



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

April 28, 1998

Ms. Gail Allan
Director, Administration & Northern Legal Services
Texas Water Development Board
P.O. Box 13231
Austin, Texas 78711-3231

OR98-1058

Dear Ms. Allan:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 114932.

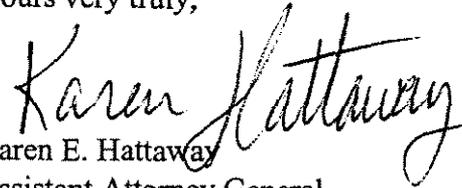
The Texas Water Development Board received a request for "any and all documents relating to the \$9,945,000 Sunbelt Fresh Water Supply District (Harris County) Waterworks and Sewer System Revenue Bonds, Series 1996A and the \$4,555,000 Sunbelt Fresh Water Supply District (Harris County) Waterworks and Sewer System Revenue Bonds, Series 1996B." You claim that four documents responsive to the request are excepted from disclosure under section 552.107 of the Government Code. We have considered the exception you claim and have reviewed the documents at issue.

Section 552.107(1) protects information that an attorney cannot disclose because of a duty to his client. In Open Records Decision No. 574 (1990), this office concluded that section 552.107(1) excepts from public disclosure only "privileged information," that is, information that reflects either confidential communications from the client to the attorney or the attorney's legal advice or opinions. Open Records Decision No. 574 (1990) at 5. Section 552.107(1) does not except purely factual information from disclosure. *Id.* For example, section 552.107(1) does not protect information gathered by an attorney as a fact-finder, a factual recounting of events, or the documentation of calls made, meetings attended, and memos sent. Open Records Decision No. 574 (1990) at 5. We have marked the information in the submitted documents that is protected by section 552.107(1). The remaining information in these documents must be released to the requestor.

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 any questions about this ruling, please contact our office.

Yours very truly,



Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ch

Ref: ID# 114932

Enclosures: Submitted documents

cc: Mr. Ross J. Radcliffe
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Houston, Texas 77067-4513
(w/o enclosures)