

1 3. The Court of Appeal also awarded the Petitioners their attorneys' fees and costs
2 on appeal to be determined by this Court. On July 28, 2015, the appellate court issued remittitur,
3 thus returning jurisdiction to this Court.

4 4. Exhibit A to this stipulation is a copy of the time records of Attorney Bryan Pease
5 for work performed on appeal.

6 5. Exhibit B to this stipulation is a copy of the time records of Attorney Todd
7 Cardiff for work performed on the appeal.

8 6. Both Attorneys Pease's and Cardiff's hourly rate is \$400. Respondent City of San
9 Diego does not contest this hourly rate *in this case*. The parties agree that this rate is a
10 reasonable fair market rate for the value for the legal services rendered in this case.

11 7. The Petitioners also incurred costs on appeal of \$442.90. Respondent City of
12 San Diego does not dispute these costs.

13 8. Respondent City of San Diego also agrees that of the loadstar amount of appellate
14 fees claimed by Petitioners ((\$54,640), \$49,900 is reasonable.

15 9. Respondent City of San Diego agrees that upon notice of entry of an order
16 awarding attorneys' fees in the amount of \$49,900 and costs of \$442.90, the City will pay the
17 award within two weeks. If it fails to do so, the City will include interest at the rate of 7% until
18 the award is paid. In the interest of prompt payment, the parties therefore stipulate to these
19 amounts as being reasonable fees and costs incurred on appeal.

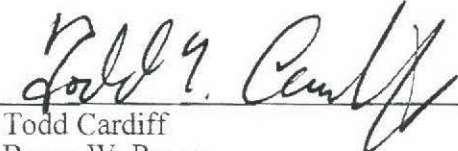
20 10. In the event the Court rejects this stipulation, the parties further agree that
21 Petitioners may pursue their right to file a fees motion seeking the loadstar amount with a
22 multiplier plus attorneys' fees and costs for preparing and litigating the fees motion, and the City
23 may pursue its right to request a negative multiplier to the loadstar amount.

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Dated: July 30, 2015

LAW OFFICE OF TODD CARDIFF

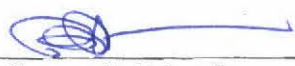
By: 

Todd Cardiff
Bryan W. Pease
Attorneys at Law

Attorneys for Plaintiffs
APRL LJFS, DOROTA VALLI, ELLEN
SHIVELY, ROBB MEADE, DEBORAH
SARACINI, SHANNON PLAYER,
MARILIES SCHOEPFLIN, AND JERRY
HORNA

Dated: July 30, 2015

JAN I. GOLDSMITH, City Attorney

By: 

George F. Schaefer
Deputy City Attorney

Attorneys for Defendants CITY OF SAN
DIEGO and THE PLANNING
COMMISSION OF THE CITY OF SAN
DIEGO

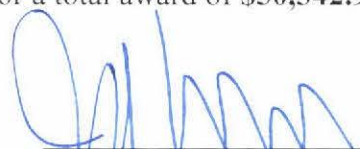
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ORDER ADOPTING STIPULATION

The Court has reviewed the stipulation of the parties. Based on the Court's review of the evidence submitted with the stipulation, the Court finds that the agreed upon appellate costs, including attorneys' fees, are reasonable and adopts the terms of the stipulation.

IT IS THEREFORE ORDERED that Respondent City of San Diego shall pay attorneys' fees of \$49,900 and costs of \$442.90 for a total award of **\$50,342.90**.

Dated: August 3, 2015



Honorable Joel Pressman
Judge of the Superior Court