

VOL 40 PAGE 537
FILED FOR RECORD
IN MY OFFICE

AT 8:20 O'CLOCK A M

OCT 14 2002

SUE GRAFTON
COUNTY CLERK, PANOLA COUNTY, TEXAS

BY Kari Stowell DEPUTY

**MEETING OF COMMISSIONERS' COURT
OF PANOLA COUNTY**

TO WHOM IT MAY CONCERN:

PURSUANT TO THE TEXAS OPEN MEETINGS ACT, NOTICE IS HEREBY GIVEN THAT A SPECIAL MEETING OF THE COMMISSIONERS' COURT OF PANOLA COUNTY, TEXAS WILL BE HELD ON THE 18TH DAY OF OCTOBER, 2002, IN THE COMMISSIONERS' COURTROOM IN THE PANOLA COUNTY COURTHOUSE IN CARTHAGE, TEXAS AT 9:00 O'CLOCK A.M. AT WHICH MEETING THE FOLLOWING SUBJECTS WILL BE DISCUSSED AND THE FOLLOWING MATTERS ACTED UPON:

OPEN MEETING:

1. To discuss and act upon joining a common defense to Marcie Caldwell v. Carole Keeton Rylander, et al offered by Allison, Bass & Associates, L.L.P.

ADJOURNMENT

WITNESS THE HAND OF THE UNDERSIGNED CLERK ON THIS THE 15TH DAY OF OCTOBER, 2002 AT 8:20 O'CLOCK A.M.

Sue Grafton
SUE GRAFTON, COUNTY CLERK
PANOLA COUNTY, TEXAS
By: Kari Stowell, Deputy

I, SUE GRAFTON, CLERK OF THE COMMISSIONERS' COURT OF PANOLA COUNTY, TEXAS DO HEREBY CERTIFY THAT THE ABOVE NOTICE WAS POSTED ON THE OFFICIAL BULLETIN BOARD IN THE PANOLA COUNTY COURTHOUSE IN THE CITY OF CARTHAGE, TEXAS AND IN A PUBLIC PLACE VISIBLE AT ALL TIMES ON THE 15TH DAY OF OCTOBER, 2002 AT 8:20 O'CLOCK A.M.

Sue Grafton
SUE GRAFTON, COUNTY CLERK
PANOLA COUNTY, TEXAS
By: Kari Stowell, Deputy

NOV 12 2002

The State of Texas
County of Panola

SUE GRAFTON
COUNTY CLERK, PANOLA COUNTY, TEXAS
BY *Sue Grafton* DEPUTY

On this the 18th day of October A.D. 2002, the Commissioners' Court of Panola County, Texas met in a Special Meeting of the Court at 9:00 o'clock a.m. in the Commissioners' Courtroom of said County with the following members of the Court present:

John Cordray	County Judge
Douglas M. Cotton	Commissioner, Precinct No. 2
Hermon E. Reed, Jr.	Commissioner, Precinct No. 3
Jimmy Davis	Commissioner, Precinct No. 4

with Commissioner Ronnie LaGrone absent, constituting a quorum of the Court. Also attending were Mickey Dorman, Chief Deputy County Clerk and Lee Ann Jones, Administrative Assistant to the County Judge. Attached to and made a part of these Minutes is a list of other attendees and the office or organization that each represents. The following proceedings were held at this meeting:

OPEN MEETING:

Commissioner Davis moved and Commissioner Cotton seconded the motion to join a common defense to Marcie Caldwell vs. Carole Keeton Rylander, et al by accepting the offer by Allison, Bass & Associates, L.L.P. The motion passed on a vote of 4-0 with Commissioner LaGrone absent. SEE COPIES OF LETTER AND AUTHORIZATION FORM ATTACHED.

The meeting was then adjourned.

Dated this the 18th day of October, 2002

John Cordray
John Cordray, County Judge, Panola County, Texas

ATTEST:

Sue Grafton
Sue Grafton, County Clerk, Panola County, Texas



18 Oct 2002 9:00 am

Tabitha Tucker

ALLISON, BASS & ASSOCIATES, L.L.P.

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October 9, 2002

VIA FACSIMILE 903-693-2726
AND REGULAR MAIL

Hon. John Cordray
 Panola County Judge
 Courthouse, Room 216-A
 Carthage, TX 75633

RE: *Marcie Caldwell v. Carole Keeton Rylander, et al*; In the 261st Judicial District Court
 of Travis County, Texas, No. 99-13088

Dear Judge Cordray:

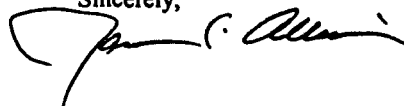
At the request of McLennan County Judge Jim Lewis, Polk County Judge John Thompson and Victoria County Judge Helen Walker, we are contacting you concerning the above litigation. Your county has been named as a defendant in this case, and you have probably received a citation by certified mail.

On behalf of the Texas Association of Counties and the County Judges and Commissioners Association of Texas, we have been monitoring this litigation. This lawsuit is a class action attempting to enjoin the collection of the \$15.00 supplemental court cost in criminal cases for the statutory county judges' supplemental salary fund. Sixty-four counties have participated in this fund. The litigation seeks to have the fee declared unconstitutional and refunded to the defendants.

We have been requested to provide a common defense to this litigation by the above County Judges. The Texas Association of Counties has agreed to pay 50% of the legal fees and expenses, not to exceed \$25,000. The remaining 50% would be shared by the participating counties on the basis of population.

If your county wishes to participate in this joint defense, please have the Commissioners Court authorize the firm of Allison, Bass & Associates to defend your county in the above litigation and return the enclosed authorization form before October 21, 2002. Please call me if you have any questions.

Sincerely,



James P. Allison

JPA/afb
 Enclosure

AUTHORIZATION FORM

The law firm of Allison, Bass and Associates ("firm") is hereby authorized to represent the undersigned county in Cause No. 99-13088 Caldwell v. Rylander, et al in the 261st Judicial District Court. The firm shall provide all necessary legal services to defend this matter and shall be compensated for partner services at a rate of \$190 per hour, associate services at a rate of \$150 per hour, and paralegal services at a rate of \$60 per hour, plus actual expenses.

All fees and expenses shall be apportioned as follows: 50% to the Texas Association of Counties, not to exceed \$25,000.00 total; and the remainder allocated to all participating defendant counties on the basis of population:


Panola County Judge

RECORDED _____ O'CLOCK _____ M. ON THE _____ DAY OF _____ 2002
SUE GRAFTON, COUNTY CLERK, P. C. T. 