



OFFICE *of the* ATTORNEY GENERAL
GREG ABBOTT

May 15, 2003

Mr. Paul C. Sarahan
Director, Litigation Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

OR2003-3291

Dear Mr. Sarahan:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 181091.

The Texas Commission on Environmental Quality ("TCEQ") received a request for thirteen categories of information relating to an audit of Meridian Alliance Group, L.L.C. ("Meridian"). You state that TCEQ has made some of the responsive information available to the requestor. You claim other responsive information, which you have submitted as Exhibits C-1 through C-16, is excepted from disclosure under sections 552.101, 552.103, 552.107, 552.110, 552.111, 552.116, 552.136, and 552.137 of the Government Code.¹ You also believe that this request for information implicates the proprietary interests of Meridian. You notified Meridian of this request for information and of its right to submit arguments to this office as to why information relating to Meridian should not be released.² We have considered the exceptions you claim and have reviewed the information you submitted.³

¹You have submitted the information that TCEQ seeks to withhold as Exhibits C-1 through C-16. In some instances, two or more of these exhibits contain what appear to be duplicate copies of the same document. However, you do not consistently claim the same exceptions to the disclosure of such duplicate information in each of the exhibits in which it appears. To the extent that this ruling determines that a document contained in two or more exhibits is protected by more than one exception to disclosure, you may rely on the more inclusive exception that we conclude is applicable to such a document.

²See Gov't Code § 552.305(d); Open Records Decision No. 542 (1990) (statutory predecessor to Gov't Code § 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception to disclosure under Gov't Code ch. 552 in certain circumstances).

³This letter ruling assumes that the submitted representative samples of information are truly representative of the requested information as a whole. This ruling neither reaches nor authorizes TCEQ to withhold any information that is substantially different from the submitted information. See Gov't Code § 552.301(e)(1)(D); Open Records Decision Nos. 499 at 6 (1988), 497 at 4 (1988).

We first note that section 552.305 allows an interested third party ten business days from the date of its receipt of the governmental body's notice to submit its reasons, if any, as to why information relating to that party should not be released. *See Gov't Code § 552.305(d)(2)(B)*. As of the date of this decision, this office has received no correspondence from Meridian. Thus, Meridian has not demonstrated that the submitted documents contain any proprietary information for purposes of section 552.110 of the Government Code. *See Gov't Code § 552.110(a)-(b)*; Open Records Decision Nos. 552 at 5 (1990), 661 at 5-6 (1999).

Next, we note that some of the submitted information is subject to section 552.022 of the Government Code. Section 552.022 provides that

the following categories of information are public information and not excepted from required disclosure under this chapter unless they are expressly confidential under other law:

- (1) a completed report, audit, evaluation, or investigation made of, for, or by a governmental body, except as provided by Section 552.108[.]

Gov't Code § 552.022(a)(1). In this instance, the submitted information includes copies of a completed report made of, for, or by TCEQ. You must release the completed report under section 552.022(a)(1) unless it is excepted from disclosure under section 552.108 of the Government Code or expressly confidential under other law. You do not raise section 552.108. Sections 552.103, 552.107(1), 552.111, and 552.116 are discretionary exceptions to disclosure that protect the governmental body's interests and may be waived. *See Dallas Area Rapid Transit v. Dallas Morning News*, 4 S.W.3d 469, 475-76 (Tex. App.—Dallas 1999, no pet.) (governmental body may waive section 552.103); Open Records Decision Nos. 665 at 2 n.5 (2000) (discretionary exceptions generally), 630 at 4 (1994) (attorney-client privilege under section 552.107(1) may be waived), 542 at 4 (1990) (litigation exception may be waived), 470 at 7 (1987) (section 552.111 may be waived). Thus, sections 552.103, 552.107, 552.111, and 552.116 are not other law that makes information expressly confidential for purposes of section 552.022. Therefore, you may not withhold the information that is subject to section 552.022(a)(1) under sections 552.103, 552.107, 552.111, or 552.116.

We note, however, that the Texas Supreme Court has held that “[t]he Texas Rules of Civil Procedure and Texas Rules of Evidence are ‘other law’ within the meaning of section 552.022.” *See In re City of Georgetown*, 53 S.W.3d 328, 336 (Tex. 2001). The attorney-client privilege also is found in Texas Rule of Evidence 503. As you assert that the information that is subject to section 552.022(a)(1) is protected by the attorney-client privilege, we will consider whether you may withhold that information under rule 503.

