



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTON
ATTORNEY GENERAL

November 26, 1990

Mr. Mark G. Daniel
Attorney for City of Watauga
Sundance Square
115 West Second Street, Suite 202
Fort Worth, Texas 76102

OR90-558

Dear Mr. Daniel:

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# 10533.

We have considered the exception you claimed, section 3(a)(3) specifically, and have reviewed the documents at issue. You have sent us a letter from an attorney representing several citizens whose property was damaged by flooding and who have presented claims to the city. The letter states that all prerequisites to filing suit against the city have been met, and requests that the city inform the attorney within seven days if any obstacles to filing suit remain. Under these facts, we agree that litigation to which the city is a party is reasonably anticipated. Furthermore, the documents requested clearly relate to that litigation. See Open Records Decision Nos. 551 (1990), 416 (1984). For this reason, you may withhold the requested information.

Because 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 OR90-558.

Yours very truly,

A handwritten signature in cursive script that reads "Faith S. Steinberg".

Faith S. Steinberg
Assistant Attorney General
Opinion Committee

FSS/le

Ref.: ID# 10533

Enclosure: Open Records Decision Nos. 416, 551

cc: Mr. Michael Rossetti
3216 West Park Row, Suite E
Arlington, Tx. 76013