


TEXAS LAWYER GO-TO GUIDE

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TOP NOTCH
LAWYERS





PARTNER
HARTNETT LAW FIRM
DALLAS
45

Jim Hartnett Jr.

The recent, long-running court fight over the estate of J. Howard Marshall II had everything. A mammoth estate worth up to \$1 billion. A former Playboy Playmate — Anna Nicole Smith — battling for an inheritance. And Jim Hartnett Jr., representing a son who had been cut out of the will, dueling with Houston's Rusty Hardin, who represented a son who had benefited greatly from his deceased father's will.

Hartnett lost that case, at least at trial. His client, J. Howard Marshall III, not only failed to gain an inheritance, but he also was hit with a penalty from the jury that was later cut by the trial judge to \$10 million. The case is being appealed, with Hartnett challenging numerous rulings by the trial judge and, soldiering on, intending to gain a new trial.

This son of a lawyer — and the brother of several, and the nephew of another — isn't used to losing. Hartnett's temperament is such that he still intends to prevail in the long run. Often, he does.

There was, for example, a lengthy estate battle in Dallas that lasted from 1989 to 1996 over estates involving people who had died by 1986. In a fight

between sisters and a brother, the offspring of a trail-blazing sports broadcaster, two jury trials were needed because of complexities of the estates. Hartnett won his clients a judgment of more than \$20 million. A third trial was due to start when a final settlement was reached — 10 years after the deaths that started the fight.

And there was a nine-week trial in another case in which Hartnett represented an adult grandchild and minor grandchildren of a still-living, controversial Dallas investor. Hartnett failed to win at trial — a hung jury was the result — but it led to a settlement with the grandchildren for \$100 million before a retrial began.

"My father has been one of the premier probate and trust and trial lawyers since probably the late '60s," Hartnett says. And he followed in the footsteps of his still-active dad, working now with him and with brothers Will, Jay and Fred.

His advice to those caught in a serious probate battle? Settle. Says Hartnett, "Everybody kind of gets caught up in the emotion and loses sight of the business aspect of the relationship or the estate at issue."