

LAW OFFICE OF JOSE GARZA
7414 Robin Rest Dr.
San Antonio, Texas 78209
210-392-2856
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March 8, 2011

Honorable Ramon Garcia
County Judge
Hidalgo County, Texas
Edinburg, Texas 78539

RE: *Engagement Letter for Legal Services*
Attention: Martha Salazar, Purchasing Agent

Dear Judge Garcia:

Pursuant to your request, this engagement letter for legal services is being submitted for review and approval by the Hidalgo County Commissioners Court.

The Law Office of Jose Garza is honored to have the opportunity to provide legal advice and representation to Hidalgo County and now submits this Engagement Letter for your review and approval.

Professional Undertaking and Scope of Work:

The Law Firm will undertake to provide to the County legal advice and representation on matters dealing with the potential Census undercount. This Engagement Letter establishes a limited attorney-client relationship between the Law Firm and the County. The Law Firm will provide advice and representation to Hidalgo County regarding legal and litigation matters dealing with a potential claim against the Department of Commerce and the Bureau of the Census for failure to conduct an accurate and reliable census for the County and other Texas border regions as directed by the County Commissioners Court for Hidalgo County. The Law Firm and Hidalgo County acknowledge and represent that this engagement does not establish an attorney-client relationship between the Law Firm and any individual member of the Hidalgo County Commissioners Court.

Attorneys Assigned:

Jose Garza will be the primary attorney in charge, responsible for services to you and will be responsible for determining the division of labor on this contract within the Law Office of Jose Garza. Moreover, with the approval of the County Judge and in order to provide you with both the best and the most cost effective representation possible, the Law Office of Jose Garza may involve associate attorneys and/or co-counsel, for certain

tasks. The fee described below and agreed to herein shall include any associate attorneys of the Law Office of Jose Garza.

Fees:

The Firm will be compensated at the following rates for the time periods indicated:

Pre litigation investigation and research:

Jose Garza	\$250.00 per hour
Paralegals	at cost

Litigation activities:

Jose Garza	\$295.00 per hour
Paralegals	at cost

The fee described above will be capped at \$176,000. Moreover, in the event of an award of attorneys' fees and costs in any litigation associated with this agreement, the Firm agrees to reimburse Hidalgo County on a pro rated basis. Thus and for example, should an award by a court or in settlement of a fee claim be made that compensates the firm for a percentage of the actual market value of the services provided to the County, that percentage will be applied to the outlay by the County and reimbursement will be made for that amount. Any award or settlement of costs incurred by the County will of course be reimbursed in full.

Costs and Expenses:

Costs associated with the representation will be billed separate and apart from the legal fees described above. Miscellaneous charges and costs will be billed as follows:

Copies:	\$.15 per copy
Out of town mileage:	\$.50 per mile
Electronic Research:	at cost
Long distance telephone calls:	at cost
UPS, Fed. Exp. etc.:	at cost
Travel (most economical manner available):	at cost
Litigation costs (those costs typically associated with litigation in which the firm represents the County such as deposition costs, filing fees, exhibit preparation, witness expenses and fees, including but not limited to expert witness fees):	at cost

There is no cost for clerical work.

Billing and payment:

The firm will send to Hidalgo County monthly invoices that itemize all fees and expenses incurred on your behalf. Invoices will be sent at the end of the month. Payment on each invoice shall be due within fourteen (14) days of receipt.

Termination:

Hidalgo County has the right to terminate representation upon written notice sent to:

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The Law Firm has the same right regarding termination, except, of course, that any termination by the firm must be in conformance with the firm's obligations under the Rules of Professional Responsibility, including the obligation to provide the County sixty (60) days reasonable notice to allow Hidalgo County to arrange alternative representation so as not to prejudice the interests of the Hidalgo County.

If you have any questions or suggestions with regard to anything set out above or any other aspects of our relationship, please feel free to contact me. Otherwise, if all appears to you to be in order, please sign the enclosed copy of this letter below and return to us for our records.

The Firm is pleased to have the opportunity to reestablish a relationship with Hidalgo County, and look forward to working closely the members of the Hidalgo County Commissioners Court.

Sincerely,

LAW OFFICE OF JOSE GARZA

By: /s/Jose Garza
 Jose Garza

ACCEPTED :

HIDALGO COUNTY

By: _____
Ramon Garcia, County Judge

LAW OFFICE OF JOSE GARZA

By: _____
Jose Garza
Law Office of Jose Garza

Date: _____