



February 25, 1999

Mr. Ryan Tredway
Staff Attorney
Texas Department of Insurance
P.O. Box 149104
Austin, Texas 78714-9104

OR99-0554

Dear Mr. Tredway:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 122312.

You sought an open records decision from this office pursuant to section 552.305 of the Government Code. Consequently, this office notified representatives of First American Fidelity, Southwest Viatical, and Viatical Services that we received your request for an open records decision regarding the open records request for certain of their records held by the Texas Department of Insurance. In our letter to these entities, this office requested an explanation as to why portions of their records were excepted from public disclosure, with the caveat that their failure to do so within a reasonable time would result in this office instructing you to disclose the information.

More than fourteen days have elapsed since this office issued its notice, but none of the referenced entities have provided this office with any explanation as to why the requested documents should not be released. Consequently, we have no basis for applying any exceptions to required public disclosure to this information. *See* Open Records Decision No. 552 (1990). Because neither you nor the referenced entities have contended to this office that the requested information should be withheld, you should release the information at this time. If you have any questions regarding this letter, please contact this office.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination

regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,



Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/RWP/ch

Ref.: ID#122312

Enclosures: Submitted documents

cc: Mr. Steve McVicker
Houston Press
1621 Milam, Suite 100
Houston, Texas 77002
(w/o enclosures)

Mr. Hoyt Wauhob
Southwest Viatical, L.L.C.
301 North Market Street, Suite 490
Dallas, Texas 75201
(w/o enclosures)

Mr. William Scott Page
William Page & Associates, Inc.
2810 East Oakland Park Blvd., Suite 300
Fort Lauderdale, Florida 33306
(w/o enclosures)

Mr. Samuel J. Mangel
SCM Holding, Inc.
The Pavillion
261 Old York Road, Suite 734
Jenkintown, Pennsylvania 19046
(w/o enclosures)

Ms. Wanda Tappan
Life Benefit Services
1850 Lee Road, Suite 325
Winter Park, Florida 32789
(w/o enclosures)

Mr. Michael J. McNerney
Mr. Stephen L. Ziegler
Integrity Funding, Inc.
13 Patricia Lane
Magnolia, Texas 77355
(w/o enclosures)

Mr. Michael J. McNerney
Mr. Stephen L. Ziegler
Funds for Life, Inc.
1310 West Colonial Drive, Suite 25
Orlando, Florida 32804
(w/o enclosures)

Mr. Michael Zadoff
President
Dedicated Resources of Florida, Inc.
4723 West Atlantic Avenue, Suite 2
Delray Beach, Florida 33445
(w/o enclosures)

Mr. Gary Burnett
Choice Settlements, Inc.
5251-C Highway 153, Unit 249
Hixson, Tennessee 37343
(w/o enclosures)

Mr. Gordon Ledford
Viatical Settlement Broker
506 Sun Valley Blvd.
Hewitt, Texas 76643
(w/o enclosures)

Mr. Michael Davis
First American Fidelity Corporation
3100 Carlisle, Suite 204
Dallas, Texas 75204
(w/o enclosures)

Mr. John Lochner
Community Partners
1415 North MacArthur Blvd.
Irving, Texas 75061
(w/o enclosures)

Mr. Greg H. Town
VSB Corporation
1844 Ryder Drive
Baton Rouge, Louisiana 70808
(w/o enclosures)