



THE ATTORNEY GENERAL  
OF TEXAS

JIM MATTOK  
ATTORNEY GENERAL

February 20, 1990

Ms. Marcia Newlands Fero  
Bickerstaff, Heath & Smiley  
Attorney for Barton Springs-Edwards  
Aquifer Conservation District  
San Jacinto Center, Suite 1800  
98 San Jacinto Boulevard  
Austin, Texas 78701-4039

OR90-072

Dear Ms. Fero:

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# 7854.

The Barton Springs-Edwards Aquifer Conservation District received an open records request for information relating to the district's participation in an ongoing lawsuit. The district seeks to withhold from required public disclosure correspondence and memoranda between the district and its law firm, and personal notes related to the litigation made by the district's board members. The district seeks to withhold this information under section 3(a)(3) of the Open Records Act.

We have considered the exception you claimed and have reviewed the documents at issue. A previous determination of this office, Open Records Decision No. 360 (1983) (copy enclosed) resolves your request. For this reason, you may withhold the requested information.

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-.

Yours very truly,

A handwritten signature in cursive script that reads "David A. Newton".

David A. Newton  
Assistant Attorney General  
Opinion Committee

DAN/le

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Ref.: ID# 7854

Enclosure: Open Records Decision No. 360

cc: J.B. Ruhl  
Fulbright & Jaworski  
600 Congress Avenue, Suite 2400  
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