



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

August 6, 2010

Ms. LeAnne Lundy  
Rogers, Morris & Grover, L.L.P.  
5718 Westheimer Road, Suite 1200  
Houston, Texas 77057

OR2010-11965

Dear Ms. Lundy:

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# 389467.

The Eanes Independent School District (the "district"), which you represent, received a request for all of the bond information the requestor previously requested that the district withheld pursuant to a ruling from this office. You state you will release some information to the requestor. You claim the submitted information is excepted from disclosure under section 552.111 of the Government Code.<sup>1</sup> We have considered the exception you claim and reviewed the submitted information.

You inform us the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2009-17815 (2009). In Open Records Letter No. 2009-17815, we ruled the district may withhold the draft documents under section 552.111. You inform us some of the draft documents have been made public since Open Records Letter No. 2009-17815 was issued, and you state you will release this information. As we have no indication the law, facts, and circumstances on which the prior ruling was based have changed, the district may continue to rely on that ruling as a previous determination and withhold the submitted information, which consists of the remaining draft documents, in accordance with Open Records Letter No. 2009-17815.

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<sup>1</sup>You inform us the district withdraws its initial claims under sections 552.101 and 552.117 of the Government Code.

See Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure). As our ruling is dispositive, we need not address your arguments against disclosure.

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,



Mack T. Harrison  
Assistant Attorney General  
Open Records Division

MTH/em

Ref: ID# 389467

Enc. Submitted documents

c: Requestor  
(w/o enclosures)