



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

October 22, 2014

Mr. William Clay Harris
Staff Attorney
General Counsel Division
Texas Department of Insurance
P.O. Box 149104
Austin, Texas 78714-9104

OR2014-18968

Dear Mr. Harris:

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# 538760 (TDI #151827).

The Texas Department of Insurance (the "department") received a request for information obtained from members of the Texas Windstorm Insurance Association ("association") since 2007 that was reviewed by the department as required under section 2210.052 of the Insurance Code. The department is releasing some of the requested information. You state the department will redact e-mail addresses under section 552.137 of the Government Code pursuant to Open Records Decision No. 684 (2009).¹ You claim some of the submitted information is excepted from disclosure under sections 552.107 and 552.111 of the Government Code and privileged under Texas Rule of Civil Procedure 192.5 and Texas Rule of Evidence 503.² Additionally, you state release of some of the submitted information may

¹Open Records Decision No. 684 is a previous determination to all governmental bodies authorizing them to withhold certain categories of information, including an e-mail address of a member of the public under section 552.137 of the Government Code, without the necessity of requesting an attorney general decision.

²Although you raise sections 552.022 and 552.301 of the Government Code, these provisions are not exceptions to disclosure. *See* Gov't Code §§ 552.022 (enumerating categories of information not excepted from disclosure unless made confidential under Act or other law), .301 (providing procedural requirements for requesting ruling).

implicate the proprietary interests of third parties. Accordingly, you state you notified these third parties of the request for information and of their right to submit arguments to this office as to why the information at issue should not be released. *See* Gov't Code § 552.305(d); *see also* Open Records Decision No. 542 (1990) (statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in the Act in certain circumstances). We have received arguments from some of the third parties.³ We have considered the submitted arguments and reviewed the submitted information, portions of which you state constitute representative samples.⁴

Initially, we note some of the submitted information is subject to section 552.022 of the Government Code. Section 552.022(a)(1) provides for the required public disclosure of “a completed report, audit, evaluation, or investigation made of, for, or by a governmental body[.]” unless it is excepted by section 552.108 of the Government Code or “made confidential under [the Act] or other law[.]” Gov't Code § 552.022(a)(1). You state some of the submitted information consists of the department's enforcement case files for closed investigations. This information is subject to section 552.022(a)(1) and must be released unless it is either excepted under section 552.108 of the Government Code or is confidential under the Act or other law. You do not claim section 552.108. Although you assert some of this information is excepted from disclosure under section 552.107 of the Government Code and the deliberative process privilege encompassed by section 552.111 of the Government Code, these sections are discretionary and do not make information confidential under the Act. *See* Open Records Decision Nos. 676 at 6 (2002) (attorney-client privilege under section 552.107(1) may be waived), 470 at 7 (1987) (governmental body may waive statutory predecessor to section 552.111 deliberative process); *see also* Open Records Decision No. 665 at 2 n.5 (2000) (discretionary exceptions generally). Therefore, the department may not withhold the information subject to section 552.022 under section 552.107 or the deliberative process privilege under section 552.111. However, the Texas Supreme Court has held the Texas Rules of Civil Procedure and the Texas Rules of Evidence are “other law” that make information expressly confidential for the purposes of section 552.022. *In re City of Georgetown*, 53 S.W.3d 328, 336 (Tex. 2001). Therefore, we will consider your arguments under Texas Rule of Civil Procedure 192.5 and Texas Rule of

³Although some third parties raise section 552.305 of the Government Code as an exception to disclosure, this section is not an exception to public disclosure under the Act. *See* Gov't Code § 552.305. Further, although a third party cites sections 953.053 and 954.054 of the Occupations Code, the third party provides no arguments explaining how these sections are applicable to the information at issue. Therefore, we assume the third party does not assert these sections.

⁴This letter ruling assumes that the submitted representative sample of information is truly representative of the requested information as a whole. This ruling does not reach, and therefore does not authorize, the withholding of any other requested information to the extent that the other information is substantially different than that submitted to this office. *See* Gov't Code §§ 552.301(e)(1)(D), .302; Open Records Decision Nos. 499 at 6 (1988), 497 at 4 (1988).

Evidence 503. Additionally, some of the third parties whose information is subject to section 552.022 raise section 552.101 of the Government Code, which protects information made confidential under law, and section 552.110 of the Government Code, which makes information confidential under the Act. Thus, we will also address the applicability of sections 552.101 and 552.110 to the information of these third parties that is subject to section 552.022.

Texas Rule of Evidence 503 enacts the attorney-client privilege. Rule 503(b)(1) provides as follows:

A client has a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications made for the purpose of facilitating the rendition of professional legal services to the client:

- (A) between the client or a representative of the client and the client's lawyer or a representative of the lawyer;
- (B) between the lawyer and the lawyer's representative;
- (C) by the client or a representative of the client, or the client's lawyer or a representative of the lawyer, to a lawyer or a representative of a lawyer representing another party in a pending action and concerning a matter of common interest therein;
- (D) between representatives of the client or between the client and a representative of the client; or
- (E) among lawyers and their representatives representing the same client.

TEX. R. EVID. 503(b)(1). A communication is "confidential" if not intended to be disclosed to third persons other than those to whom disclosure is made in furtherance of the rendition of professional legal services to the client or those reasonably necessary for the transmission of the communication. *Id.* 503(a)(5).

