



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

August 29, 1990

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

OR90-411

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# 10391.

The State Board of Insurance received an open records request for records pertaining to its investigation of Wright B. Taylor. Because you state that the board anticipates that the investigation will culminate in administrative litigation against Mr. Taylor, you may withhold the requested information pursuant to section 3(a)(3) of the act at this time. See Open Records Decision No. 551 (1990). Please note, however, that section 3(a)(3) protection of this information ends once the information is discovered during the litigation. See id.

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 OR90-411.

Yours very truly,

Jim Moellinger
Assistant Attorney General
Opinion Committee

JM/RWP/le

Ref.: ID# 10391

cc: Pat Barnhard
State Board of Insurance