



DAN MORALES  
ATTORNEY GENERAL

Office of the Attorney General  
State of Texas

April 25, 1991

Mr. Larry E. Kosta  
Executive Director  
Texas Department of Licensing  
and Regulation  
P.O. Box 12157  
Austin, TX 78711

OR91-216

Dear Mr. Kosta:

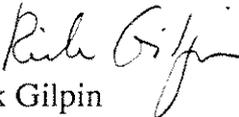
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 12097.

The Texas Department of Licensing and Regulation (the department) received an open records request for "all documents . . . on a company called Faces International and its owner, George Goldberg." You state that the department has released certain documents to the requestor, but seeks to withhold other records pursuant to sections 3(a)(1), 3(a)(3), 3(a)(7), and 3(a)(11) of the Open Records Act.

You state that FACES has sought to enjoin the department in district court from enforcing the Talent Agency Act, V.T.C.S. art. 5221a-9, against them and that the department is currently in the process of attempting to assess an administrative penalty against FACES through an administrative hearing. Based on these representations, the department may withhold the requested documents pursuant to section 3(a)(3), the litigation exception, so long as the documents are not released to FACES during any of the legal proceedings. See Open Records Decision No. 551 (1990) (copy enclosed). Consequently we need not consider the applicability of the other exceptions you raise.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-216.

Yours very truly,

  
Rick Gilpin  
Assistant Attorney General  
Opinion Committee

RG/RWP/lb

Ref.: ID# 12097

Enclosures: Open Records Decision No. 551

cc: Paula Manceri  
Story Coordinator  
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