When asserting the attorney-client privilege, a governmental body has the burden of providing the necessary facts to demonstrate the elements of the privilege in order to withhold the information at issue. *See* ORD 676 at 6-7. Thus, in order to withhold attorney-client privileged information from disclosure under rule 503, a governmental body must: (1) show that the document is a communication transmitted between privileged parties or reveals a confidential communication; (2) identify the parties involved in the communication; and (3) show that the communication is confidential by explaining that it was not intended to be disclosed to third persons and that it was made in furtherance of the

rendition of professional legal services to the client. *Id.* Upon a demonstration of all three factors, the entire communication is confidential under rule 503, provided the client has not waived the privilege or the document does not fall within the purview of the exceptions to the privilege enumerated in rule 503(d). *Huie v. DeShazo*, 922 S.W.2d 920, 923 (Tex. 1996) (privilege extends to entire communication, including facts contained therein); *In re Valero Energy Corp.*, 973 S.W.2d 453, 457 (Tex. App.—Houston [14th Dist.] 1998, orig. proceeding) (privilege extends to entire communication, including factual information).

You explain the information you have marked consists of communications regarding the closed enforcement case investigations discussed between department staff and department enforcement attorneys. You state these communications were made for the purpose of facilitating the rendition of professional legal services to the department and they have remained confidential. Based on your representations and our review, we find you have demonstrated the applicability of the attorney-client privilege to the information at issue. *Cf. Harlandale Indep. Sch. Dist. v. Cornyn*, 25 S.W.3d 328 (Tex. App.—Austin 2000, pet. denied) (attorney's entire investigative report protected by attorney-client privilege where attorney was retained to conduct investigation in her capacity as attorney for purpose of providing legal services and advice). Accordingly, we conclude the department may withhold the information you have marked under Texas Rule of Evidence 503.⁵

An interested third party is allowed ten business days after the date of its receipt of the governmental body's notice under section 552.305(d) to submit its reasons, if any, as to why information relating to that party should be withheld from public disclosure. *See* Gov't Code § 552.305(d)(2)(B). We have received correspondence from certain third parties, which state they do not object to the release of their responsive information. Further, as of the date of this letter, we have not received comments from some third parties explaining why the submitted information should not be released. Therefore, we have no basis to conclude these third parties have protected proprietary interests in the submitted information. *See id.* § 552.110; Open Records Decision Nos. 661 at 5-6 (1999) (to prevent disclosure of commercial or financial information, party must show by specific factual evidence, not conclusory or generalized allegations, that release of requested information would cause that party substantial competitive harm), 552 at 5 (1990) (party must establish *prima facie* case that information is trade secret), 542 at 3. Accordingly, the department may not withhold the submitted information on the basis of any proprietary interest these third parties may have in the information.

We note some third parties seek to withhold information not submitted to this office by the department. By statute, this office may only rule on the public availability of information submitted by the governmental body requesting the ruling. *See* Gov't Code § 552.301(e)(1)(D) (governmental body requesting decision from Attorney General must

⁵As our ruling is dispositive, we need not address the remaining arguments against disclosure of this information.

submit copy of specific information requested). Because this information was not submitted by the department, this ruling does not address this information and is limited to the information submitted as responsive by the department.

Some third parties generally raise section 552.101 of the Government Code. Section 552.101 excepts from disclosure “information considered to be confidential by law, either constitutional, statutory, or by judicial decision.” *Id.* § 552.101. This exception encompasses information that is considered to be confidential under other law. *See* Open Records Decision Nos. 611 at 1 (1992) (common-law privacy), 600 at 4 (1992) (constitutional privacy), 478 at 2 (1987) (statutory confidentiality). However, these companies have failed to direct our attention to any law, nor are we aware of any law, under which any of their information is considered to be confidential for purposes of section 552.101. One third party asserts its information may be protected from required disclosure by judicial decision. However, the third party has not provided any arguments or submitted any documentation establishing a court has declared any of the submitted information to be confidential. Therefore, the department may not withhold the information of these third parties under section 552.101 of the Government Code.

Some third parties assert some of their information is excepted from disclosure under section 552.101 of the Government Code in conjunction with the decision in *Birnbaum v. Alliance of American Insurers*, 994 S.W.2d 766 (Tex. App.—Austin 1999, pet. denied). However, upon review, we find the court’s decision in *Birnbaum* is limited to the facts and information at issue in the underlying open records decision, and does not apply to the information currently at issue. Accordingly, the department may not withhold the information currently at issue based on the court’s decision in that case.

One of the third parties asserts its information is excepted from public disclosure under sections 552.104 and 552.116 of the Government Code. Section 552.104 excepts “information that, if released, would give advantage to a competitor or bidder.” Gov’t Code § 552.104(a). Section 552.116 excepts from disclosure certain audit working papers. *Id.* § 552.116. These exceptions protect the interests of governmental bodies such as the department, not the proprietary interests of private parties. *See* Open Records Decision Nos. 592 at 8 (1991) (discussing statutory predecessor), 522 at 4 (1989) (discretionary exceptions in general). In this instance, the department does not raise section 552.104 or section 552.116. Therefore, the department may not withhold any of the remaining information at issue under section 552.104 or section 552.116.

Section 552.110 of the Government Code protects (1) trade secrets and (2) commercial or financial information the disclosure of which would cause substantial competitive harm to the person from whom the information was obtained.⁶ *See* Gov’t Code § 552.110(a)-(b).

⁶Although some third parties do not explicitly raise section 552.110 of the Government Code, we understand these parties to raise this exception based on the substance of their arguments.