Texas Rule of Evidence 503(b)(1) provides as follows:

A client has a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications made for the purpose of facilitating the rendition of professional legal services to the client:

- (A) between the client or a representative of the client and the client's lawyer or a representative of the lawyer;
- (B) between the lawyer and the lawyer's representative;
- (C) by the client or a representative of the client, or the client's lawyer or a representative of the lawyer, to a lawyer or a representative of a lawyer representing another party in a pending action and concerning a matter of common interest therein;
- (D) between representatives of the client or between the client and a representative of the client; or
- (E) among lawyers and their representatives representing the same client.

TEX. R. EVID. 503. A communication is "confidential" if not intended to be disclosed to third persons other than those to whom disclosure is made in furtherance of the rendition of professional legal services to the client or those reasonably necessary for the transmission of the communication. *Id.* 503(a)(5).

Thus, in order to withhold attorney-client privileged information from disclosure under rule 503, a governmental body must: (1) show that the document is a communication transmitted between privileged parties or reveals a confidential communication; (2) identify the parties involved in the communication; and (3) show that the communication is confidential by explaining that it was not intended to be disclosed to third persons and that it was made in furtherance of the rendition of professional legal services to the client. Upon a demonstration of all three factors, the information is privileged and confidential under rule 503, provided the client has not waived the privilege or the document does not fall within the purview of the exceptions to the privilege enumerated in rule 503(d). *Pittsburgh Corning Corp. v. Caldwell*, 861 S.W.2d 423, 427 (Tex. App.—Houston [14th Dist.] 1993, no writ).

You inform us that the information for which you claim the attorney-client privilege consists of communications between and among client representatives of and attorneys for TCEQ. You state that these communications were made with the expectation of confidence and involve legal questions, advice, and opinions, including legal analysis of applicable statutes,

rules, and case strategy. Based on your representations and our review of the information at issue, we conclude that you may withhold the information that is subject to section 552.022(a)(1) under Texas Rule of Evidence 503.

Next, we address your arguments with regard to the rest of the submitted information. As section 552.103 of the Government Code is the most inclusive exception you claim, we address this section first. Section 552.103 provides in part:

(a) Information is excepted from [required public disclosure] if it is information relating to litigation of a civil or criminal nature to which the state or a political subdivision is or may be a party or to which an officer or employee of the state or a political subdivision, as a consequence of the person's office or employment, is or may be a party.

...

(c) Information relating to litigation involving a governmental body or an officer or employee of a governmental body is excepted from disclosure under Subsection (a) only if the litigation is pending or reasonably anticipated on the date that the requestor applies to the officer for public information for access to or duplication of the information.

Gov't Code § 552.103(a), (c). The governmental body has the burden of providing relevant facts and documents sufficient to establish the applicability of section 552.103 to the information that it seeks to withhold. To meet this burden, the governmental body must demonstrate: (1) that litigation was pending or reasonably anticipated on the date of its receipt of the request for information *and* (2) that the information at issue is related to that litigation. *See University of Tex. Law Sch. v. Texas Legal Found.*, 958 S.W.2d 479 (Tex. App.—Austin 1997, no pet.); *Heard v. Houston Post Co.*, 684 S.W.2d 210 (Tex. App.—Houston [1st Dist.] 1984, writ ref'd n.r.e.); *see also* Open Records Decision No. 551 at 4 (1990). Both elements of the test must be met in order for information to be excepted from disclosure under section 552.103. *Id.*

The question of whether litigation is reasonably anticipated must be determined on a case-by-case basis. *See* Open Records Decision No. 452 at 4 (1986). To establish that litigation is reasonably anticipated, a governmental body must provide this office with "concrete evidence showing that the claim that litigation may ensue is more than mere conjecture." *Id.* Among other examples, this office has concluded that litigation was reasonably anticipated where the opposing party took the following objective steps toward litigation: (1) filed a complaint with the Equal Employment Opportunity Commission ("EEOC"), *see* Open Records Decision No. 336 (1982); (2) hired an attorney who made a demand for disputed payments and threatened to sue if the payments were not made promptly, *see* Open Records Decision No. 346 (1982); and (3) threatened to sue on several occasions and hired an

attorney, *see* Open Records Decision No. 288 (1981). When the governmental body is the prospective plaintiff in litigation, the evidence of anticipated litigation must at least reflect that litigation involving a specific matter is “realistically contemplated.” *See* Open Records Decision No. 518 at 5 (1989); *see also* Attorney General Opinion MW-575 (1982) (investigatory file may be withheld if governmental body’s attorney determines that it should be withheld pursuant to section 552.103 and that litigation is “reasonably likely to result”).

