



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

June 25, 2009

Ms. Marivi Gambini  
Paralegal  
City of Irving  
825 West Irving Boulevard  
Irving, Texas 75060

OR2009-08813

Dear Ms. Gambini:

You ask 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# 351846.

The City of Irving (the "city") received a request for information related to a requested zoning change. You state that some responsive information has been released to the requestor. You claim that some of the submitted information is excepted from disclosure under section 552.137 of the Government Code.<sup>1</sup> We have considered the exception you claim and reviewed the submitted information.

Section 552.137 of the Government Code requires a governmental body to withhold the e-mail address of a member of the general public, unless the individual to whom the e-mail address belongs has affirmatively consented to its public disclosure. *See* Gov't Code § 552.137(b). You inform us that the owners of the e-mail addresses at issue have not consented to their release. Therefore, the city must withhold the e-mail addresses you have marked under section 552.137 of the Government Code. The remaining information must be released to the requestor.

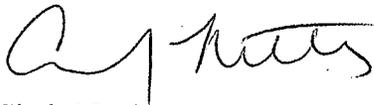
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<sup>1</sup>While the city claims section 552.101 of the Government Code in conjunction with section 552.137, we note that exceptions under the Act do not constitute statutory law for purposes of section 552.101.

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](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 at (512) 475-2497.

Sincerely,



Cindy Nettles  
Assistant Attorney General  
Open Records Division

CN/dls

Ref: ID# 351846

Enc. Submitted documents

c: Requestor  
(w/o enclosures)