



November 2, 1999

Ms. Lan P. Nguyen  
Assistant City Attorney  
City of Houston  
P.O. Box 1562  
Houston, Texas 77251-1562

OR99-3095

Dear Ms. Nguyen:

You have asked 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# 128519.

The City of Houston (the "city") received a request for "all internal correspondence regarding Milby Bus Barn." In response to the request, you submit to this office for review the information at issue. You state that the "City has made available to the requestor most of the requested information." You assert, however, that the documents submitted as Exhibit 2 are excepted from required public disclosure under section 552.107(1) of the Government Code. We have considered the exception you raised and reviewed the submitted information.

Section 552.107(1) protects from disclosure information that reveals client confidences to an attorney or that reveals the attorney's legal advice, opinion, and recommendation. *See* Open Records Decision No. 574 (1990). Where an attorney represents a governmental entity, the attorney-client privilege protects an attorney's legal advice and confidential attorney-client communications. *Id.* However, section 552.107(1) does not protect purely factual information. *Id.* The information at issue consists of client confidences and attorney advice and opinion. Therefore, you may withhold the information from disclosure pursuant to section 552.107(1).

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,

Sam Haddad  
Assistant Attorney General  
Open Records Division

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SH/nc

Ref.: ID# 128519

Encl: Submitted documents

cc: Ms. Samantha Liskow  
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(w/o enclosures)