fees from  
2 various cocounsel firms on MTE & pull LCCRSF fees" (10/23/24),  
3 "Revise final attorneys fees chart with correct rates"  
4 (10/28/24), "Draft M&C email to OC re fees" (10/28/24), "Email to  
5 OC re attys fees" (11/18/24), "F/u email to OC re M&C re fees"  
6 (11/19/24), "Email to OC re fees and M&C schedule" (12/5/24),  
7 "M&C call with Dfts re: attys fees for mot to exclude and  
8 schedule re exchange of pre trial statements" (12/11/24), "Legal  
9 research re: comparable fees rate ISO fees request and email to  
10 co-counsel re same" (12/16/24), and "Draft revised M&C  
11 correspondence re fees for mot to exclude" (12/17/24).

12 Similarly, Hatton attested she eliminated hours related to  
13 Plaintiffs' unsuccessful ADA claim, however, the Court found at  
14 least one entry that includes billing for "edit section re ADA  
15 claim". See Hatton Decl. ¶ 20; ECF No. 186-8 at pg. 107.

16 4. Reductions to Siegel, Yee, Brunner & Mehta's Fees

17 In the final attorneys' fees award, the Court has also  
18 eliminated vague and excessive entries, entries related to the  
19 discovery litigation despite representations those were removed,  
20 as well as entries reflecting clerical tasks from Siegel, Yee,  
21 Brunner & Mehta's billing. Some examples include: "Discovery  
22 meeting" (11/16/22), "Meet and Confer follow up" (3/31/23),  
23 "Draft follow up email" (9/29/23), a 2 hour "Strategy meeting"  
24 (1/22/24), "Review docket, mtg" (5/18/22), "Emails" (8/2/23) and  
25 "Write emails" (1/8/25), "Team & Clients" (4/25/24), "Depo"  
26 (11/20/24), "Review order, Calendar" (8/11/22), "Depo Calendar"  
27 (2/7/23), and "Calendar Pretrial Submission" (1/27/25).

28 ///



1 attending and preparing for hearings, among other things. The  
2 Court's detailed and extensive review of all of Plaintiffs'  
3 billing records uncovered the following glaring examples of  
4 excessive, duplicative, and unnecessary billing:

- 5 - Johns and Brown both prepped for and attended the depositions  
6 of Gresham & Kaneyuki in March 2023.
- 7 - Johns, Siegel, Brown, and Rice all billed for a 2-plus hour  
8 meeting on July 11, 2023 "case strategy" or "case planning  
9 call."
- 10 - Johns, Siegel, Brown and Rice all billed for attendance at the  
11 Cybulski deposition on July 18, 2023. There were similar  
12 entries regarding the Cunningham and Lt. Sood depositions.
- 13 - Johns, Rice, and Ntim all attended the Blessing depo in  
14 September 2023, with Rice also billed for "prep."
- 15 - Brown billed for conducting the Lt. Young deposition, also in  
16 September. Ntim billed for attending and "tak[ing] notes for  
17 LCCR," as well as for deposition preparation that included  
18 reviewing Brown's outline. Rice also billed for providing  
19 feedback and deposition preparation for Lt. Young's  
20 deposition. Brown billed 3.3 hours for the deposition, while  
21 Ntim billed 3.5.
- 22 - Johns, Rice, and Brown all attended Deputy Chan's deposition  
23 in November, and Rice billed for providing "feedback" to  
24 Brown.
- 25 - In preparation for Plaintiff Kidd's deposition in February  
26 2024, there are billing entries for calls with Johns, and the  
27 deposition is attended by Siegel, Rice, and Ntim, with Brown  
28 billing for defending it. Ntim's also billed for "observing

