Office of the Attorney General · State of Texas
John Cornyn

April 23, 1999

Ms. Mary McDougle Homburg
Office of Chief Counsel
VIA Metropolitan Transit
P.O. Box 12489
San Antonio, Texas 78212

OR99-1106

Dear Ms. Homburg:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 125569.

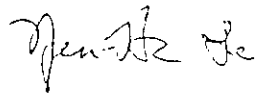
The VIA Metropolitan Transit ("VIA") received a request for eighteen categories of information concerning VIA and Star Shuttle. You assert that, under section 552.107(2) of the Government Code, VIA may not disclose those categories of documents that have been ordered protected by the 131st District Court of Bexar County.

Section 552.107(2) of the Government Code provides that information is excepted from required disclosure under the Texas Public Information Act, chapter 552 of the Government Code, if "a court by order has prohibited disclosure of the information." You have provided to this office a court order, dated March 17, 1999, that grants parts of VIA's Motion for Protective Order. The court granted protection to items 4-6, 9-10, 12-13, and 16-17. The requested items that are at issue here are identical to those addressed in the court's order. We agree that, to the extent this court order applies to the requested items held by VIA, section 552.107(2) provides an exception from required disclosure under chapter 552 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.

Sincerely,



Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/nc

Ref.: ID# 125569

cc: Ms. Michele Petty
115 E. Travis, Suite 640
San Antonio, Texas 78205
(w/o enclosures)