



THE ATTORNEY GENERAL
OF TEXAS

JINI MATTOX
ATTORNEY GENERAL

June 15, 1990

Mr. H. Clyde Farrell, Chief
Consumer Protection Division
Attorney General's Office
P.O. Box 12548
Austin, Texas 78711-2548

OR90-245

Dear Mr. Farrell:

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# 8990.

We have considered the exception you claimed, specifically 3(a)(3), and have reviewed the documents at issue. You advise that litigation is reasonably anticipated with respect to the subject matter of the requested information. For this reason, you may withhold the requested information. See Open Records Decision No. 551 (1990), copy enclosed. Please note that this exception will only apply while litigation is reasonably anticipated and during the actual pendency of any litigation, or until the information has been made available in discovery. Open Records Decision Nos. 511 (1988); 349 (1982).

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 OR90-245.

Yours very truly,

A handwritten signature in black ink, appearing to read "John Steiner", written over a horizontal line.

John Steiner
Assistant Attorney General
Opinion Committee

JS/le

Ref.: ID# 8990

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Enclosure: Open Records Decision No. 551

cc: Ray Chester
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