



THE ATTORNEY GENERAL  
OF TEXAS

JIM MATTOX  
ATTORNEY GENERAL

June 14, 1990

Mr. Bill Zeis  
Staff Attorney, Legal Division  
Texas Air Control Board  
6330 Hwy. 290 East  
Austin, Texas 78723

OR90-232

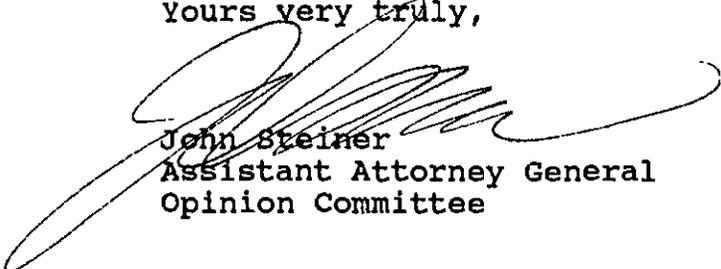
Dear Mr. Zeis:

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# 8548.

We have considered the exception you claimed, specifically section 3(a)(3), and have reviewed the documents at issue. As you advise that litigation is pending or reasonably anticipated with respect to the subject matter of the requested information, it may be withheld. See Open Records Decision No. 551 (1990), a copy of which is enclosed. Because section 3(a)(3) is dispositive of your request, we have not considered the applicability, if any, of the other exceptions claimed.

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 OR90-232.

Yours very truly,

  
John Steiner  
Assistant Attorney General  
Opinion Committee

JS/le

Ref.: ID# 8548, 8522, 8490

Enclosure: Open Records Decision No. 551  
Documents Sent

cc: Mary Ruth Holder  
Assistant Attorney General  
Environmental Protection Division