In this instance, you state that the submitted information relates to an audit of reimbursements paid by TCEQ to Meridian from the Petroleum Storage Tank Remediation Fund (the “PSTRF”). You inform us that the preliminary work of the auditors indicates the existence of issues as to whether reimbursements paid to Meridian will be disallowed and/or required to be disgorged. You also state that, should it be determined that Meridian owes the commission funds, it is common practice for TCEQ to issue a notice of overpayment. You inform us that section 334.534 of title 30 of the Texas Administrative Code (“T.A.C.”) provides for a notice of overpayment to be sent to an auditee if, at the conclusion of the audit, any amount is found to be owed to TCEQ. You also note that under section 334.535 of title 30, T.A.C., an auditee who disputes any portion of the amount stated in a notice of overpayment must file a petition for a hearing before the State Office of Administrative Hearings within 30 days of receipt of the notice. You inform us that Meridian has repeatedly indicated that it does not believe that it has overcharged TCEQ. You state that, “[g]iven the contentious nature of the present case, [TCEQ] anticipates that litigation will be pursued by Meridian.” You also point out that, should Meridian fail to file a petition to contest a notice of overpayment, section 334.537 of title 30, T.A.C., provides that “[i]f the overpayment has not been returned to [TCEQ], or objected to by the recipient, in accordance with the requirements of this subchapter, the executive director shall file a petition seeking an order from [TCEQ] to compel payment.” 30 T.A.C. § 334.537(a).⁴ Based on your representations and the totality of the relevant circumstances, we find that you have established that litigation was reasonably anticipated on the date of TCEQ’s receipt of this request for information. We also find that the information that you seek to withhold under section 552.103 relates to the anticipated litigation.

We note, however, that TCEQ obtained some of the information in question from the opposing party in the anticipated litigation. We assume that you do not seek to withhold that type of information under section 552.103. The purpose of section 552.103 is to enable a governmental body to protect its position in litigation by forcing parties seeking information relating to the litigation to obtain such information through discovery procedures. *See* Open Records Decision No. 551 at 4-5 (1990). If the opposing party has seen or had access to information relating to anticipated litigation, through discovery or otherwise, then there is no interest in withholding that information from public disclosure under section 552.103.

⁴We note that a contested case under the Administrative Procedure Act, chapter 2001 of the Government Code, constitutes litigation for purposes of section 552.103 of the Government Code. *See* Open Records Decision No. 588 (1991).

See Open Records Decision Nos. 349 (1982), 320 (1982). Thus, section 552.103 is not applicable to any information that the opposing party has seen or to which the opposing party has had access, including information that TCEQ obtained from the opposing party. Otherwise, you may withhold the submitted information that you claim is excepted from disclosure under section 552.103. We note that the applicability of section 552.103 to this information ends once the related litigation concludes or is no longer reasonably anticipated. *See* Attorney General Opinion MW-575 (1982); Open Records Decision No. 350 (1982).

Next, we address your arguments with regard to the information that is not protected by Texas Rule of Evidence 503 or section 552.103 of the Government Code. Section 552.101 of the Government Code excepts from disclosure “information considered to be confidential by law, either constitutional, statutory, or by judicial decision.” This section encompasses information that other statutes make confidential. You claim that the information submitted as Exhibit C-1 is confidential under section 301.081 of the Labor Code. Section 301.081 provides in part as follows:

- (a) Each employing unit shall keep employment records containing information as prescribed by the commission and as necessary for the proper administration of this title. The records are open to inspection and may be copied by the commission or an authorized representative of the commission at any reasonable time and as often as necessary.
- (b) The commission may require from an employing unit sworn or unsworn reports regarding persons employed by the employing unit as necessary for the effective administration of this title.
- (c) Employment information thus obtained or otherwise secured may not be published and is not open to public inspection, other than to a public employee in the performance of public duties, except as the commission considers necessary for the proper administration of this title.