Section 552.110(a) protects trade secrets obtained from a person and privileged or confidential by statute or judicial decision. *Id.* § 552.110(a). The Texas Supreme Court has adopted the definition of trade secret from section 757 of the Restatement of Torts, which holds a trade secret to be:

any formula, pattern, device or compilation of information which is used in one's business, and which gives him an opportunity to obtain an advantage over competitors who do not know or use it. It may be a formula for a chemical compound, a process of manufacturing, treating or preserving materials, a pattern for a machine or other device, or a list of customers. It differs from other secret information in a business . . . in that it is not simply information as to single or ephemeral events in the conduct of the business. . . . A trade secret is a process or device for continuous use in the operation of the business. . . . It may . . . relate to the sale of goods or to other operations in the business, such as a code for determining discounts, rebates or other concessions in a price list or catalogue, or a list of specialized customers, or a method of bookkeeping or other office management.

RESTATEMENT OF TORTS § 757 cmt. b (1939); *see also Hyde Corp. v. Huffines*, 314 S.W.2d 776 (Tex. 1958). In determining whether particular information constitutes a trade secret, this office considers the Restatement's definition of trade secret as well as the Restatement's list of six trade secret factors.⁷ RESTATEMENT OF TORTS § 757 cmt. b. This office must accept a claim that information subject to the Act is excepted as a trade secret if a *prima facie* case for the exception is made and no argument is submitted that rebuts the claim as a matter of law. *See Open Records Decision No. 552 at 5 (1990)*. However, we cannot conclude section 552.110(a) is applicable unless it has been shown the information meets the definition of a trade secret and the necessary factors have been demonstrated to establish a trade secret claim. *Open Records Decision No. 402 (1983)*.

⁷The Restatement of Torts lists the following six factors as indicia of whether information constitutes a trade secret:

- (1) the extent to which the information is known outside of [the company];
- (2) the extent to which it is known by employees and other involved in [the company's] business;
- (3) the extent of measures taken by [the company] to guard the secrecy of the information;
- (4) the value of the information to [the company] and [its] competitors;
- (5) the amount of effort or money expended by [the company] in developing the information;
- (6) the ease or difficulty with which the information could be properly acquired or duplicated by others.

RESTATEMENT OF TORTS § 757 cmt. b; *see also Open Records Decision Nos. 319 at 2 (1982), 306 at 2 (1982), 255 at 2 (1980)*.

Section 552.110(b) protects “[c]ommercial or financial information for which it is demonstrated based on specific factual evidence that disclosure would cause substantial competitive harm to the person from whom the information was obtained[.]” Gov’t Code § 552.110(b). This exception to disclosure requires a specific factual or evidentiary showing, not conclusory or generalized allegations, that substantial competitive injury would likely result from release of the information at issue. *Id.*; *see also* Open Records Decision No. 661 at 5 (1999) (to prevent disclosure of commercial or financial information, party must show by specific factual evidence, not conclusory or generalized allegations, that release of requested information would cause that party substantial competitive harm).

Some third parties contend their information is commercial or financial information, the release of which would cause the companies substantial competitive harm. Upon review, we find the third parties at issue have established the information we indicated consists of commercial or financial information, the release of which would cause them substantial competitive harm. Therefore, the department must withhold the information we indicated under section 552.110(b) of the Government Code for the third parties we have indicated.⁸ However, we find the third parties at issue have not demonstrated the release of the remaining information at issue would cause them substantial competitive injury, and have provided no specific factual or evidentiary showing to support such allegations. *See* ORD 661. Accordingly, the department may not withhold the remaining information at issue under section 552.110(b).

Some of the third parties assert portions of their information constitute trade secrets. Upon review, we find the third parties at issue have failed to establish a *prima facie* case that their remaining information meets the definition of a trade secret. We further find these third parties have failed to demonstrate the necessary factors to establish a trade secret claim for the information at issue. *See* ORD 402. Therefore, none of the remaining information at issue may be withheld under section 552.110(a).

Some of the third parties also argue their remaining information fits the definition of a trade secret found in section 134A.002(6) of the Civil Practice and Remedies Code of the Texas Uniform Trade Secrets Act (the “TUTSA”) as added by the Eighty-third Texas Legislature. As previously noted, section 552.101 of the Government Code encompasses information made confidential by other statutes. Section 134A.002(6) provides:

(6) “Trade secret” means information, including a formula, pattern, compilation, program, device, method, technique, process, financial data, or list of actual or potential customers or suppliers, that:

⁸As our ruling is dispositive, we need not address the remaining arguments against disclosure of this information.

(A) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and

(B) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

Civ. Prac. & Rem. Code § 134A.002(6). We note the legislative history of TUTSA indicates it was enacted to provide a framework for litigating trade secret issues and provide injunctive relief or damages in uniformity with other states. Senate Research Center, Bill Analysis, S.B. 953, 83rd Leg., R.S. (2013) (enrolled version). Section 134A.002(6)'s definition of trade secret expressly applies to chapter 134A only, not the Act, and does not expressly make any information confidential. See Civ. Prac. & Rem. Code § 134A.002(6); see also *id.* § 134A.007(d) (TUTSA does not affect disclosure of public information by governmental body under the Act); Open Records Decision Nos. 658 at 4 (1998), 478 at 2 (1987), 465 at 4-5 (1987). Confidentiality cannot be implied from the structure of a statute or rule. See ORD 465 at 4-5. Accordingly, the department may not withhold the remaining information at issue under section 552.101 in conjunction with section 134A.002(6).

Some of the third parties claim their information is confidential under section 552.101 of the Government Code in conjunction with section 38.002 of the Insurance Code. Section 38.002 relates to underwriting guidelines for personal automobile and residential property insurance, and provides in part:

(b) Each insurer shall file with the department a copy of the insurer's underwriting guidelines. The insurer shall update its filing each time the underwriting guidelines are changed. If a group of insurers file one set of underwriting guidelines for the group, they shall identify which underwriting guidelines apply to each company in the group.

...

