



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

January 22, 1996

Mr. Richard J. Ybarra  
Open Records Coordinator  
General Counsel Division  
Office of the Attorney General  
P.O. Box 12548  
Austin, Texas 78711-2548

OR96-0061

Dear Mr. Ybarra:

On behalf of the Office of the Attorney General ("OAG"), you seek reconsideration of Open Records Letter No. 95-1398 (1995). Your request for reconsideration was assigned ID# 37858.

In Open Records Letter No. 95-1398 (1995) this office determined that the OAG could withhold the requested information, copies of the names, addresses, and telephone numbers of anyone filing complaints either against One Stop Leasing or Quick Stop Leasing, under section 552.103, the litigation exception, except to the extent that the information had been previously disclosed to the opposing party in the litigation. In addition, we marked certain information that appeared on its face to have been previously disclosed to the opposing party.

The OAG asserts that two pages of documents resubmitted for our consideration were in fact never disclosed to the opposing party. The OAG states that while the type of documents at issue are often provided to the target company this is not always the case. Disputed questions of fact are not resolvable in the open records process, and therefore, this office must rely on the good faith representations of governmental bodies or third parties. *See* Open Records Decision Nos. 554 (1990), 552 (1990). Accordingly, you may withhold the documents submitted for our review under section 552.103 of the Government Code.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous

determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Karen E. Hattaway  
Assistant Attorney General  
Open Records Division

KEH/LBC/ch

Ref: ID# 37858

Enclosures: Submitted documents

cc: Mr. William C. Boyd  
Patterson, Boyd & Lowery, P.C.  
2101 Louisiana Street  
Houston, Texas 77002  
(w/o enclosures)