



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

February 6, 2013

Ms. Jordan Hale
Assistant Attorney General
Public Information Coordinator
General Counsel Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

OR2013-02073

Dear Ms. Hale:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code, the Public Information Act (the "Act"). Your request was assigned ID# 478363 (PIR No. 12-34872).

The Office of the Attorney General (the "OAG") received a request for "documentation submitted by . . ., (former auditor of Lon Morris), and a representative of Acker & Co., relating to the Long Endowment." 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. The OAG submitted the court order, which provides certain insurance policies will be provided to the OAG, but they "shall not be otherwise made public without an agreement or further court order." *In re Lon Morris College*, No. 12-60557 (Bankr. E.D. Tex. Oct. 12, 2012) (agreed order on Federal Rule of Bankruptcy Procedure 2004 examinations and subpoenas duces tecum). The OAG explains it received the documents at issue pursuant to the court order, and there is no agreement or court order authorizing release of said information. Thus, we conclude the OAG must withhold the information pursuant to section 552.107(2).

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, 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,



Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/sdk

Ref: ID# 478363

Enc: Submitted documents

c: Requestor
(w/o enclosures)