



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

July 8, 2010

Ms. Connie Crawford  
Assistant County Attorney  
El Paso County Hospital District Legal Department  
4815 Alameda Avenue  
8<sup>th</sup> Floor, Suite B  
El Paso, Texas 79905

OR2010-10073

Dear Ms. Crawford:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 385814.

The University Medical Center of El Paso (the "UMC") received a request for a specified contract. Although you take no position on release of the requested information, you state the submitted information may contain a third party's proprietary information subject to exception under the Act. Accordingly, you have notified the Cerner Corporation ("Cerner") of this request for information and of its right to submit arguments to this office as to why the submitted information should not be released. *See* Gov't Code § 552.305(d); Open Records Decision No. 542 (1990) (statutory predecessor to section 552.305 permitted governmental body to rely on interested third party to raise and explain applicability of exception to disclosure under certain circumstances). We have reviewed the submitted information. We have also considered comments received from Cerner.

Initially, we note the requestor has excluded the invoice from his request. Thus, the invoice in the submitted information is not responsive to the instant request. The UMC need not release non-responsive information in response to this request, and this ruling will not address that information.<sup>1</sup>

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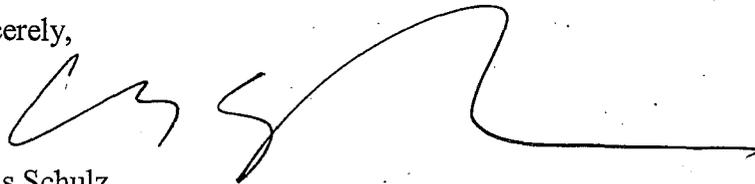
<sup>1</sup> As our ruling is dispositive, we need not address Cerner's arguments under section 552.110.

We note that Cerner does not raise any exceptions against the disclosure of the responsive information. Accordingly, the UMC may not withhold any portion of the remaining information on the basis of Cerner's proprietary interest. As no exceptions to disclosure are raised, the responsive information must be released to the requestor.

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,



Chris Schulz  
Assistant Attorney General  
Open Records Division

CS/tp

Ref: ID# 385814

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

Mr. Eric Gray  
Corporate Counsel  
Cerner Corporation  
2800 Rockcreek Parkway  
Kansas City, Missouri 64117  
(w/o enclosures)