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Here's How Much Johnny Sutton is Billing in UT Law Alleged Pay Fraud Case

Texas Lawyer used the Texas Public Information Act request to get a copy of the legal contract for the lawyer that the University of Texas System hired to investigate Jason Shoumaker.

By **Angela Morris** | June 06, 2018

Former U.S. Attorney Johnny Sutton, now working in private practice in Austin, was hired to investigate alleged fraudulent activities by a former employee of the University of Texas School of Law.

Texas Lawyer used the Texas Public Information Act request to get a copy of the legal contract for the lawyer that the University of Texas system hired to

investigate [Jason Shoumaker \(https://www.law.com/texaslawyer/2018/05/08/ut-law-school-employee-arrested-for-allegedly-falsifying-time-sheets/\)](https://www.law.com/texaslawyer/2018/05/08/ut-law-school-employee-arrested-for-allegedly-falsifying-time-sheets/), who faces six counts of tampering with a government record for allegedly falsifying his time sheets.



Prosecutors claim he filled out time sheets claiming he was working in his job as facilities director at Texas Law during times that his credit card statements showed he was actually making travel charges to lavish vacation destinations like Las Vegas, Miami, St. Thomas in the U.S. Virgin Islands and more. Shoumaker was arrested and booked into jail on May 4; he bonded out May 7.

Shoumaker's criminal defense lawyer, Perry Minton, didn't immediately return calls or an email seeking comment.

Sutton, a partner in Ashcroft Sutton Reyes in Austin, declined to comment about his role in UT's Shoumaker investigation. But UT spokesman Gary Susswein wrote in a statement that Sutton will be reviewing management issues and concerns.

"Sutton and his firm have the experience and skills in employee and management investigation to help identify systems and processes that need to be addressed and to develop best practices. This review is vital to our efforts to be good stewards of public dollars and improve internal controls," said Susswein.

According to the outside counsel contract between the UT System and Sutton's firm, the university has agreed to pay a maximum of \$149,000 for the Shoumaker investigation—this includes \$525 per hour for partners, \$295 per hour for associates and \$195 per hour for nonattorney workers.

Sutton is "lead counsel," under the contract, which spells out the legal services he's performing.

"Outside counsel will perform an investigation into administrative and management issues, procedures, and actions at UT Austin related to alleged fraudulent activities by a former employee and will provide recommendations for enhancement of systems, processes, and best practices, and corrective actions as needed," said the contract, which started May 1 and runs through Aug. 31, 2019.

Sutton's practice centers around internal investigations, corporate compliance and white-collar criminal law. He earned his law degree from the University of Texas School of Law in 1987 and was licensed to practice in Texas in 1988.

A 2007 Texas Lawyer article (<https://www.law.com/texaslawyer/almID/900005476437/>) said Sutton spent the first eight years of his legal career as a prosecutor in the Harris County District Attorney's office. He then served for five years as criminal justice adviser to then-Texas Gov. George W. Bush. When Bush was elected U.S. President in 2000, Sutton was one of four people on Bush's transition team who was bringing in a new team for the U.S. Department of Justice. After Bush's inauguration, Sutton was an associate deputy attorney general. He actually helped hire Bob Mueller—who is now in charge of the Russia investigation—who was an acting deputy attorney general until U.S. Attorney General John Ashcroft was confirmed later that year.

Sutton was the U.S. Attorney for the Western District of Texas from 2001 to 2009. According to his law firm profile (http://ashcroftwhistleblowerlaw.com/johnny_sutton/), as U.S. attorney, Sutton directed 43,000 prosecutions and thousands of civil cases. Under his leadership his office won more than 105 public corruption convictions and sent almost 400 gang members to prison.

Angela Morris is a freelance journalist. Follow her on Twitter at @AMorrisReports