



Fanning Harper Martinson Brandt & Kutchin

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January 18, 2024

Judge Mike Campbell
Commissioner Chase Broussard
Courthouse Annex
214 N. Main St.
Henrietta, Texas 76365

mike.campbell@co.clay.tx.us
chase.broussard@co.clay.tx.us

Re: Engagement Letter for Legal Services for Clay County
No. 24-10005; *Ashley v. Clay County*; In the United States Court of Appeals for
the Fifth Circuit
Claim No.: PO20223596-1
Our File No.: 06963/30070

Dear Judge Campbell and Commissioner Broussard:

The purpose of this letter is to set forth our understanding of the legal services which our firm is to perform for Clay County, and the basis on which we will be paid for those services. Accordingly, this letter confirms our agreement to assist Clay County upon the terms set out herein.

You have requested that our firm provide legal representation for Clay County in the *Ashley v. Clay County, et al.* case before the United States Courts of Appeals for the Fifth Circuit and United States District Court for the Northern District of Texas, Lubbock Division. Such legal representation may include engaging in settlement negotiations, as authorized, as well as representing Clay County through interlocutory appeal, trial, and/or arbitration.

I will be serving as lead counsel in this matter, primarily with the assistance of John Husted. Other partner or associate level attorneys may assist from time to time as needed. The paralegals who may also perform some work on this matter are Judy Witherspoon and Mary Aguilar. Our services will be handled on an hourly basis. In other words, Clay County agrees to pay our hourly fees for time incurred, as well as for all costs and expenses.

Our rates are set out in the table below.

FEE SCHEDULE

Thomas Brandt/John Husted/Partners	\$250.00 per hour
Associates	\$225.00 per hour
Paralegals	\$115.00 per hour

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Our customary procedure is to bill promptly at the first of the month for services rendered and disbursements incurred during the previous month. Disbursements (including reproduction costs, travel, etc.) are charged at our cost, or our best estimate of the cost based upon previous experience. Attorney travel time is billed at normal rates. Statements will be mailed to you at the above referenced address unless you, or your designee, designate a different address or method of delivery.

If these terms are acceptable, please sign in the space indicated below and return this signed letter to our office. If for any reason the terms of this letter are not acceptable, please let me know immediately so that we can make any necessary changes.

If at any time during this representation you have any problem or complaint, please do not hesitate to call me, and I will do whatever I reasonably can to resolve it to your satisfaction. Pursuant to the State Bar Act, I also wish to notify you that the State Bar of Texas investigates and prosecutes professional misconduct committed by Texas attorneys. Although not every complaint against or dispute with a lawyer involves professional misconduct, the State Bar Office of General Counsel will provide you with information about how to file a complaint. For more information, you may call 1-800-932-1900 (toll free).

We look forward to working with you on this matter. Please do not hesitate to contact us.

Sincerely,

/s/ Thomas P. Brandt

THOMAS P. BRANDT

AGREED:



Mike Campbell
County Judge

Dated: _____

1/22/24

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