(d) The department or the office of public insurance counsel may disclose to the public a summary of an insurer's underwriting guidelines in a manner that does not directly or indirectly identify the insurer.

...

(f) The underwriting guidelines are subject to Chapter 552, Government Code.

Ins. Code § 38.002(b), (d), (f). Section 38.002 of the Insurance Code is made specifically applicable to the underwriting guidelines of an insurance company engaged in the business of residential property insurance in this state. *See id.* § 38.002(a)(1) (defining “insurer” for purposes of section 38.002). The third parties at issue assert that release of their information would violate section 38.002(d).

Statutory confidentiality under section 552.101 requires express language that makes certain information confidential or states that information shall not be released to the public. *See* ORD 478 at 2. Thus, for the purposes of section 552.101, a statutory confidentiality provision must be express, and a confidentiality requirement will not be implied from a statutory structure. *See* ORD 658 at 4. Section 38.002 of the Insurance Code does not expressly provide for the confidentiality of underwriting guidelines or any other information. *Compare* Ins. Code § 38.002(d) (“The department or the office of public insurance counsel may disclose to the public a summary of an insurer’s underwriting guidelines in a manner that does not directly or indirectly identify the insurer.”), *with id.* § 38.003(d) (“Underwriting guidelines are confidential, and the department or the office of public insurance counsel may not make the guidelines available to the public.”). Furthermore, a third party’s information is not implicitly confidential, for the purposes of section 552.101, merely because section 38.002(d) provides for the release of a de-identified summary of the guidelines. *See* Open Records Decision No. 525 at 4 (1989) (information cannot be withheld from public disclosure by negative implication simply because statute designates other specific information as public information). Therefore, having considered the third parties’ arguments, we conclude the department may not withhold the remaining information at issue under section 552.101 in conjunction with section 38.002.

Some of the third parties claim their information is confidential under section 552.101 of the Government Code in conjunction with section 38.003 of the Insurance Code. Section 552.101 encompasses section 38.003, which provides the following:

(a) This section applies to all underwriting guidelines that are not subject to Section 38.002.

(b) For purposes of this section, “insurer” means a reciprocal or interinsurance exchange, mutual insurance company, capital stock company, county mutual insurance company, Lloyd’s plan, life, accident, or health or casualty insurance company, health maintenance organization, mutual life insurance company, mutual insurance company other than life, mutual, or natural premium life insurance company, general casualty company, fraternal benefit society, group hospital service company, or other legal entity engaged in the business of insurance in this state. The term includes an affiliate as described by Section 823.003(a) if that affiliate is authorized to write and is writing insurance in this state.

(c) The department or the office of public insurance counsel may obtain a copy of an insurer's underwriting guidelines.

(d) Underwriting guidelines are confidential, and the department or the office of public insurance counsel may not make the guidelines available to the public.

(e) The department or the office of public insurance counsel may disclose to the public a summary of an insurer's underwriting guidelines in a manner that does not directly or indirectly identify the insurer.

(f) When underwriting guidelines are furnished to the department or the office of public insurance counsel, only a person within the department or the office of public insurance counsel with a need to know may have access to the guidelines. The department and the office of public insurance counsel shall establish internal control systems to limit access to the guidelines and shall keep records of the access provided.

(g) This section does not preclude the use of underwriting guidelines as evidence in prosecuting a violation of this code. Each copy of an insurer's underwriting guidelines that is used in prosecuting a violation is presumed to be confidential and is subject to a protective order until all appeals of the case have been exhausted. If an insurer is found, after the exhaustion of all appeals, to have violated this code, a copy of the underwriting guidelines used as evidence of the violation is no longer presumed to be confidential.

(h) A violation of this section is a violation of Chapter 552, Government Code.

Ins. Code § 38.003. Section 38.003(a) makes section 38.003 applicable to all insurance underwriting guidelines not subject to section 38.002. *Id.* § 38.003(a). Section 38.002 is applicable only to automobile and residential property insurance underwriting guidelines. *See id.* § 38.002(a)(1) (defining "insurer" for purposes of section 38.002 as certain types of entities "engaged in the business of personal automobile insurance or residential property insurance"). The third parties at issue contend the requestor seeks underwriting guidelines, which are confidential under section 38.003. *Cf. id.* § 38.002(a)(4) (defining "underwriting guidelines" for purposes of section 38.002 as "a rule, standard, guideline, or practice, whether written, oral, or electronic, that is used by an insurer or its agent to decide whether to accept or reject an application for coverage under a personal automobile insurance policy or residential property insurance policy or to determine how to classify those risks that are accepted for the purpose of determining a rate"). Upon review, we find the third parties at issue have failed to demonstrate how their remaining information consists of underwriting guidelines that are not subject to section 38.002 and are confidential under section 38.003.

Thus, the department may not withhold the remaining information at issue under section 552.101 in conjunction with section 38.003.

Some of the third parties claim their information is confidential under section 552.101 of the Government Code in conjunction with section 38.403 of the Insurance Code. Section 38.403 pertains to aggregate personal automobile and residential property insurance claims information required to be filed with the Texas Insurance Commissioner (the “commissioner”) pursuant to section 38.402 of the Insurance Code. *See id.* § 38.402 (requiring personal automobile and residential property insurers to periodically file certain aggregate claims information with the commissioner); *see also id.* § 38.151 (defining “insurer” for purposes of section 38.402). Section 38.403(a) requires the department to “post the data contained in claims information filings under [s]ection 38.402 on the department’s . . . website.” *Id.* § 38.403(a). However, section 38.403(b) states the “[i]nformation provided under [section 38.403] . . . may not reveal proprietary or trade secret information of any insurer.” *Id.* § 38.403(b).

