



March 13, 2026

Via Online Submission

Office of the Attorney General
Open Records Division
State of Texas
P.O. Box 12548
Austin, Texas 78711-2548

RE: Public information request received on February 23, 2026 (the “Request”) by the Town of Addison (the “City”) from requestor Ryan Johnson (the “Requestor”) -- (our file reference 13127)

Dear Open Records Division:

As City Attorney for the Town of Addison, Texas (“City”), we are writing to request an opinion on the above referenced request for public information. A true and correct copy of the Request is enclosed and incorporated herein as **EXHIBIT A**¹. The City believes portions of the information responsive to this request are excepted from public disclosure pursuant to Texas Government Code Sections 552.101 and 552.107. We have attached the responsive information hereto as **EXHIBIT B**².

Pursuant to Tex. Govt. Code §552.301(a), on March 9, 2026, the City submitted a “10-day letter” to your office stating the City’s intent to seek an opinion. A copy of this letter is attached hereto as **EXHIBIT C**. This current letter is being sent pursuant to Tex. Govt. Code §552.301(e).

1. Tex. Gov’t Code, Sections 552.110 and 552.1101: Confidential Information: Proprietary Information

It is the City’s position that some of the responsive information attached in **EXHIBIT B** may be exempt from disclosure according to the following law, Section 552.110 of the Government Code, which excepts the disclosure information related to competition or bidding. This section provides as follows:

Tex. Gov’t Code, Section 552.110. CERTAIN COMMERCIAL INFORMATION

¹ Please note that the City received the request after normal business hours on February 21, 2026. Therefore, the request was officially received on **February 23, 2026**.

² Additionally, the remaining responsive records for which the Town is not seeking an Attorney General opinion have been released to the requestor as of today.

- a. A trade secret obtained from a person and privileged or confidential by statute or judicial decision is excepted from the requirements of Section 552.021.
- b. Commercial 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 is excepted from the requirements of Section 552.021.

Tex. Gov't Code, Section 552.1101. EXCEPTION: CONFIDENTIALITY OF PROPRIETARY INFORMATION.

1. Except as provided by Section 552.0222, information submitted to a governmental body by a vendor, contractor, potential vendor, or potential contractor in response to a request for a bid, proposal, or qualification is excepted from the requirements of Section 552.021 if the vendor, contractor, potential vendor, or potential contractor that the information relates to demonstrates based on specific factual evidence that disclosure of the information would:
 - (1) reveal an individual approach to:
 - (A) work;
 - (B) organizational structure;
 - (C) staffing;
 - (D) internal operations;
 - (E) processes; or
 - (F) discounts, pricing methodology, pricing per kilowatt hour, cost data, or other pricing information that will be used in future solicitation or bid documents; and
 - (2) give advantage to a competitor.
- b. The exception to disclosure provided by Subsection (a) does not apply to:
 - (1) information in a voucher or contract relating to the receipt or expenditure of public funds by a governmental body; or
 - (2) communications and other information sent between a governmental body and a vendor or contractor related to the performance of a final contract with the governmental body or work performed on behalf of the governmental body.
- c. The exception to disclosure provided by Subsection (a) may be asserted only by a vendor, contractor, potential vendor, or potential contractor in the manner described by Section 552.305(b) for the purpose of protecting the interests of the vendor, contractor, potential vendor, or potential contractor. A governmental body shall decline to release information as provided by Section 552.305(a) to the extent necessary to allow a vendor, contractor, potential vendor, or potential contractor to assert the exception to disclosure provided by Subsection (a).

The information contained in **EXHIBIT B** includes material that may constitute trade secrets or confidential commercial or financial information. Disclosure of this information could result in substantial competitive harm to the company presently under contract with the City and identified in records responsive to this request. This information may also contain proprietary information. In accordance with Section 552.305(d) of the Texas Government Code, the City has sent a notice to

the subject company that a request for information has been made by the Requestor and that this includes the vendor's information received by the City. A true and correct copy of the letter that was sent to the company is attached hereto as **EXHIBIT D**.

