



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

January 29, 2010

Mr. Reg Hargrove  
Assistant Attorney General  
Public Information Coordinator  
General Counsel Division  
Office of the Attorney General  
P.O. Box 12548  
Austin, Texas 78711-2548

OR2010-01420

Dear Mr. Hargrove:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 368731 (PIR No. 09-26554).

The Office of the Attorney General (the "OAG") received a request for the "civil investigative demands, . . . relating to the processing of prescription drug claims by AdvancePCS, a unit of CVS Caremark Corp." The OAG asserts the information is excepted from public disclosure under section 552.107(2) of the Government Code.

Section 552.107(2) provides information is excepted from disclosure if "a court by order has prohibited disclosure of the information." Gov't Code § 552.107(2). The OAG argues a court has prohibited disclosure of the information at issue. After review of the OAG's arguments, supporting documentation, and the requested information, we conclude only the information the OAG marked is subject to the court's prohibition against disclosure. Thus, the OAG must withhold the information it marked and release the remainder.

This letter ruling is limited to the particular information 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 information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at [http://www.oag.state.tx.us/open/index\\_orl.php](http://www.oag.state.tx.us/open/index_orl.php), or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

A handwritten signature in black ink, appearing to read 'Yen-Ha Le', written in a cursive style.

Yen-Ha Le  
Assistant Attorney General  
Open Records Division

YHL/sdk

Ref: ID# 368731

Enc: Submitted documents

c: Requestor  
(w/o enclosures)