



November 18, 1999

Mr. Peter Vaky
Assistant City Attorney
City of Fort Worth
1000 Throckmorton Street
Fort Worth, Texas 76102

OR99-3320

Dear Mr. Vaky:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 130516.

The City of Fort Worth received a request for all information in files of the Fort Worth City Aviation Department regarding a lease to Fort Worth Jet Center, Inc. You seek to withhold only one document from the responsive information under section 552.107 of the Government Code.

Section 552.107(1) incorporates the attorney-client privilege. It protects information “that the attorney general or an attorney of a political subdivision is prohibited from disclosing because of a duty to the client under the Texas Rules of Civil Evidence, the Texas Rules of Criminal Evidence, or the Texas Disciplinary Rules of Professional Conduct.” *See* Open Records Decision No. 574 (1990). In instances where an attorney represents a governmental entity, the attorney-client privilege protects only an attorney’s legal advice and confidential attorney-client communications. *Id.* Accordingly, these two classes of information are the only information contained in the records at issue that may be withheld pursuant to the attorney-client privilege. Having examined the information at issue, we conclude that you may withhold the information at issue under section 552.107(1).

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,

A handwritten signature in cursive script, appearing to read "William Walker".

William Walker
Assistant Attorney General
Open Records Division

WMW/ljp

Ref: ID# 130516

Encl. Submitted documents

cc: Mr. Bill F. Bogle
Harris, Finley & Bogle, P.C.
1300 Bank One Tower
500 Throckmorton
Fort Worth, Texas 76102
(w/o enclosures)