



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

October 9, 1997

Mr. Dan Fontaine
Chief Legal Officer
The University of Texas
M.D. Anderson Cancer Center
Texas Medical Center
1515 Holcombe Boulevard
Houston, Texas 77030

OR97-2261

Dear Mr. Fontaine:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 110960.

The University of Texas M.D. Anderson Cancer Center (the "center") received a request for five categories of information, including three contracts between the center and the Hyslop Group, Dr. Asit Choksi, and Dr. Roger Rodgers. You requested our decision whether the three contracts are excepted from disclosure pursuant to Government Code sections 552.103, 552.104, and 552.110. We previously ruled on the two doctors' contracts in Open Records Letter No. 97-1529 (1997). Subsequent to that ruling, we sent you a letter, dated July 14, 1997, asking you to resubmit the Hyslop Group's contract to this office for further consideration in light of the Hyslop Group's arguments pursuant to sections 552.110 and 552.305 of the Government Code.

Pursuant to section 552.301(b), a governmental body is required to submit to this office (1) general written comments stating the reasons why the stated exceptions apply that would allow the information to be withheld, (2) a copy of the written request for information, and (3) a copy of the specific information requested or representative samples, labeled to indicate which exceptions apply to which parts of the documents. You did not, however, resubmit to this office a copy of the specific information that was requested.

Pursuant to section 552.303(c) of the Government Code, this office notified you by letter dated August 5, 1997, that you had failed to submit the information required by section

552.301(b). We requested that you provide this information to our office within seven days from the date of receiving the notice. The notice further stated that under section 552.303(e) failure to comply would result in the legal presumption that the information at issue was presumed public.

To date, you have not resubmitted the requested information. Consequently, we are unable to render a decision as to the Hyslop Group's contract. If you have any questions regarding this ruling, please contact our office.

Yours very truly,



Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/rho

Ref.: ID# 110960

cc: Mr. Wayne Dolcefino
KTRK-TV
P.O. Box 13
Houston, Texas 77001

Mr. William A. Hyslop
The Hyslop Group
5307 Broadway, Suite 217
San Antonio, Texas 78209