

# JOHNSON COUNTY COMMISSIONERS COURT



RICK BAILEY  
Commissioner Pct. #1

ROGER HARMON  
County Judge

JERRY D. STRINGER  
Commissioner Pct. #3

KENNY HOWELL  
Commissioner Pct. #2

Carla Hester  
Assistant to Commissioner's Court

LARRY WOOLLEY  
Commissioner Pct. #4

THE STATE OF TEXAS

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§  
§

ORDER #2019-05

COUNTY OF JOHNSON

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## COMMISSIONERS COURT APPROVING THE CONTINGENCY FEE CONTRACT OF REPRESENTATION WITH FERRER POIROT & WANSBROUGH, THE MACLEAN LAW FIRM, PC, AND FEARS NACHAWATI, FOR OPIOID LITIGATION

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The Johnson County Commissioners Court met on January 30, 2019 for the consideration of a Contingency Fee Contract of Representation with Ferrer Poirot & Wansbrough, the MacLean Law Firm, PC, and Fears Nachawati, for Opioid Litigation. The Commissioners Court finds that there is a substantial need for the legal services, the legal services cannot be adequately performed by the County Attorney's Office and the legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the matter for which the services will be obtained or because the county does not have appropriated funds available to pay the estimated amounts required under a contract providing only for the payment of hourly fees.

A motion was made by Commissioner Howell, Pct. #2 and seconded by Commissioner Woolley, Pct. #4 that: "The Commissioners Court enter into a Contingency Fee Contract of Representation with Ferrer Poirot & Wansbrough, the MacLean Law Firm, PC, and Fears Nachawati, for Opioid Litigation due to a substantial need for the legal services, the legal services cannot be adequately performed by the County Attorney's Office and the legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the matter for which the services will be obtained or because the county does not have appropriated funds available to pay the estimated amounts required under a contract providing only for the payment of hourly fees."

Said motion was approved by a vote of the Commissioners Court on the 30<sup>th</sup> day of January, 2019.

**NOW THEREFORE BE IT RESOLVED AND ORDERED:**

The Commissioners Court of Johnson County, Texas does hereby enter this order approving a Contingency Fee Contract of Representation with Ferrer Poirot & Wansbrough, the MacLean Law Firm, PC, and Fears Nachawati, for Opioid Litigation upon the Commissioners Court finding that there is a substantial need for the legal services, the legal services cannot be adequately performed by the County Attorney's Office and the legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the matter for which the services will be obtained or because the county does not have appropriated funds available to pay the estimated amounts required under a contract providing only for the payment of hourly fees.

**WITNESS OUR HAND THIS, THE 30<sup>th</sup> DAY OF JANUARY, 2019.**

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**Roger Harmon, Johnson County Judge**

Voted: \_\_\_ yes, \_\_\_ no, \_\_\_ abstained

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**Rick Bailey, Comm. Pct. #1**  
Voted:  yes, \_\_\_ no, \_\_\_ abstained

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**Kenny Howell, Comm. Pct. #2**  
Voted:  yes, \_\_\_ no, \_\_\_ abstained

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**Jerry D. Stringer, Comm. Pct. #3**  
Voted:  yes, \_\_\_ no, \_\_\_ abstained

\_\_\_\_\_  
**Larry Woolley, Comm. Pct. #4**  
Voted: \_\_\_ yes, \_\_\_ no, \_\_\_ abstained

ATTEST: Becky Ivey  
Becky Ivey, County Clerk