As previously discussed, statutory confidentiality under section 552.101 of the Government Code requires express language that makes certain information confidential or states that information shall not be released to the public. *See* ORD 478 at 2. Thus, for the purposes of section 552.101, a statutory confidentiality provision must be express, and a confidentiality requirement will not be implied from a statutory structure. *See* ORD 658 at 4. Section 38.403(b) of the Insurance Code provides limitations for information posted by the department on its website pursuant to section 38.403(a) of the Insurance Code, but does not expressly provide for the confidentiality of information for the purposes of the Act. Therefore, having considered the third parties’ arguments, we conclude the department may not withhold the remaining information at issue under section 552.101 in conjunction with section 38.403.

Some third parties argue their information is confidential under section 552.101 of the Government Code in conjunction with sections 401.057 and 401.058 of the Insurance Code.⁹ Section 401.051 requires the department, or an examiner appointed by the department, to visit each insurance carrier and examine the carrier’s financial condition, ability to meet liabilities, and compliance with the laws affecting the conduct of the carrier’s business. Ins. Code § 401.051(a), (b). In connection with this examination process, section 401.057 provides in part:

(b) In conducting an examination under this subchapter, the department shall use audits and work papers that the carrier makes available to the department

⁹We note one third party cites to the former article 1.15 of the Insurance Code, which was codified as sections 401.057 and 401.058 of the Insurance Code in 2005. Act of 2005, 79th Leg., R.S., ch. 727, § 1, secs. 401.057 and 401.058, 2005 Tex. Gen. Laws 1765, 1766. Therefore, we will address this party’s arguments under sections 401.057 and 401.058.

and that are prepared by an accountant or accounting firm meeting the qualifications of Section 401.011. The department may conduct a separate audit of the carrier if necessary. Work papers developed in the audit shall be maintained in the manner provided by Sections 401.020(b) and (c).

(c) The carrier shall provide the department with:

(1) the work papers of an accountant or accounting firm or the carrier;
and

(2) a record of any communications between the accountant or accounting firm and the carrier that relate to an audit.

...

(e) Information obtained under this section is confidential and may not be disclosed to the public except when introduced as evidence in a hearing.

Id. § 401.057(b)-(c), (e). Additionally, section 401.058 states:

(a) A final or preliminary examination report and any information obtained during an examination are confidential and are not subject to disclosure under [the Act].

(b) Subsection (a) applies if the examined carrier is under supervision or conservatorship. Subsection (a) does not apply to an examination conducted in connection with a liquidation or receivership under this code or another insurance law of this state.

Id. § 401.058. The department has informed this office the information at issue was submitted to the department pursuant to section 2210.052 of the Insurance Code. *See id.* § 2210.052 (department shall review association members' annual statements, other reports, and statistics department considers necessary to determine association member participation in writings, expenses, profits, and losses of association). Thus, we find the third parties have not demonstrated how the information at issue was obtained during the course of an examination under chapter 401 of the Insurance Code. As such, we find sections 401.057 and 401.058 are not applicable in this instance and the department may not withhold the remaining information at issue under section 552.101 on either of these bases.

Some of the third parties claim their information is confidential under section 552.101 of the Government Code in conjunction with section 751.207 of the Insurance Code. Section 552.101 encompasses section 751.207, which is part of the Insurance Market Conduct Surveillance Act and provides, in part, "[a] final or preliminary market conduct

examination report, and any information obtained during the course of an examination, is confidential and is not subject to disclosure under [the Act].” *Id.* § 751.207(a); *see id.* § 751.003(a)(6) (defining “market conduct examination”). Section 751.151 of the Insurance Code requires the commissioner to gather certain market information to perform a market analysis. *See id.* § 751.151; *see also id.* § 751.003(a)(3) (defining “market analysis”). If the commissioner determines further inquiry into a particular insurer or insurance practice is required, the commissioner may take certain market conduct actions provided in section 751.152(b) before conducting a targeted examination. *See id.* § 751.152(a). However, if the commissioner determines a market conduct action specified in section 751.152(b) is not appropriate, section 751.201 permits the commissioner to conduct a targeted examination. *See id.* § 751.201. If the commissioner conducts such an examination, the commissioner must create an examination report. *See id.* § 751.206.

As previously noted, the department has informed this office the information at issue was submitted to the department pursuant to section 2210.052 of the Insurance Code. *See id.* § 2210.052. Thus, we find the third parties have not demonstrated how the information at issue was obtained during the course of an examination under section 751.201 of the Insurance Code. As such, we find section 751.207 is not applicable in this instance and the department may not withhold the remaining information at issue under section 552.101 of the Government Code on that basis.

Section 552.136 of the Government Code provides, “[n]otwithstanding any other provision of [the Act], a credit card, debit card, charge card, or access device number that is collected, assembled, or maintained by or for a governmental body is confidential.”¹⁰ Gov’t Code § 552.136(b); *see id.* § 552.136(a) (defining “access device”). Upon review, we conclude the department must withhold the bank account and routing numbers we have marked under section 552.136.

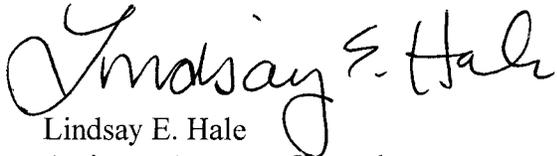
In summary, the department may withhold the information you have marked under Texas Rule of Evidence 503. The department must withhold the information we indicated under section 552.110(b) of the Government Code. The department must withhold the bank account and routing numbers we have marked under section 552.136 of the Government Code. The department must release the remaining information.

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.