In accordance with Section 552.305(c), the City is not submitting reasons why the information should be withheld or released, as it does not have knowledge and is unable to determine the responsive information that may be considered to be proprietary. The responsibility of determining proprietary information will remain with the third party notified.

2. Section 552.107 Confidential Information: Attorney-Client Privilege

It is the City's position that the responsive information marked "§552.107(1)" attached in **EXHIBIT B** may be exempt from disclosure pursuant to Section 552.107(1) of the Government Code, which provides as follows:

TEXAS GOVERNMENT CODE SEC. 552.107. EXCEPTION: CERTAIN LEGAL MATTERS.

"Information is excepted from the requirements of Section 552.021 if:

- (1) it is information that the attorney general or an attorney of a political subdivision is prohibited from disclosing because of a duty to the client under the Texas Rules of Evidence or the Texas Disciplinary Rules of Professional Conduct ; [...]"**

The City asserts that responsive information marked "§ 552.107(1)" within **Exhibit B** includes communications between the City and outside counsel (Bracewell LLP) and, therefore, is protected from disclosure under Section 552.107(1) based on the following:

These documents contain email communications, as well as their respective attachments, between outside legal counsel with Bracewell LLP and their client, the Town of Addison. Various City officials, including City staff members, were involved in sending or receiving these communications with outside legal counsel. The communications clearly demonstrate that they were transmitted for the purpose of rendering professional legal services to the City and facilitating further legal advice or guidance. These attorney-client communications were and remain confidential and were used to facilitate Bracewell LLP in rendering legal advice to the City. They were not intended to be disclosed to third persons other than those to whom disclosure was made in furtherance of the rendition of professional legal services to the City. Finally, the City has confirmed that it has not waived the attorney-client privilege and these communications have remained confidential. Therefore, these documents should be excepted from disclosure under Section 552.107(1).

3. Tex. Gov't Code, Section 552.301(d)(2): Providing Copies to Requestor

In accordance with Section 552.301(d)(2) of the Texas Government Code, we will provide the Requestor with a copy of this letter providing the required notice that an Attorney General's Opinion is being sought with regard to this request.

Please do not hesitate to contact me should you need anything further.

Sincerely,

A handwritten signature in blue ink that reads "Ashley L. White". The signature is written in a cursive style.

Ashley L. White
City Attorney
Enclosures

Cc: Requestor: via email (ryanjohnsonthepatriot@gmail.com)

Town of Addison (via email)

EXHIBIT A
Request
(attached)

Open Records Request (#W013127-022126)

▼ Open Records Request Details

Type of Information Requested: Information Technology

Public Record Desired: Under the Texas Public Information Act, I am requesting all email correspondence (including attachments) sent to or received by David Gaines (City Manager) containing the keywords 'JP Morgan', 'Chase', 'SIB Loan', 'Interest Rate', or 'Bond' for the period of January 1, 2023, to the present. This request includes any such correspondence maintained on city-issued accounts or private accounts/devices used to conduct official Town business.

all emails between David Gaines and representatives of Hilltop Securities or Bracewell LLP regarding the \$44M SIB loan.

Preferred Method to Receive Documents: Electronic by Email

> Clarification(s) Requested/Required

> Clarification(s) Received

> Activity Generation -- Records Collection (EZchecklist)

> Payment Information

> Extension Information

> AG Information

▼ Message History

Date

On 2/21/2026 1:00:18 AM, System Generated Message:

Message sent to: **Ryan Johnson**

Subject: [Town of Addison] Open Records Request :: W013127-022126

Body:



02/21/2026

Ryan Johnson
4910 Goodman Ave apt 3924
Addison TX 75001

RE: OPEN RECORDS REQUEST RECEIVED 2/21/2026, REFERENCE # W013127-022126

Dear Mr./Ms. Johnson,

Welcome to the Town of Addison Open Records Center. The Town received your Open Records Request on 2/21/2026 asking for "Under the Texas Public Information Act, I am requesting all email correspondence (including attachments) sent to or received by David Gaines (City Manager) containing the keywords 'JP Morgan', 'Chase', 'SIB Loan', 'Interest Rate', or 'Bond' for the period of January 1, 2023, to the present. This request includes any such correspondence

maintained on city-issued accounts or private accounts/devices used to conduct official Town business.

all emails between David Gaines and representatives of Hilltop Securities or Bracewell LLP regarding the \$44M SIB loan.. Your request has been assigned Number W013127-022126.