Labor Code § 301.081(a)-(c). This office interpreted the predecessor provision of section 301.081(c) to apply to information that the predecessor to the Texas Workforce Commission (“TWC”) obtained from the records and reports that employers are required to file with the TWC. *See* Open Records Decision No. 599 (1992) (construing former V.T.C.S. art. 5221b-9). You do not inform us, however, that TCEQ obtained the information submitted as Exhibit C-1 from TWC or that TWC obtained that information from an employer. Therefore, we conclude that you have not demonstrated that Exhibit C-1 is excepted from disclosure under section 552.101 of the Government Code in conjunction with section 301.081 of the Labor Code.

Section 552.101 also encompasses the common-law right to privacy. Information must be withheld from disclosure under section 552.101 in conjunction with common-law privacy when the information is (1) highly intimate or embarrassing, such that its release would be

highly objectionable to a person of ordinary sensibilities, and (2) of no legitimate public interest. See *Industrial Found. v. Texas Ind. Accident Bd.*, 540 S.W.2d 668, 685 (Tex. 1976), cert. denied, 430 U.S. 931 (1977). In prior decisions, we have determined that financial information relating only to an individual ordinarily satisfies the first element of the common-law privacy test, but the public has a legitimate interest in the essential facts about a financial transaction between an individual and a governmental body. See, e.g., Open Records Decision Nos. 545 at 4 (1990) (“In general, we have found the kinds of financial information not excepted from public disclosure by common-law privacy to be those regarding the receipt of governmental funds or debts owed to governmental entities”), 523 at 4 (1989) (noting distinction under common-law privacy between confidential background financial information furnished to public body about individual and basic facts regarding particular financial transaction between individual and public body), 373 at 4 (1983) (determination of whether public's interest in obtaining personal financial information is sufficient to justify its disclosure must be made on case-by-case basis). We have marked information in Exhibit C-1 that TCEQ must withhold under section 552.101 of the Government Code in conjunction with common-law privacy.

Exhibit C-1 also contains social security numbers. A social security number may be excepted from disclosure under section 552.101 in conjunction with 1990 amendments to the federal Social Security Act, 42 U.S.C. § 405(c)(2)(C)(viii)(I), if a governmental body obtained or maintains the social security number pursuant to any provision of law enacted on or after October 1, 1990. See Open Records Decision No. 622 at 2-4 (1994). It is not apparent to this office that any social security number contained in Exhibit C-1 is confidential under section 405(c)(2)(C)(viii)(I) of the federal law. You have cited no law, and we are aware of no law, enacted on or after October 1, 1990 that authorizes TCEQ to obtain or maintain a social security number. Thus, we have no basis for concluding that any social security number contained in Exhibit C-1 was obtained or is maintained pursuant to such a law and is therefore confidential under the federal law. We caution you, however, that chapter 552 of the Government Code imposes criminal penalties for the release of confidential information. See Gov't Code §§ 552.007, .352. Therefore, before releasing a social security number, TCEQ should ensure that it was not obtained and is not maintained pursuant to any provision of law enacted on or after October 1, 1990.

You also raise section 552.107 of the Government Code. Section 552.107(1) protects information that comes within the attorney-client privilege. When asserting the attorney-client privilege, a governmental body has the burden of providing the necessary facts to demonstrate the elements of the privilege in order to withhold the information at issue. See Open Records Decision No. 676 at 6-7 (2002). First, a governmental body must demonstrate that the information constitutes or documents a communication. *Id.* at 7. Second, the communication must have been made “for the purpose of facilitating the rendition of professional legal services” to the client governmental body. See TEX. R. EVID. 503(b)(1). The privilege does not apply when an attorney or representative is involved in some capacity other than that of providing or facilitating professional legal services to the client governmental body. See *In re Texas Farmers Ins. Exch.*, 990 S.W.2d 337, 340 (Tex.