¹⁰The Office of the Attorney General will raise a mandatory exception on behalf of a governmental body, but ordinarily will not raise other exceptions. *See Open Records Decision Nos. 481 (1987), 480 (1987), 470 (1987).*

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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,

A handwritten signature in black ink that reads "Lindsay E. Hale". The signature is written in a cursive style with a large initial "L".

Lindsay E. Hale
Assistant Attorney General
Open Records Division

LEH/akg

Ref: ID# 538760

Enc. Submitted documents

c: Requestor
(w/o enclosures)

All Third Parties
(w/o enclosures)

ACE FIRE UNDERWRITERS INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

ACE AMERICAN INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

AIG PROPERTY CASUALTY COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

ACE PROPERTY AND CASUALTY INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

ALLMERICA FINANCIAL BENEFIT INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

AGCS MARINE INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

AMERICAN CASUALTY COMPANY OF READING,
PENNSYLVANIA
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

ALLIANZ GLOBAL RISKS US INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

AMERICAN INSURANCE COMPANY, THE
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

ALLMERICA FINANCIAL ALLIANCE INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

AMERICAN SURETY COMPANY
RANDY ADLER ATTORNEY AT LAW
7027 MUMFORD STREET
DALLAS, TX 75252-6135

AMERICAN AUTOMOBILE INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

ARCH INDEMNITY INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

AMERICAN FIRE AND CASUALTY COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

ASSOCIATION INSURANCE COMPANY
NATIONAL REGISTERED AGENTS INC
350 NORTH SAINT PAUL STREET SUITE 2900
DALLAS, TX 75201-4234

ARGONAUT GREAT CENTRAL INSURANCE COMPANY
NATIONAL REGISTERED AGENTS INC
350 NORTH SAINT PAUL STREET SUITE 2900
DALLAS, TX 75201-4234

AVEMCO INSURANCE COMPANY
NATIONAL REGISTERED AGENTS INC
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

ARGONAUT-MIDWEST INSURANCE COMPANY
NATIONAL REGISTERED AGENTS INC
350 NORTH SAINT PAUL STREET SUITE 2900
DALLAS, TX 75201-4234

AXIS SPECIALTY INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

AMERICAN NATIONAL PROPERTY AND CASUALTY COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

BANKERS STANDARD INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

AMEX ASSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

CATASTROPHE REINSURANCE COMPANY
C T CORPORATION SYSTEM
350 NORTH SAINT PAUL STREET SUITE 2900
DALLAS, TX 75201-4284

ARCH INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

CINCINNATI CASUALTY COMPANY, THE
NATIONAL REGISTERED AGENTS INC
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

ARGONAUT INSURANCE COMPANY
NATIONAL REGISTERED AGENTS INC
350 NORTH SAINT PAUL STREET SUITE 2900
DALLAS, TX 75201-4234

CINCINNATI INSURANCE COMPANY, THE
NATIONAL REGISTERED AGENTS INC
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

ASSOCIATED INDEMNITY CORPORATION
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

CLARENDON NATIONAL INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

AUTO CLUB INDEMNITY COMPANY
NATIONAL REGISTERED AGENTS INC
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

CONTINENTAL CASUALTY COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

AXA INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

EMPLOYERS' FIRE INSURANCE COMPANY, THE
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

BANKERS INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

CONTINENTAL INSURANCE COMPANY, THE
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

COFACE NORTH AMERICA INSURANCE COMPANY
NATIONAL REGISTERED AGENTS INC
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

DARWIN NATIONAL ASSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

CHURCH MUTUAL INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

DIAMOND STATE INSURANCE COMPANY
NATIONAL REGISTERED AGENTS INC
350 NORTH SAINT PAUL STREET SUITE 2900
DALLAS, TX 75201-4234

CINCINNATI INDEMNITY COMPANY, THE
NATIONAL REGISTERED AGENTS INC
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

ELECTRIC INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

CITIZENS INSURANCE COMPANY OF AMERICA
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

FAIRMONT SPECIALTY INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

FINANCIAL CASUALTY & SURETY, INC.
ROBERT SABO
3131 EASTSIDE STREET SUITE 600
HOUSTON, TX 77098-1947

FCCI INSURANCE COMPANY
REGISTERED AGENT SOLUTIONS INC
515 CONGRESS AVENUE SUITE 2300
AUSTIN, TX 78701-3560

FREESTONE INSURANCE COMPANY
C T CORPORATION SYSTEM
350 NORTH SAINT PAUL STREET SUITE 2900
DALLAS, TX 75201-4234

FIREMAN'S FUND INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

GREENWICH INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

FIRST AMERICAN PROPERTY & CASUALTY INSURANCE
COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

GUIDEONE MUTUAL INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

GREAT MIDWEST INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

HANOVER AMERICAN INSURANCE COMPANY, THE
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

HARTFORD CASUALTY INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

HARTFORD ACCIDENT AND INDEMNITY COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

HARTFORD INSURANCE COMPANY OF THE MIDWEST
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

HARTFORD FIRE INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

HOUSING AUTHORITY PROPERTY INSURANCE, A MUTUAL
COMPANY
REGISTERED AGENT SOLUTIONS INC.
1701 DIRECTORS BLVD SUITE 300
AUSTIN, TX 78744-1044

HARTFORD UNDERWRITERS INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

IDS PROPERTY CASUALTY INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

HOUSING ENTERPRISE INSURANCE COMPANY, INC.
REGISTERED AGENT SOLUTIONS INC
1701 DIRECTORS BLVD SUITE 300
AUSTIN, TX 78744-1044

