



## **RICHARD WARREN MITHOFF**

Richard Warren Mithoff has been described by the *National Law Journal* as “one of the nation’s highest profile litigators,” and the *Texas Lawyer*, noting his “impressive trial record,” has described his approach to the law as “magic”. The *Houston Chronicle* has described Mithoff as “one of Houston’s most respected attorneys for decades.”

He has consistently been named among the Top Ten Lawyers by *Texas Super Lawyers*; among the Top Ten Trial Lawyers in the country by *Forbes*; among the Top Ten Trial Lawyers in the Southwest by *National Law Journal*; and among the Top Five “Go to Personal Injury Lawyers” by *Texas Lawyer*.

In naming Mithoff the “Best Civil Lawyer in Houston,” the *Houston Press* described his courtroom style as “dazzling his opposition with pretrial maneuvers and connecting emotionally with any juror he needs” while noting that he has “earned a reputation for honesty and forthrightness with clients, judges, and the media.”

When Harris County Commissioners--as well as other commissioners in other counties across the state--joined forces to sue tobacco companies and Volkswagen in separate cases, they turned to Mithoff to lead them. Because of his work with Harris County and other counties in the tobacco case and its \$2.2 billion settlement, he was able to direct funds totaling \$10 million from his fee to set up the Children’s Health Fund through the Harris County Health District Foundation. Harris County named its world renowned trauma center at Ben Taub Hospital the Ginni and Richard Mithoff Trauma Center.

Practicing in the area of general civil litigation, Mithoff has focused on personal injury and commercial litigation, including products liability, medical malpractice, aviation, admiralty, catastrophic vehicle accidents, industrial accidents, plant explosions and fires. Mithoff and his firm have recovered more than \$1 million by verdict or settlement in over 400 hundred personal injury and commercial cases, and he has successfully defended a number of clients in commercial cases involving claims of several hundred million dollars in the areas of breach of contract, antitrust, trade secrets and patent infringement.

A native of Lufkin and reared in El Paso, Mithoff attended the University of Texas at Austin, majoring in business administration. After graduating in 1968, he served in the US Army Reserve and enrolled in the UT Law School, where he was Project Editor of the Texas Law Review, graduating in 1971. Following graduation, he clerked for U.S. District Judge William Wayne Justice. In 1974, he went into practice with legendary trial attorney Joe Jamail with the firm that later became Jamail, Kolius & Mithoff. In 1984 he established the law firm that is now Mithoff Law.

Mithoff has been the subject of profiles in a number of publications, including:

- *Texas Super Lawyers* **“Legends of the Law”** (“notching hundreds of \$1 million-plus personal injury and commercial verdicts and settlements;” “an uncanny ability to grasp the heart of a case and craft persuasive arguments to sway judges and juries”)
- *Houston Chronicle* **“A Sense of Empathy”** (“a sense of empathy has helped Mithoff become one of nation’s most successful trial attorneys;” “connecting with both judges and juries through his mild manner and straight-forward approach.”)
- *Detroit Free Press* **“Liability of Silence”** (“Beating big corporations with big verdicts made Richard Mithoff one of the country’s best-known product-liability attorneys.”)
- *Houston Business Journal* **“Attorney Wins Cases for Causes in Trials by Fire”** (“one of the state’s most prominent legal renegades”)
- *The Texas Lawbook* **“Richard Mithoff: Million-Dollar Verdicts that Save Lives”** (“wins the old fashion way—by out-thinking outworking and outperforming his opposition.”)
- *Texas Super Lawyers* **“Straight Up and Unshaken”** (“a master at connecting with a jury.”)
- *Texas’ Best Lawyers* **“Richard Mithoff Fighting for an Emotionally Charged Verdict in Louisiana”** (“one of the most emotionally challenging of his storied career.”)
- *Lawyers Weekly USA* **“The Richest Small-Firm Lawyers in America”** (“clients flock to Mithoff knowing he can get the job done quickly.”)
- *Houston Post* **“Best Civil Attorney”** (“legal dynamo developed his considerable skills, grace and guts under the best.”)