App.—Texarkana 1999, orig. proceeding) (attorney-client privilege does not apply if attorney acting in capacity other than that of attorney). Governmental attorneys often act in capacities other than that of professional legal counsel, such as administrators, investigators, or managers. Thus, the mere fact that a communication involves an attorney for the government does not demonstrate this element. Third, the privilege applies only to communications between or among clients, client representatives, lawyers, and lawyer representatives. See TEX. R. EVID. 503(b)(1)(A), (B), (C), (D), (E). Thus, a governmental body must inform this office of the identities and capacities of the individuals to whom each communication at issue has been made. Lastly, the attorney-client privilege applies only to a *confidential* communication, *id.* 503(b)(1), meaning it was “not intended to be disclosed to third persons other than those to whom disclosure is made in furtherance of the rendition of professional legal services to the client or those reasonably necessary for the transmission of the communication.” *Id.* 503(a)(5). Whether a communication meets this definition depends on the *intent* of the parties involved at the time the information was communicated. See *Osborne v. Johnson*, 954 S.W.2d 180, 184 (Tex. App.—Waco 1997, no writ). Moreover, because the client may elect to waive the privilege at any time, a governmental body must explain that the confidentiality of a communication has been maintained. Section 552.107(1) generally excepts an entire communication that is demonstrated to be protected by the attorney-client privilege unless otherwise waived by the governmental body. See *Huie v. DeShazo*, 922 S.W.2d 920, 923 (Tex. 1996) (privilege extends to entire communication, including facts contained therein).

You assert that portions of the submitted information are protected by the attorney client privilege. You inform us that this information consists of privileged communications between and among attorneys for and client representatives of TCEQ. You state that these communications were made in confidence and relate to legal questions, advice, and opinion. Based on your representations, we conclude that you have demonstrated that portions of the remaining information are excepted from disclosure under section 552.107(1). We have marked that information.

You also claim that some of the remaining information is excepted from disclosure under section 552.110(b) of the Government Code. You inform us that some of the information for which you claim this exception “was accompanied by a claim of confidentiality” when it was provided to TCEQ by Meridian. We note, however, that information is not confidential under chapter 552 of the Government Code simply because the party that submitted the information anticipated or requested that it be kept confidential. See *Industrial Found. v. Texas Indus. Accident Bd.*, 540 S.W.2d 668, 677 (Tex. 1976), *cert. denied*, 430 U.S. 931 (1977). In other words, a governmental body cannot, through an agreement or contract, overrule or repeal provisions of chapter 552. See Attorney General Opinion JM-672 (1987); Open Records Decision Nos. 541 at 3 (1990) (“[T]he obligations of a governmental body under [the predecessor to chapter 552] cannot be compromised simply by its decision to enter into a contract.”), 203 at 1 (1978) (mere expectation of confidentiality by person supplying information does not satisfy requirements of statutory predecessor to

section 552.110). Thus, unless the requested information comes within an exception to disclosure under chapter 552, it must be released, notwithstanding any expectation or agreement to the contrary.

Section 552.110(b) excepts from disclosure commercial or financial information for which it is demonstrated based on specific factual evidence that disclosure would cause substantial competitive harm to the person from whom the information was obtained. Section 55.110(b) requires a specific factual or evidentiary showing, not conclusory or generalized allegations, that substantial competitive injury would likely result from release of the information at issue. *See also* Open Records Decision No. 661 at 5-6 (1999) (business enterprise must show by specific factual evidence that release of information would cause it substantial competitive harm); *National Parks & Conservation Ass'n v. Morton*, 498 F.2d 765 (D.C. Cir. 1974). You assert that the documents for which you claim an exception under section 552.110(b) contain valuable financial information that could be used by competitors to gain a competitive advantage over Meridian. Having considered your arguments, we conclude that you have not provided a specific factual or evidentiary showing that the release of any of the information at issue would cause Meridian substantial competitive harm. Thus, you have not demonstrated that any of this information is excepted from disclosure under section 552.110(b).

Lastly, we address your claim under section 552.116 of the Government Code. This exception provides as follows:

(a) An audit working paper of an audit of the state auditor or the auditor of a state agency or institution of higher education as defined by Section 61.003, Education Code, is excepted from [public disclosure]. If information in an audit working paper is also maintained in another record, that other record is not excepted from [public disclosure] by this section.

(b) In this section:

(1) 'Audit' means an audit authorized or required by a statute of this state or the United States and includes an investigation.

