

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

VIRGINIA WOLF, *et al.*,

Plaintiffs,

v.

Case No. 14-CV-64

SCOTT WALKER, *et al.*,

Defendants.

STIPULATION AND AGREEMENT AS TO COSTS AND ATTORNEYS' FEES

The parties in the above-captioned case, by their respective undersigned legal counsel, hereby STIPULATE and AGREE as follows:

1. On June 6, 2014, this Court entered its opinion and order granting summary judgment to Plaintiffs. Dkt. 118.
2. On June 19, 2014, this Court entered judgment disposing of all of Plaintiffs' claims challenging article XIII, § 13 of the Wisconsin Constitution, as well as any Wisconsin statutory provisions that purport to deny marriage or spousal benefits to same-sex couples, entitling Plaintiffs to some costs and attorneys' fees for the work performed in the successful pursuit of their claims. Dkt. 136.
3. Defendants Scott Walker, Brad D. Schimel, and Oskar Anderson ("the State Defendants") appealed this Court's June 6, 2014, opinion and order and its June 14, 2014, judgment to the United States Court of Appeals for the Seventh Circuit. Dkts. 120, 143.

4. This Court's judgment was affirmed by the Seventh Circuit on September 4, 2014. Dkt. 156.

5. The State Defendants filed a petition for a writ of certiorari in the U.S. Supreme Court on September 9, 2014. *See* No. 14-278 (U.S.).

6. On October 6, 2014, the U.S. Supreme Court denied the petition for a writ of certiorari. *See* No. 14-2526, 7th Cir. Dkt. 175.

7. On December 12, 2014, Plaintiffs filed a motion for attorneys' fees, costs, and expenses in this Court and a bill of costs, along with supporting papers. Dkts. 163 through 173-1.

8. On February 9, 2015, the State Defendants filed a brief opposing Plaintiffs' fees motion, along with supporting papers. Dkts. 184 through 186.

9. On February 19, 2015, Plaintiffs filed a reply in support of their fees motion, along with supporting papers. Dkts. 187 through 192-1.

10. Pursuant to consultation between counsel for the parties, the State Defendants have agreed to pay to Plaintiffs a sum of \$1,055,000.00 in complete satisfaction of Plaintiffs' claim for attorneys' fees and costs recoverable under applicable law in the instant case through the date of this stipulation and agreement, for work in the related Seventh Circuit appeals, Nos. 14-2266 & 14-2526, and for work in the U.S. Supreme Court, No. 14-278. A check in the aforementioned amount payable to the ACLU of Wisconsin Foundation is being requested from the Wisconsin Department of Administration and will be delivered to Plaintiffs' counsel promptly upon receipt.

11. This Stipulation is a full, final, and complete compromise and settlement of all claims, actual, doubtful, or disputed, for attorneys' fees and costs recoverable under applicable law in this case through the date of this stipulation and agreement. No attorneys' fees, costs, or any monies other than the attorneys' fees and costs described in ¶ 10 will be paid in connection with this case, except that this stipulation and agreement does not prevent Plaintiffs from seeking attorneys' fees and costs in the event of future litigation to enforce this Court's judgment for work related to such enforcement.

STIPULATED AND AGREED.

Dated this 27th day of March, 2015.

/s/ Clayton P. Kawski
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