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ATTORNEY GENERAL

Office of the Attorney General
State of Texas

September 5, 1991

Mr. Ernest Boardman
Assistant General Counsel
Texas Workers' Compensation Commission
4000 South IH-35
Austin, Texas 78704

OR91-390

Dear Mr. Boardman:

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# 12817.

We have considered the exception you claimed, specifically section 3(a)(3), and have reviewed the documents at issue. You advise that the subject matter of the requested information relates to pending litigation to which the commission is a party. A previous determination of this office, Open Records Decision No. 551 (1990), a copy of which is enclosed, resolves your request. To the extent to which the assistant attorney general representing your agency determines that the requested information should be withheld from public inspection, you may withhold the requested information. Please see the discussion on page four of Open Records Decision No. 551 regarding the duration of the litigation exception. Because section 3(a)(3) resolves your request at this time, it is not necessary to discuss other exceptions you raise, however, please see Open Records Decision No. 592 (1991), copy enclosed, which resolves RQ-9, cited in your letter.

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 OR91-390.

Yours very truly,



John Steiner
Assistant Attorney General
Opinion Committee

JS/lb

Ref.: ID# 12817

Enclosures: Open Records Decision No. 551, 592

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