

## Star lawyer to aid county in quest for tobacco funds

By **JOE STINEBAKER**  
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Harris County has accepted an offer by Richard Mithoff, a well-known local plaintiff's attorney, to help the county in its bid to win a share of the state's \$15.3 billion settlement with the tobacco industry.

Mithoff, a partner in the firm of Mithoff & Jacks, offered to help the County Attorney's Office for free in the case, although the county will pay him \$10,000 for legal expenses.

Commissioners Court approved the agreement Tuesday afternoon at the request of County Attorney Mike Fleming.

Fleming said that his office will continue to represent county taxpayers in the case, but he said Mithoff's

extensive experience in large legal cases will help the county's efforts in mediation and negotiation.

The tobacco industry and state Attorney General Dan Morales agreed to have the industry pay the state \$15.3 billion to head off a major lawsuit against cigarette makers.

Attorneys for several Texas counties and hospital districts — including Harris County and the county hospital district — have intervened in the federal case in an effort to ensure that local taxpayers receive a fair share of that settlement. They have argued that Morales had no authority to represent local taxpayers in the case. And because local taxpayers have paid so much money to subsidize treatment of indigent smokers, local attorneys say, they should receive fair reimbursement.

Mithoff said he had agreed to accept Fleming's request to work on the case on an expenses-only basis because the case is of such importance to local taxpayers.

"I wanted to do it. I was honored to do it," he said. "I think the taxpayers of Harris County are the victims here."

Mithoff has experience in several high profile, class-action suits, including major malpractice cases and lawsuits against the manufacturers of silicone breast implants.

Mithoff has become one of the state's best-known litigators and has been ranked by Forbes magazine as one of the top 10 trial lawyers in the country.