



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

April 28, 1998

Ms. Barbara E. Roberts  
City Attorney  
City of Galveston  
Legal Department  
P.O. Box 779  
Galveston, Texas 77553-0779

OR98-1064

Dear Ms. Roberts:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 114954.

You explain that the City Attorney's office for the City of Galveston (the "city") received a request for the "City Attorney Opinion on off-premise directional signs." You assert that the information at issue is excepted from disclosure pursuant to sections 552.107 and 552.111 of the Government Code.

Section 552.107(1) of the Government Code 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, factual information or requests for legal advice communicated by the client to the attorney and legal advice or opinion rendered by the attorney to the client. Open Records Decision No. 574 (1990) at 5-7. Section 552.107(1) does not, however, protect purely factual information. *Id.* Having reviewed the memorandum at issue, we conclude that you may withhold it from disclosure pursuant to section 552.107(1).<sup>1</sup>

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

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<sup>1</sup>We need not address the section 552.111 arguments as we have addressed the issue under section 552.107 of the Government Code.

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

Yours very truly,

A handwritten signature in black ink, appearing to be 'J. Monteros', written over a horizontal line.

Janet I. Monteros  
Assistant Attorney General  
Open Records Division

JIM/glg

Ref: ID# 114954

Enclosure: Submitted document

cc: Mr. Charles Staudt  
2601 Christopher  
Galveston, Texas 77551  
(w/o enclosure)