INDIANA LUMBERMENS MUTUAL INSURANCE COMPANY
REGISTERED AGENT SOLUTIONS INC
1701 DIRECTORS BLVD STE 300
AUSTIN, TX 78744-1044

INDEMNITY INSURANCE COMPANY OF NORTH AMERICA
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

JEFFERSON INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

INSURANCE COMPANY OF THE WEST
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

LINCOLN GENERAL INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

JEWELERS MUTUAL INSURANCE COMPANY
CSC-LAWYERS INCORPORATING SERVICE CO
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

MARKEL INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

MARKEL AMERICAN INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

MIDDLESEX INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

MASSACHUSETTS BAY INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

NATIONAL AMERICAN INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

MONROE GUARANTY INSURANCE COMPANY
REGISTERED AGENT SOLUTIONS INC
515 CONGRESS AVENUE SUITE 2300
AUSTIN, TX 78701-3560

NATIONAL SURETY CORPORATION
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

NATIONAL FIRE INSURANCE COMPANY OF HARTFORD
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

NORTH AMERICAN SPECIALTY INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

NATIONAL TRUST INSURANCE COMPANY
REGISTERED AGENT SOLUTIONS INC
515 CONGRESS AVENUE SUITE 2300
AUSTIN, TX 78701-3560

NOVA CASUALTY COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

NGM INSURANCE COMPANY
NATIONAL REGISTERED AGENTS INC
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

OHIO SECURITY INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

OHIO CASUALTY INSURANCE COMPANY, THE
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

ONEBEACON INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

ONEBEACON AMERICA INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

PEAK PROPERTY AND CASUALTY INSURANCE CORPORATION
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

PACIFIC EMPLOYERS INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

PERMANENT GENERAL ASSURANCE CORPORATION
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

PENNSYLVANIA LUMBERMENS MUTUAL INSURANCE
COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

PLATTE RIVER INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

PHILADELPHIA INDEMNITY INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

PROPERTY AND CASUALTY INSURANCE COMPANY OF
HARTFORD
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

PROCENTURY INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

PUBLIC SERVICE INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

PROVIDENCE WASHINGTON INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

QUANTA INDEMNITY COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

RSUI INDEMNITY COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

RAMPART INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

SECURITY NATIONAL INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

REPWEST INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

SENTRY INSURANCE A MUTUAL COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

SENTINEL INSURANCE COMPANY, LTD.
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

SPARTA INSURANCE COMPANY
NATIONAL REGISTERED AGENTS INC
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

SENTRY SELECT INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

STAR INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

SOMPO JAPAN INSURANCE COMPANY OF AMERICA
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

STARR INDEMNITY & LIABILITY COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

TOWER NATIONAL INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

STILLWATER PROPERTY AND CASUALTY INSURANCE
COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

TRANS PACIFIC INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

TIG INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

TRANSPORTATION INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

TNUS INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

TRUMBULL INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

TOYOTA MOTOR INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

TRINITY UNIVERSAL INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

UNITED SECURITY INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

TWIN CITY FIRE INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

UNITRIN DIRECT PROPERTY & CASUALTY COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

UNITED NATIONAL SPECIALTY INSURANCE COMPANY
NATIONAL REGISTERED AGENTS INC
350 NORTH SAINT PAUL STREET SUITE 2900
DALLAS, TX 75201-4234

UNITRIN SAFEGUARD INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

UNITRIN PREFERRED INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

VALLEY FORGE INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

VANLINER INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

WELLINGTON INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

WESCO INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

WESTCHESTER FIRE INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

WESTERN MUTUAL INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

WESTPORT INSURANCE CORPORATION
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

WRIGHT NATIONAL FLOOD INSURANCE COMPANY
NATIONAL CORPORATE RESEARCH LTD
800 BRAZOS STREET SUITE 400
AUSTIN, TX 78701-2548

XL INSURANCE AMERICA, INC.
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

XL REINSURANCE AMERICA INC.
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

XL SPECIALTY INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

FACTORY MUTUAL INSURANCE COMPANY
ALLAN J. JOHNSON
GRANITE PARK TWO 5700 GRANITE PKWY
PLANO, TX 75024-6637

AFFILIATED FM INSURANCE COMPANY
ALLAN J. JOHNSON
GRANITE PARK TWO 5700 GRANITE PKWY
PLANO, TX 75024-

AMERICAN NATIONAL LLOYDS INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

INTERINSURANCE EXCHANGE OF THE AUTOMOBILE CLUB
NATIONAL REGISTERED AGENTS INC
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

HARTFORD LLOYD'S INSURANCE COMPANY
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

CYPRESS TEXAS LLOYDS
LAW OFFICES OF DAVID L. CHUMBLEY PC
400 CHISHOM PLACE SUITE 101
PLANO, TX 75075-

AMERICAN MODERN LLOYD'S INSURANCE COMPANY
REGISTERED AGENT SOLUTIONS INC
1701 DIRECTORS BLVD STE 300
AUSTIN, TX 78744-1044

HOUSTON GENERAL INSURANCE EXCHANGE
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

METROPOLITAN LLOYDS INSURANCE COMPANY OF TEXAS
C T CORPORATION SYSTEM
1999 BRYAN ST STE 900
DALLAS, TX 75201-3136

NATIONWIDE LLOYDS
CORPORATION SERVICE COMPANY
211 E 7TH ST STE 620
AUSTIN, TX 78701-3218

FEDERATED SERVICE INSURANCE COMPANY
ADRIAN P JOHNSON
121 AIRPORT CENTRE 1
2208 HIGHWAY 121 SUITE 205
BEDFORD, TX 76021-6090

