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Gary B. Lawson

ATTORNEYS AT LAW

∠ LAWSON FIELDS McCUE

CAMPBELL, P.C.

November 12, 2002

14135 Midway Road, Suite 250

## Mr. Columbus A. Alexander III P.O. Box 1260 Addison, Texas 75001-1260

## VIA FACSIMILE: (972) 931-0176

Re: Open Record Request

Dear Mr. Alexander:

This letter responds on behalf of the public information office of the Dallas Police and Fire Pension System (the "System") to your letter dated November 2, 2002 requesting certain information with respect to properties that are owned, or have been owned by the System, and further responds to your request to the City of Dallas, Texas, dated October 27, 2002, asking to view certain Board of Trustee minutes of the System.

The City of Dallas received, on September 29, 2002, a request from you to view the minutes of the meetings of the Board of Trustees of the System, documents that the City does not maintain. An open records request under Texas law is properly directed to the governmental body that holds the records. Nevertheless, the City has forwarded your letter to the System and the System will make the minutes available for viewing by you in the offices of Lawson Fields McCue Lee & Campbell, P.C., at the address listed on this letterhead, at 9:30 a.m. Wednesday, November 13, 2002. Please call or write to my office and confirm that you will be able to appear at that time to view the minutes. There will be no cost to you for viewing these minutes. However, if you desire copies of some or all of the minutes, the copies will be ten cents (\$.10) per page.

We also wish to mention that the System's Trustees have appointed Committees, comprised of certain Board Members who conduct studies, receive presentations, etc. and report back to the Board. We do not know whether you are aware of these Committees and the fact that they also record minutes reflecting their meetings. These minutes will not be available on Wednesday when the Board's minutes are made available for viewing. They can, of course, be made available at a later date if you wish to expand your Open Records request to include them. Mr. Columbus A. Alexander III November 12, 2002 Page 2

In a similar vein, the individuals who compromise the Board of Trustees of the System also serve as the Board of Trustees of a separate plan, the Supplemental Pension Plan for the Police and Fire Departments of the City of Dallas, established by the City Council to provide benefits to a limited number of members of the System with respect to compensation that is not included in determining benefits under the System. We have no idea whether you would want to also request copies of the Board meetings for that plan.

Your letter regarding the System's properties was sent to Lawson Fields McCue Lee & Campbell, P.C. However, we also forwarded that letter to the System, and the System has agreed to obtain the information on the properties for you. Unfortunately, the System does not maintain most of this information in its offices. The information can be compiled by the System's investment managers and the managers will be asked to compile the information and forward it to the System.

In light of the time frame of your request for minutes of the Board of Trustees of the System from October 1, 1996 through October 24, 2002 and in light of the time frame for your request for information about legal entities created by and/or on behalf of the System since October 1, 1992 and purchase, sale and transfer of properties since October 1, 1992 as well as the expected cost of compiling this information, the information will not be available within ten (10) business days after the receipt of your letter. Therefore, in accordance with Texas law, you are hereby informed that the System does not expect to have this information until approximately thirty (30) days from the date of this letter. We will let you know when the information is available.

We will provide you with an estimate of charges, if any, as soon as possible. Please provide us with a mailing, facsimile transmission, or electronic mail address to receive the itemized statement.

If you should have questions regarding the matters contained in this letter, please do not hesitate to contact me.

Very truly your Garve

GBL:law



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