

Richard L. Tettamant,
Administrator

Brian F. Blake,
Assistant Administrator

Donald C. Rohan,
Assistant Administrator



D A L L A S
POLICE & FIRE
PENSION SYSTEM



Board of Trustees

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Maxine Thornton-Reese
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Steven H. Umlor
Richard H. Wachsmann

February 4, 2003

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

RE: **Open Record Request**
Dated January 21, 2003

Dear Mr. Alexander:

On or about January 21, 2003, you forwarded the attached open records request to Mr. Teodoro J. Benavides, Dallas City Manager, requesting information regarding "the Dallas Police and Fire Pension System" ("System"), its employees, and its Board of Trustees. The City of Dallas forwarded the request to the Pension System and the System received it on January 24, 2003.

Items 1 and 2 of your request ask to review all billings by Lawson & Fields, P.C. and Lawson, Fields, McCue, Lee & Campbell, P.C. that were recorded by the Pension System on the System's books and records for the period January 1, 2002 through December 31, 2002. These bills will be submitted to and reviewed by the Texas Attorney General to determine what, if any, portions of these bills must be disclosed. If these bills are not disclosed, there will be no charge to you. If portions of the bills are disclosed, you will owe for any pages which have to be copied. A copy of our attorney's initial letter to the Attorney General is enclosed. We cannot estimate the cost of this portion until we get the Attorney General's determination.

Item 3 asks that we provide all storage and archival records for the period October 1, 1995 through January 21, 2003. These records comprise more than one thousand (1,000) pages, and will need to be reviewed and redacted because a few are known to contain personal data, such as social security numbers and health conditions of the members to whom the records relate. Nevertheless, these documents can be available for your inspection at 10:00 a.m., February 19, 2003. You will pay only for the costs of copying those pages that must be redacted. We expect this cost will be less than forty dollars (\$40.00).

Item 4 of your request is to inspect the minutes of the System's Board of Trustee meetings (and subcommittee meetings) held during the period January 1, 2002 through December 31, 2002. The Police and Fire Pension System recently made available to you minutes from meetings of the Board of Trustees for the period through November 19, 2002. Copies of minutes from the Pension System's Minute Books for meetings after November 19, 2002 and from meetings of Board committees from January 1, 2002 through January 31, 2002 can be available for your inspection at 10:00 a.m., February 19, 2003 at the offices of Lawson, Fields, McCue, Lee & Campbell, P.C., at 14135 Midway, Suite 250, Addison, Texas 75001,

or

(2) You may inspect the originals of the minutes for meetings of Board committees from January 1, 2002 through January 31, 2002 at 10 a.m. on February 19, 2003 at the offices of the Dallas Police and Fire Pension System at 2301 N. Akard, Dallas, Texas 75201. The Board has not authorized the originals to be moved off the System's premises and is unlikely to do so.

To access these documents, call Gary Lawson, (972) 490-0808, and let him know whether you will view the original documents at the System's office or the copies at that office of Lawson Fields McCue Lee & Campbell, P.C.

Sincerely,

FOR 

Richard Tettamant

cc: Mr. Teodoro J. Benavides
Ms. Pam Mickens
Mr. Gary Lawson

Enclosure

**LAWSON
FIELDS
McCUE
LEE &
CAMPBELL, P.C.**

COPY

ATTORNEYS AT LAW

14135 Midway Road, Suite 250 Addison, TX 75001 Tel 972-490-0808 Fax 972-490-9545

Eric G. Calhoun
ecalhoun@lfmlc.com

January 31, 2003

**VIA TELECOPY, REGULAR MAIL &
CMRRR: 7002 0860 0001 1286 7226**

Office of the Attorney General
PO Box 12548
Austin, TX 78711-2548

Request for Opinion- Dallas Police and Fire Pension System

Dear Mr. Abbott:

We represent the Dallas Police and Fire Pension System (the "System"). On or about January 22, 2003, the City of Dallas received an Open Records Request, dated January 21, 2003, from Columbus A. Alexander, III. This letter is a timely request for an Attorney General decision pursuant to Section 552.301(a) of the Open Records Act, that certain of the documents requested by Mr. Alexander are excepted from disclosure.

We believe that the items requested that are communications between the System and its counsel, including certain fee statements, are excepted from disclosure pursuant to Sections 552.101, 552.103 and 552.107 of the Open Records Act.

Accordingly, we request on behalf of the System that the Office of the Attorney General issue an opinion confirming that those fee statements are excepted from disclosure. Pursuant to Section 552.301(e), we will follow up with further information concerning the applicability of the cited exceptions within 15 business days from our receipt of the request, unless it is withdrawn or modified.

www.lfmlc.com

Office of the Attorney General

January 31, 2003

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Very truly yours,



Eric G. Calhoun

rm

cc: Richard Tettamant
Everard Davenport