PRIVILEGE UNDERWRITERS RECIPROCAL EXCHANGE
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

AMERICAN MERCURY INSURANCE COMPANY
C T CORPORATION SYSTEM
350 NORTH ST PAUL STREET
DALLAS, TX 75201-

UNITED SERVICES AUTOMOBILE ASSOCIATION
C T CORPORATION SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS, TX 75201-3136

CENTRAL STATES INDEMNITY CO. OF OMAHA
C T CORPORATION SYSTEM
350 NORTH ST PAUL STREET
DALLAS, TX 75201-

FEDERATED MUTUAL INSURANCE COMPANY
ADRIAN P JOHNSON
121 AIRPORT CENTRE 1
2208 HIGHWAY 121 SUITE 205
BEDFORD, TX 76021-6090

EVERGREEN NATIONAL INDEMNITY COMPANY
C T CORPORATION SYSTEM
350 NORTH ST PAUL STREET
DALLAS, TX 75201-

ALTERRA AMERICA INSURANCE COMPANY
C T CORPORATION SYSTEM
350 NORTH ST PAUL STREET
DALLAS, TX 75201-

GENESIS INSURANCE COMPANY
C T CORPORATION SYSTEM
1021 MAIN STREET SUITE 1150
HOUSTON, TX 77002-6508

COREPOINTE INSURANCE COMPANY
C T CORPORATION SYSTEM
350 NORTH ST PAUL STREET
DALLAS, TX 75201-

CASTLEPOINT NATIONAL INSURANCE COMPANY
C T CORPORATION SYSTEM
350 NORTH ST PAUL STREET
DALLAS, TX 75201-

DEERFIELD INSURANCE COMPANY
C T CORPORATION SYSTEM
350 NORTH ST PAUL STREET
DALLAS, TX 75201-

CONTINENTAL HERITAGE INSURANCE COMPANY
C T CORPORATION SYSTEM
350 NORTH ST PAUL STREET
DALLAS, TX 75201-

GREAT AMERICAN ALLIANCE INSURANCE COMPANY
C T CORPORATION SYSTEM
350 NORTH ST PAUL STREET
DALLAS, TX 75201-

GREAT AMERICAN ASSURANCE COMPANY
C T CORPORATION SYSTEM
350 NORTH ST PAUL STREET
DALLAS, TX 75201-

GREAT AMERICAN INSURANCE COMPANY
C T CORPORATION SYSTEM
350 NORTH ST PAUL STREET
DALLAS, TX 75201-

GREAT AMERICAN INSURANCE COMPANY OF NEW YORK
C T CORPORATION SYSTEM
350 NORTH ST PAUL STREET
DALLAS, TX 75201-

KNIGHTBROOK INSURANCE COMPANY
C T CORPORATION SYSTEM
350 NORTH ST PAUL STREET
DALLAS, TX 75201-

HOMEWISE PREFERRED INSURANCE COMPANY
C T CORPORATION SYSTEM
1021 MAIN STREET SUITE 1150
HOUSTON, TX 77002-6508

OCEAN HARBOR CASUALTY INSURANCE COMPANY
C T CORPORATION SYSTEM
350 NORTH ST PAUL STREET
DALLAS, TX 75201-

FEDERATED RURAL ELECTRIC INSURANCE EXCHANGE
C T CORPORATION SYSTEM
350 NORTH ST PAUL STREET
DALLAS, TX 75201-

HANOVER LLOYD'S INSURANCE COMPANY
C T CORPORATION SYSTEM
1021 MAIN STREET SUITE 1150
HOUSTON, TX 77002-

AMERICAN MERCURY LLOYD'S INSURANCE COMPANY
C T CORPORATION SYSTEM
350 NORTH ST PAUL STREET
DALLAS, TX 75201-

WESTFIELD INSURANCE COMPANY
CHARLES C WILLIAMS
555 REPUBLIC DRIVE SUITE 450
PLANO, TX 75074-8848

AMERISURE INSURANCE COMPANY
CINDY GHALIBAF
5221 NORTH O CONNOR BLVD SUITE 400
IRVING, TX 75039-3711

AMERISURE MUTUAL INSURANCE COMPANY
CINDY GHALIBAF
5221 NORTH O CONNOR BLVD SUITE 400
IRVING, TX 75039-3711

AMERISURE PARTNERS INSURANCE COMPANY
CINDY GHALIBAF
5221 NORTH O CONNOR BLVD SUITE 400
IRVING, TX 75039-3711

ALEA NORTH AMERICA INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

AGRI GENERAL INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

AMERICAN RELIABLE INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

AMERICA FIRST INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

AMERICAN SOUTHERN HOME INSURANCE COMPANY
CORPORATION SERVICE COMPANY
701 BRAZOS STREET SUITE 1050
AUSTIN, TX 78701-3232

AMERICAN ECONOMY INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

AMERICAN STATES INSURANCE COMPANY OF TEXAS
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

AMERICAN HOME ASSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

AMTRUST INSURANCE COMPANY OF KANSAS, INC.
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

AMERICAN SECURITY INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

AXIS INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

AMERICAN STATES INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

BANCINSURE, INC.
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

BENCHMARK INSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

AXIS REINSURANCE COMPANY
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

EMPLOYERS INSURANCE COMPANY OF WAUSAU
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
AUSTIN, TX 78701-3218

BEAZLEY INSURANCE COMPANY, INC.
CORPORATION SERVICE COMPANY
211 EAST 7TH STREET SUITE 620
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GENERAL SECURITY NATIONAL INSURANCE COMPANY
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HISCOX INSURANCE COMPANY INC.
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GRANITE STATE INSURANCE COMPANY
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