- 1 and taking notes on Loren Kidd's deposition."
- 2 - In February 2024, Siegel, Rice, Johns, Ntim, and Brown all  
3 bill for attending Plaintiff Aguilar's deposition, including  
4 some travel costs, and an entry for "observing and taking  
5 notes."
- 6 - Siegel, Johns, and Ntim all billed for Plaintiff Jones'  
7 deposition, including travel costs for the Siegel firm  
8 attorneys.
- 9 - Rice, Siegel, and Ntim all billed for attending Plaintiff  
10 White's deposition, with Ntim and Kashyap also billed for  
11 preparation for the deposition.
- 12 - For Seargent Griggs' deposition, Rice billed for preparation,  
13 while Johns, Siegel, and Ntim attended, with Ntim again  
14 billing for "observing & taking notes . . . ."
- 15 - The billing records for Plaintiff Nash's deposition include  
16 entries for preparation, attendance, and travel by Brown and  
17 Rice, with Ntim also billing for "sitting in and taking notes  
18 . . . ."
- 19 - Brown billed for preparing and conducting Deputy Halstead's  
20 deposition, with Ntim again billing for "observing and taking  
21 notes . . . ."
- 22 - Kashyap, Ntim, and Brown all billed for preparation for  
23 Leach's deposition, while Brown billed for attendance.
- 24 - Brown, Johns, and Ntim billed for attending the Mello  
25 deposition in April 2024, with Ntim also billing for document  
26 review related to his deposition.
- 27 - Around April 24, 2024, Rice billed for deposition preparation  
28 for Sgt. Fox, as well as review of documents regarding "UAS."

1 Ntim has nearly identical entries for "Correspondence re UAS  
2 and Sgt fox deposition with Sac" the same month; Ntim also  
3 billed for "observing and taking notes on Sgt Fox deposition."  
4 - Hatton and Brown both billed for attendance at the Meredith  
5 Deposition in November 2024, with Hatton also billed for  
6 preparation. Similarly, Brown and Siegel both billed for  
7 attending the Maguire deposition, with Brown also billing for  
8 preparation.

9 The Court also found extensive duplication and excessive  
10 billing related to motion practice, hearing preparation and  
11 attendance, and other trial preparation. For example, Siegel,  
12 Johns, Rice, Brown, Kashyap and Ntim all have billing entries for  
13 drafting and/or editing Plaintiffs' Settlement Conference  
14 Statement around the beginning of March 2024. These same lawyers  
15 all billed for attending the settlement conferences on March 18,  
16 April 29, and June 4. 6 or more lawyers billed for preparation,  
17 travel, or attendance for the motion for summary judgment  
18 hearing, including the two senior partners.

19 Additionally, the billing records contain significant  
20 duplication regarding drafting and reviewing documents and  
21 discovery, like Rule 26f disclosures, complaints, Court orders,  
22 Defendants' answer to the Second Amended Complaint, "DOJ  
23 Recommendations Review," and discovery production review,  
24 sometimes being concurrently billed by more than 6 lawyers. As  
25 the Court previously noted, Plaintiffs made no attempt in their  
26 motion, nor in their declarations, to explain the necessity of  
27 staffing the case this way. The Court therefore finds that "a  
28 lawyer in private practice [would be] ethically [] obligated to

1 exclude such hours from his fee submission.” See Hensley, 461  
2 U.S. at 434.

3 Given the above-described duplicative billing entries, the  
4 Court finds an additional 25% reduction (\$219,283) to  
5 Plaintiffs’ fees is warranted, and is a conservative reduction,  
6 aimed to “avoid double counting.” Moreno, 534 F.3d 1106. This  
7 reduction results in the fee total for all attorneys being  
8 reduced to \$657,848.

9 7. Calculation of Staff Fees

10 Plaintiffs similarly staffed this case with 4 to 5 staff  
11 and paralegals, often with 4 working and billing concurrently  
12 for similar tasks. The billing records submitted from the  
13 paralegals and staff are also filled with entries the Court has  
14 deemed, above, to be unnecessary, duplicative, and clerical,  
15 among other things. Instead of reducing the requested staff  
16 billing of \$70,002.25 by interlineation, the Court finds a  
17 blanket reduction of 75% is justified based on the excessive  
18 billing for meetings, work on discovery databases and trainings,  
19 clerical tasks, and there being no justification for staffing  
20 this matter with more than 1 paralegal at a time. Below are  
21 examples of the types of entries that merit this significant  
22 reduction:

23 “Read DISCO email; reply to inquiry re: DISCO training”  
24 (9/13/22), multiple entries totaling over 8 hours for “DISCO  
25 UNIVERSITY” or “DISCO ZOOM” (9/12-9/15/22), “Looking into DISCO,  
26 navigating the system”, “Prep for DISCO training ... attend  
27 training; debrief”, “Check-in with Ana, File tracking” and  
28 “Multitasking re: DISCO (discuss next steps, email co-”