Mithoff has received a number of awards in recognition of his lifetime achievements, including:

- University of Texas **Distinguished Alumnus Award**
- University of Texas Law School **Lifetime Achievement Award**
- **Lifetime Excellence in Advocacy Award** *Texas Association of Civil Trial and Appellate Specialists*
- **Leon Green Award for Outstanding Contributions to the Legal Profession** *Texas Law Review*
- **Professional Excellence Award, Lifetime Achiever** -- *Texas Lawyer*
- **Lions of the Bar** – *The Texas Lawbook*
- **Seventh Amendment Warrior Award** – American Board of Trial Advocates (ABOTA)
- **Champion of Justice Award** – *Texas Watch*
- **Chrys Dougherty “Good Apple Award”** – *Texas Appleseed*
- **Jurisprudence Award** – *Anti-Defamation League*

Mithoff has been elected to fellowship in the American College of Trial Lawyers, the International Academy of Trial Lawyers, the International Society of Barristers, and the American Board of Trial Advocates.

Mithoff defended JP Morgan/Chase in the Enron class action securities litigation arising out of what was then the largest bankruptcy in history. He prosecuted BP as in behalf of the BP shareholders in the class action securities litigation arising out of what was then the largest environmental disaster in history. Mithoff was appointed lead liaison counsel for the plaintiffs in the MDL litigation arising out of the Hurricane Rita bus fire disaster resulting in 23 deaths; was appointed lead counsel for Harris County and other Texas counties in the MDL litigation arising out of the Volkswagen emissions control tampering litigation; and was appointed co-lead counsel in behalf of plaintiff homeowners in the MDL litigation arising out of the Hurricane Harvey downstream flooding inverse condemnation cases.

Mithoff won the first case to establish a defect in silicone breast implants in a landmark decision in 1977, and he and his firm in later years recovered millions for clients in breast implant litigation. Nationally, he is recognized for his “pioneering litigation” in cases of babies suffering brain damage during childbirth. One of his first widely publicized cases involved a settlement in a malpractice case against a Pasadena hospital on behalf of a child injured at birth. The case was featured on *ABC's Nightline* and led to changes in the laws relating to hospital reporting requirements for the misconduct of doctors.

A settlement obtained in 1997 by Mithoff in behalf of a pregnant woman against a hospital and anesthesiologist with a history of drug abuse required the hospital to make sweeping changes in its by-laws and drug screening procedures—an order described as a “precedent setting decision” by the American Hospital Association.

Another landmark case won by Mithoff in 1993 involved the death of a young woman from hyponatremia—a low sodium condition affecting primarily women and young children following the use of improper IV solutions after surgery. The verdict resulted in changes in hospital procedures concerning the use of such IV fluids, and one of the experts involved in recommending these changes has estimated that such changes will save thousands of lives every year.

The University of Texas Law School named its pro bono center the Richard and Ginni Mithoff Pro Bono Center. Mithoff has endowed a series of scholarships at UT, including a Presidential Scholarship in law for educationally, socially and culturally disadvantaged students at the UT Law School, a Presidential Scholarship for disabled students at UT Business School and an endowed professorship in neonatal/perinatal medicine at the UT School of Medicine. The UT Medical School endowment funded community outreach perinatal centers, as well as the Life Flight program to bring injured babies quickly from outlying community hospitals to major medical centers.

The University of Texas named its track and soccer field house the Richard Mithoff Field House.

Mithoff enjoys mountain climbing, skiing and deep-sea fishing. His summits have included Mt. Kilimanjaro in Africa and the grand Teton in Wyoming and most of the other major peaks in the Tetons, as well as numerous climbs in Patagonia (South America), the Pyrenees (Spain), Mont Blanc range (France), Drakensberg range (South Africa), and numerous rock climbs in Wyoming and Colorado. He and his wife Ginni have two grown children, Michael and Caroline, and five grandchildren: Mia, daughter of Michael and his wife Melissa and their twin sons Max and Matthew, and Isabella and Alex, children of Caroline Mithoff and her husband Scott Perez.