(2) 'Audit working paper' includes all information, documentary or otherwise, prepared or maintained in conducting an audit or preparing an audit report, including:

(A) intra-agency and interagency communications; and

(B) drafts of the audit report or portions of those drafts.

Gov't Code § 552.116. You claim an exception to disclosure under section 552.116 with regard to some of the information that is not protected by section 552.103. You state that this information relates to an ongoing audit that TCEQ is authorized to conduct under

section 26.35735 of the Water Code. *See also* 30 T.A.C. § 334.533. You also inform us that TCEQ has enlisted the assistance of the state auditor in conducting the audit. Based on your representations, we have marked information that constitutes TCEQ's audit working papers under section 552.116(b)(2). TCEQ may withhold that information under section 552.116 of the Government Code.

In summary, TCEQ may withhold the information that is subject to section 552.022(a)(1) of the Government Code under Texas Rule of Evidence 503. TCEQ may withhold most of the rest of the submitted information at this time under section 552.103 of the Government Code. TCEQ must withhold some of the information that is not protected by section 552.103 under section 552.101 in conjunction with common-law privacy. Social security numbers may be excepted under section 552.101 in conjunction with section 405(c)(2)(C)(viii)(I) of title 42 of the United States Code. TCEQ may withhold some of the information that is not protected by section 552.103 under sections 552.107 and 552.116. The rest of the submitted information must be released. As rule 503 and sections 552.101, 552.103, 552.107, and 552.116 are dispositive, we need not address your other arguments against disclosure.

This letter ruling is limited to the particular records at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other records or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For example, governmental bodies are prohibited from asking the attorney general to reconsider this ruling. Gov't Code § 552.301(f). If the governmental body wants to challenge this ruling, the governmental body must appeal by filing suit in Travis County within 30 calendar days. *Id.* § 552.324(b). In order to get the full benefit of such an appeal, the governmental body must file suit within 10 calendar days. *Id.* § 552.353(b)(3), (c). If the governmental body does not appeal this ruling and the governmental body does not comply with it, then both the requestor and the attorney general have the right to file suit against the governmental body to enforce this ruling. *Id.* § 552.321(a).

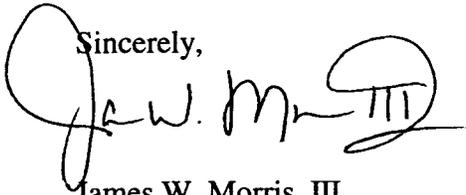
If this ruling requires the governmental body to release all or part of the requested information, the governmental body is responsible for taking the next step. Based on the statute, the attorney general expects that, within 10 calendar days of this ruling, the governmental body will do one of the following three things: 1) release the public records; 2) notify the requestor of the exact day, time, and place that copies of the records will be provided or that the records can be inspected; or 3) notify the requestor of the governmental body's intent to challenge this letter ruling in court. If the governmental body fails to do one of these three things within 10 calendar days of this ruling, then the requestor should report that failure to the attorney general's Open Government Hotline, toll free, at (877) 673-6839. The requestor may also file a complaint with the district or county attorney. *Id.* § 552.3215(e).

If this ruling requires or permits the governmental body to withhold all or some of the requested information, the requestor can appeal that decision by suing the governmental body. *Id.* § 552.321(a); *Texas Dep't of Pub. Safety v. Gilbreath*, 842 S.W.2d 408, 411 (Tex. App.—Austin 1992, no writ).

Please remember that under the Act the release of information triggers certain procedures for costs and charges to the requestor. If records are released in compliance with this ruling, be sure that all charges for the information are at or below the legal amounts. Questions or complaints about over-charging must be directed to Hadassah Schloss at the Texas Building and Procurement Commission at (512) 475-2497.

If the governmental body, the requestor, or any other person has questions or comments about this ruling, they may contact our office. We note that a third party may challenge this ruling by filing suit seeking to withhold information from a requestor. Gov't Code § 552.325. Although there is no statutory deadline for contacting us, the attorney general prefers to receive any comments within 10 calendar days of the date of this ruling.

Sincerely,

A handwritten signature in black ink, appearing to read "J.W. Morris III". The signature is written in a cursive style with a large, looped initial "J" and a distinct "III" at the end.

James W. Morris, III
Assistant Attorney General
Open Records Division

JWM/sdk

Ref: ID# 181091

Enc: Submitted documents

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