



November 16, 1999

Ms. Janice Marie Wilson
Associate General Counsel
Texas Department of Transportation
125 E. 11th Street
Austin, Texas 78701-2483

OR99-3278

Dear Ms. Wilson:

You ask whether certain information is subject to required public disclosure under the, Texas Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 129511.

The Department of Transportation received a request for “the results, copies of transcripts and all other information concerning the investigation on Mr. Wes Burford and Ms. Patsy Warren.” You assert that one responsive document and portions of a second document are excepted from disclosure based on section 552.101 of the Government Code. We assume that the department has released to the requestor any other responsive documents.

You assert that the information at issue consists of privileged attorney-client communications. Section 552.107(1) of the Government Code excepts from required public disclosure information subject to the attorney-client privilege. *See* Open Records Decision No. 574 (1990). Under this exception, a governmental body may withhold from public disclosure information that reveals client confidences or legal advice or opinion. *See id.* at 5.

We have reviewed the information at issue. We conclude that the department may withhold the information the department has marked from disclosure based on section 552.107(1) of the Government Code.

We are resolving this matter with this 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 may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Kay Hastings".

Kay H. Hastings
Assistant Attorney General
Open Records Division

KHH/jc

Ref.: ID# 129511

encl. Submitted document

cc: Ms. Dena Rush
11800 Buggy Whip
Austin, Texas 78750
(w/o enclosures)