January 31, 2000

**Classic Koch**

Members of the Texas Supreme Court sent a Christmas present to a top campaign donor recently when they reversed a lower court’s decision and issued a per curiam ruling favoring Koch Industries (pronounced "Coke").

In its December 16, 1999 Koch v. Chapa opinion, the court ruled that Koch was not responsible for an injured contract worker, despite the fact that a Koch employee was monitoring safety on the worksite.

A politically active polluter, Koch is one of the largest U.S. privately held companies. Just one week after the Texas Supreme Court issued its ruling for Koch, a federal jury recommended that Koch pay $553,504 for pilfering oil from government and Native American lands. In another recent federal case, Koch settled land and water pollution claims—including Texas pollution claims—for $35 million.

In Texas, Koch invests heavily in the very judges who adjudicate lawsuits against the company. The Fred and Mary Koch Foundation is a substantial funder of the Economics Institute for State Judges, which sends judges—including Justice Craig Enoch—on expense-paid seminar retreats to Utah and Florida. Enoch also sits on the seminar’s advisory board.

Koch has contributed $13,500 to Texas Supreme Court justices since 1994. Koch’s defense firm—Porter Rogers Dahlman & Gordon—gave justices $5,000. Co-defendant H&S Construction and its defense attorneys at Hunt, Hermansen McKibben & Villareal contributed another $20,000 to justices.

Koch v. Chapa is one more classic example of the court ruling for its campaign contributors.