

Houston Non-Profits Benefit From Agreed Judgment

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At a time of year when many people think about giving to others, a Harris County probate judge signed an agreed judgment on Nov. 24 in the estate of a Houston real estate developer that provides a total of \$6.9 million to 19 non-profits, including several in Houston.

"For some of these charities, particularly the smaller ones, this is a very big deal," said Houston lawyer Richard Mithoff, who represented most of the non-profits in The Estate of James M. Hill Jr.

"Of all the cases I've worked on, this is one of the most gratifying results. There are 19 charities, several of whom are local, and the notion that we are putting money back into this community is really truly one of the most satisfying experiences I've had professionally," said Robert MacIntyre Jr., a partner in MacIntyre, McCulloch, Stanfield & Young of Houston who represents the executor of Hill's estate.

MacIntyre said Hill, who died in 2010, was a "real hero" with his bequest.

The University of Texas System of behalf of The University of Texas Health Science Center at Houston, which was represented by the Texas Attorney General's Office, will receive \$363,158, according to the agreed judgment signed by Harris County Probate Judge No. 1 Loyd Wright. The other 18 charities will share in \$6,536,842, with each to receive a net of \$308,684.32. A total of \$980,526



Richard Mithoff

will go to Mithoff Law Firm of Houston for attorney fees.

The Houston-area non-profits include the Boy Scouts of America Sam Houston Area Council; the Buffalo Bayou Partnership; Houston Museum of Natural Science; KIPP Academy; Trees for Houston; Houston Parks and Zoo; Yes Prep Public Schools; and the Houston Parks Board.

Other non-profit organizations receiving money from Hill's estate are American Enterprise Institute, Cato Institute, Heritage Foundation, Hudson Institute, all of Washington, D.C.; The Claremont Institute of Claremont, Calif.; Manhattan Institute of New York City; American Friends of Versailles of Chicago; Hoover Institute of Stanford, Calif.; International Bible Society (now Biblica) of Colorado Springs, Colo.; and the Ludwig Von Mises Institute of Auburn, Ala

In the probate matter, Mithoff said, the agreed judgment was

necessary because Hill's two daughters had raised some issues with the construction of Hill's will and in regard to certain investments their father made in the marital trust. That threatened the charitable donations, Mithoff said, but he added that it all worked out

"At the end of the day, after three lengthy mediation sessions, all of the parties reached an amicable resolution and I think we were able to achieve the intent of Mr. Hill by all accounts a very generous man—and resolve the concerns of the family," Mithoff said.

James Stilwell, a partner in Martin & Stilwell in The Woodlands who represents Meredith Carroll and Valerie Hunt, Hill's daughters, did not respond to an email seeking a comment. The firm's telephone number was not working on Nov. 25 and 26.

Other attorneys representing parties in the proceeding also did not immediately respond to telephone messages or emails: Bill Miller, a senior partner in Andrews Kurth in Houston who represents two co-trustees of the marital trust; and Nicole Montgomery, general counsel of Yes Prep Public Schools.

Carlton Wilde, a partner in Crady, Jewett & McCulley of Houston, who represented Houston Parks and Zoo, referred questions to his partner W. Matthew Carver. Carver left a message on a Texas Lawyer voicemail, but subsequent attempts to reach him for a comment were not successful.