



THE ATTORNEY GENERAL  
OF TEXAS

JIM MATTOX  
ATTORNEY GENERAL

March 6, 1990

Mr. A. W. Pogue  
Commissioner of Insurance  
State Board of Insurance  
1110 San Jacinto  
Austin, Texas 78701-1998

OR90-066

Dear Mr. Pogue:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 7762.

The State Board of Insurance received an open records request for all records pertaining to Anglo-American Insurance Company. You have submitted to this office for review several intra-office memoranda, notes, and correspondence coming within the ambit of the request that you contend are excepted from required public disclosure.

We have considered the exception you claimed and have reviewed the documents at issue. Section 3(a)(11) of the act excepts inter-agency and intra-agency memoranda and letters, but only to the extent that they contain advice, opinion, or recommendation intended for use in the entity's decision-making process, see Open Records Decision No. 464 (1987); it does not protect facts and written observation of facts and events that are severable from advice, opinions, and recommendation. Open Records Decision No. 450 (1986). The documents at issue do not contain the type of information section 3(a)(11) is intended to protect. For this reason, you must release the requested information in its entirety.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a

published open records decision. If you have questions about this ruling, please refer to OR90-066.

Yours very truly,



Susan Garrison  
Assistant Attorney General  
Opinion Committee

SG/RWP/le

Ref.: ID# 7762

cc: Anthony Icenogle  
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