

BRANSCOMB LAW

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November 17, 2020

Ms. Laura Garza Jimenez
County Attorney
Nueces County Courthouse
901 Leopard, Room 207
Corpus Christi, Texas 78401-3680

CONFIDENTIAL

Re: *Representation of Sheriff John Chris Hooper, individually in Cause No. 2:20-cv-00263; David Longoria, Individually and on behalf of the Estate of David Johnson, Deceased v. Nueces County, Texas, et al.; in the U.S. District Court for the Southern District of Texas, Corpus Christi Division*

Dear Ms. Garza Jimenez:

Thank you for selecting Branscomb Law (the "Firm") to represent Sheriff Hooper with regard to claims being asserted against him in the above matter (the "Lawsuit"). Although we have and continue to work together on various matters, it is my practice to provide written information regarding our current charge and billing practices and to explain the scope of our representation with each new significant matter. This letter confirms and explains our representation.

We have conducted an initial review of the allegations and met with the Sheriff. We have also prepared an engagement letter for Sheriff Hooper which explains that Nueces County has requested the Firm represent him in this matter and that Nueces County has agreed to pay for our fees and costs associated with our representation. I also explained that the Sheriff has a right to choose different representation but that he may be responsible for the costs and fees associated with different representation. I have also advised the Sheriff that although Nueces County has agreed to pay the costs and fees associated with his defense, he would be solely responsible for any damages assessed if found liable.

Although you will be our primary contact in this matter, at least until the new County Attorney is in place, we will coordinate with Melissa Vela of your office regarding documentation, witnesses, etc.

Preservation of Materials: Because this matter involves a proceeding in which an adversary has the right to discover information relating to the dispute, all of the documents and

information related to the claims may be subject to disclosure. Nueces County should take immediate steps to preserve all documents, things, and electronically stored information that may relate to this matter. Electronically stored information includes, among other things, emails, electronic files, databases, telephone logs, contract information, internet files, and network access information. Preserving this information may necessitate action to suspend automatic or regular purging or deletion of data to avoid erasing potential relevant emails, voicemail messages, backup tapes, etc.

The rules of procedure governing lawsuits may require prompt disclosure of relevant information. Nueces County should identify and safeguard all potential sources of relevant information regardless of form. Doing so now will facilitate the discovery process and will help preserve claims of privilege, avoid inadvertent disclosure of privileged data, and identify sources of information that would be too costly or burdensome to disclose. Significant delay in assessing the sources of electronically stored information, and any failure to preserve relevant evidence, could expose Nueces County to sanctions which could include preclusion of helpful evidence, default, and monetary penalties.

Our Retention of Records: We will maintain files related to this engagement that we, in our sole professional judgment, determine are necessary for the conduct of the matter. After the engagement ends, meaning the date of our last bill for services in this matter, we will maintain or destroy these files in accordance with our then-existing records retention policy.

Billing: Our Firm normally charges for legal services at the hourly rate in effect for the attorney working on the matter at the time the services are rendered. These rates are reviewed from time to time and adjustments are made. I will be the principal attorney involved and my current billing rate is \$425.00 per hour. As we discussed, however, the Firm has agreed to allow me to bill for this engagement at the rate of \$350.00 per hour. Work may also be assigned to be performed by other attorneys or paralegals, and their time will be billed at their applicable rate.

Branscomb Law provides detailed statements for professional services performed, in-house services provided by the Firm, and out-of-pocket expenses, such as court costs, deposition costs, and travel incurred during the course of representation. Because our clients are individuals, the invoices submitted to your office for payment will be less detailed in order to preserve necessary attorney client privilege. If there are any questions regarding any submission, we will work with your office to clarify any explanation.

We normally send statements for legal services rendered and for expenses on a monthly basis. In order to facilitate delivery and reduce paperwork, the Firm now transmits invoices via email. Unless instructed otherwise, invoices will be sent directly to you at laura.jimenez@nuecesco.com. Unless other arrangements are made, payment for our fees and expenses will be due upon your receipt of the statement.

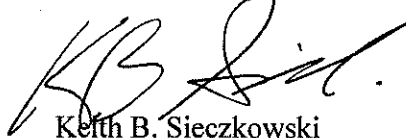
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If you have any questions about our fees now or in the future, I hope that you will call or write to me, or see me in person to discuss the details of the particular bill or any other matter which concerns you.

Very truly yours,

BRANSCOMB, PLLC



Keith B. Sieczkowski

ACCEPTED:

Dated November _____, 2020

Barbara Canales, County Judge

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