1 (9/16/22), "Call with Pilar to brainstorm and discuss the layout  
2 of the Sacramento Evidence Database that we are using Airtable  
3 to create" (5/5/21), "Prepared for Airtable demonstration with  
4 LCCRSF volunteers who will be assisting with evidence database  
5 (0.5); gave demonstration and answered volunteer questions  
6 (1.4)" (7/13/21), "Presentation on Airtable and Sacramento  
7 Evidence Database with LCCRSF volunteers" (7/14/21), back-to-  
8 back entries for "Call with AD and PGM to discuss Airtable usage  
9 and next," "Call with PGM to interview potential plaintiff  
10 Jeronimo," and "Call with PGM to discuss the Jeronimo Aguilar's  
11 interview and next steps" (9/10/21), more than 2 hours for "Sent  
12 email to co-counsel to schedule an Airtable training", hours  
13 billed for "texting" Plaintiffs to schedule or confirm meetings  
14 and calls in 2021, "Discussed press release and quotes from  
15 named plaintiffs with PGM" (12/21/21), 2.9 hours for "Reading  
16 press toolkit and using to draft and post social media to  
17 publicize filing of complaint and press conference (1.8) ;  
18 Drafting alternative text for images included with social media  
19 posts (1.1)" (1/4/22), 4.1 hours for "Revised and formatted e-  
20 blast before using Salsa to send" (1/7/22), 1.6 hours for  
21 "Communicated with Neda Shahram about the process of filing a  
22 Notice of Entry of Appearance; Circulated an email" (1/12/22),  
23 "Communicated with Neda Shahram about the process of filing and  
24 circulated draft Notices of Entry of Appearance" (1/13/22), 2.1  
25 hours for "Submitted PGM and EB's PHV applications through  
26 PACER's online platform" (1/24/22), after billing 1.1 hours for  
27 "Communicated with EB about PHV application; Completed form  
28 application found by EB".

1 Billing from LCCRSF also included back-to-back entries on  
 2 the same day that may be erroneous, and at a minimum, are not  
 3 explained or justified by Plaintiffs in their motion or  
 4 declarations, as discussed above. Below are other examples  
 5 related to staff billing:

6	2/25/22	Neda Shahram	Pleadings	Draft MTD response section I&II	2.0	\$ 188.81	\$ 377.62
7	2/25/22	Neda Shahram	Pleadings	Draft MTD response section I&II	1.9	\$ 188.81	\$ 358.74
8	2/25/22	Neda Shahram	Pleadings	Draft MTD response section I&II	1.3	\$ 188.81	\$ 245.45
9	2/25/22	Neda Shahram	Pleadings	Draft MTD response section I&II	0.5	\$ 188.81	\$ 94.41
10							
11	4/4/22	Neda Shahram	Co-Counsel Meetings and Communications	Sac litigation team call	1.0	\$ 188.81	\$ 188.81
12							
13	4/4/22	Neda Shahram	Co-Counsel Meetings and Communications	Sac litigation team call	1.0	\$ 188.81	\$ 188.81
14							

15 Accordingly, the Court awards \$17,500 in staff and  
 16 paralegal fees, resulting from a 75% reduction in the total  
 17 number of hours requested after they were multiplied by the  
 18 reasonable rates previously found by the Court.

19 D. Rate of Success

20 The Supreme Court has emphasized consideration of the  
 21 results obtained is "the most critical factor" for the Court to  
 22 weigh in determining what fee award is appropriate. Hensley,  
 23 461 U.S. at 434-436. The Court must ask, "[D]id the plaintiff  
 24 achieve a level of success that makes the hours reasonably  
 25 expended a satisfactory basis for making a fee award?" Id. at  
 26 434. When, like here, "a plaintiff has achieved only partial or  
 27 limited success, the product of hours reasonably expended on the  
 28 litigation as a whole times a reasonable hourly rate may be an

1 excessive amount. This will be true even where the plaintiff's  
2 claims were interrelated, nonfrivolous, and raised in good  
3 faith." Id. at 436. Indeed:

4 Application of this principle is particularly  
5 important in complex civil rights litigation involving  
6 numerous challenges to institutional practices or  
7 conditions. This type of litigation is lengthy and  
8 demands many hours of lawyers' services. Although the  
9 plaintiff often may succeed in identifying some  
10 unlawful practices or conditions, the range of  
11 possible success is vast. That the plaintiff is a  
12 "prevailing party" therefore may say little about  
13 whether the expenditure of counsel's time was  
14 reasonable in relation to the success achieved.

15 Id. at 436.

16 The Court agrees with Plaintiffs, that "in a lawsuit where  
17 the plaintiff presents different claims for relief that 'involve  
18 a common core of facts' or are based on 'related legal  
19 theories,' the district court should not attempt to divide the  
20 request for attorney's fees on a claim-by-claim basis." McCown  
21 v. City of Fontana, 565 F.3d 1097, 1103 (9th Cir. 2009).

22 Accordingly, the Court declines Defendants' request to separate  
23 out Plaintiffs' claims and instead "focus[es] on the  
24 significance of the overall relief obtained by the [Plaintiffs]  
25 in relation to the hours reasonably expended on the litigation."  
26 Hensley, 461 U.S. at 435; see also Mot. at 4-6, Opp'n at 9-12.

27 A significant number of Plaintiffs' claims were dismissed  
28 with prejudice between the motion to dismiss and motion for  
summary judgment stages. Additionally, Plaintiffs sought 3  
types of relief in this case: injunctive, declaratory, and  
damages. Trial resulted in a defense verdict as to all of  
Plaintiffs' claims for injunctive relief, and there was no  
evidence put forward by Plaintiffs to support declaratory

1 relief. Contrary to Plaintiffs' claims of "exceptional  
2 results," (e.g., Mot. at 6), the Court finds Plaintiffs achieved  
3 "partial or limited success," especially in light of the hours  
4 "expended on litigation." Hensley, 461 U.S. at 436 ("Congress  
5 has not authorized an award of fees whenever it was reasonable  
6 for a plaintiff to bring a lawsuit."). Plaintiffs essentially  
7 succeeded on less than 25% of their claims, between the claims  
8 initially dismissed, and their failure to prove they were  
9 entitled to two-thirds of the relief they sought, especially  
10 since it was the thrust of their lawsuit. The Court  
11 acknowledges a direct proportionality reduction is not  
12 appropriate or mandated, which would be closer to 80 or 85%.  
13 Instead, the Court finds an additional 65% reduction in fees  
14 (\$427,601) and costs (\$35,641), resulting in a total of \$230,247  
15 in total fees and \$19,192 in costs, after rounding up to the  
16 nearest dollar, is warranted, given the Plaintiffs' partial and  
17 limited success here.

18 This result is supported by the findings in McCown, with  
19 this Court giving "primary consideration to the amount of  
20 damages awarded as compared to the amount sought." 565 F.3d at  
21 1104 (quoting Farrar v. Hobby, 506 U.S. 103, 114, 113 S.Ct. 566,  
22 121 L.Ed.2d 494 (1992)) (further internal quotation marks  
23 omitted)) ("Although the Supreme Court has disavowed a test of  
24 strict proportionality, it also suggested that a comparison of  
25 damages awarded to damages sought is required."). An award of  
26 \$205,674 is nearly twice more than Plaintiffs' legal team would  
27 recover on a contingency basis for their clients' collective  
28 \$350,000 recovery. Awarding the Plaintiffs more would result in

1 "a windfall to counsel." Moreno, 534 F.3d at 1111 (citations  
2 omitted).

3 IV. ORDER

4 For the reasons set forth above, the Court GRANTS, in part,  
5 Plaintiffs' Motion for Attorneys' Fees and Costs, as follows:

6 LCCRSF: \$70,255 in fees and \$2,048.50 in costs

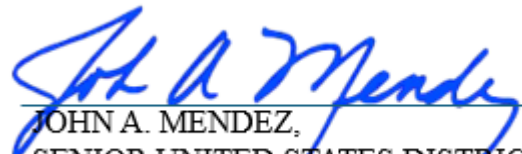
7 CREEC/DLU: \$105,904 in fees and \$3,748.50 in costs

8 Siegel, Yee, Brunner & Mehta: \$54,088 in fees and \$13,395  
9 in costs.

10 The Court further denies Plaintiffs' requests for fees and  
11 costs totaling more than \$90,000 for their work on this fee  
12 motion and reply, given the Court's findings regarding the  
13 exceptionally excessive, duplicative and unnecessary billing  
14 time entries.

15 IT IS SO ORDERED.

16 Dated: January 12, 2026

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19 JOHN A. MENDEZ,  
20 SENIOR UNITED STATES DISTRICT JUDGE  
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