Town staff will review your request and start compiling the responsive records if possible. Please be advised that the Town may seek additional clarification of your request. In addition, the Town may collect a fee as prescribed by law to provide the requested records. If the responsive information contains confidential information or information that is excepted from disclosure, your request may be forwarded to the Town Attorney's Office. You will be contacted again as soon as the Town's review is complete, but no later than ten (10) business days from the date your request was received.

[Click Here](#) to monitor the progress of your request.

Thank you for using the Open Records Center

Sincerely,

Valencia Garcia

Town of Addison

On 2/21/2026 12:59:21 AM, Ryan Johnson wrote:
Request Created on Public Portal

▼ Request Details

Reference No: W013127-022126
Create Date: 2/21/2026 1:00 AM
Update Date: 2/21/2026 1:00 AM
Completed/Closed: No
Required Completion Date: 3/9/2026

Status: Assigned
Priority: Medium
Assigned Dept: City Secretary
Assigned Staff: Valencia Garcia

Customer Name: Ryan Johnson
Email Address: ryanjohnsonthepatriot@gmail.com
Phone: 7064741296
Group: (Not Specified)

Source: Web

EXHIBIT C
City's 10-Day Letter
(see attached)



March 9, 2026

Via Online Submission

Office of the Attorney General
Open Records Division
State of Texas
P.O. Box 12548
Austin, Texas 78711-2548

RE: Public information request received on February 23, 2026 (the "Request") to the Town of Addison (the "City") from requestor Ryan Johnson -- (our file reference 13127).

Dear Open Records Division:

The undersigned represents the Town of Addison, Texas ("City"), and in that capacity submits this letter as a request for an opinion to except from public disclosure certain information held by the City. On February 23, 2026, the City received a request for information from Ryan Johnson ("Requestor"). A true and correct copy of the request is attached hereto as **EXHIBIT A**¹.

It is the City's position that some of the information sought may be exempt from disclosure pursuant to Texas Government Code Sections 552.101 through 552.156, including, but not limited to, Section 552.107. The City intends to withhold such information pending an opinion from the Attorney General as to whether or not such information is exempt.

Under Texas Government Code Section 552.301(a), this letter constitutes the City's request for said opinion. Not later than fifteen (15) business days after City's receipt of the request, our office, on behalf of the City, will comply with Texas Government Code, Section 552.301(e).

Please do not hesitate to contact me should you need anything further.

Sincerely,

Ashley L. White
City Attorney

Enclosures

Cc: Requestor: via email (ryanjohnsonthepatriot@gmail.com)
Town of Addison

¹ Please note that the City received the request after normal business hours on February 21, 2026. Therefore, the request was officially received on **February 23, 2026**.

EXHIBIT D
Third Party Notification
(see attached)



March 13, 2026

Via USPS CMRRR 9589 0710 5270 3170 5521 78
and via email denise.rappmund@moodys.com

Moody's Ratings
7 World Trade Center
250 Greenwich Street
New York, NY 10007

RE: Public information requests received on February 23, 2026, (the "Request") to the Town of Addison, Texas (the "City") from requestor Ryan Johnson -- (our file reference 13127)

Attn: Denise Rappmund:

Please be advised that the undersigned serves as City Attorney for the Town of Addison, Texas (hereinafter, the "City"), which is a client of your company. The City has received a formal request for email communications between David Gaines and representatives of Hilltop Securities. Records originating from your company were identified as responsive to this request. A copy of the request for information is enclosed.

The Office of the Attorney General is reviewing this matter and will issue a decision on whether Texas law requires the City to release this document. Generally, the Public Information Act (the "Act") requires the release of requested information, but there are exceptions. As described below, you have the right to object to the release of your company's email communication and respective attachment by submitting written arguments to the Attorney General that one or more exceptions apply to the documents. You are not required to submit arguments to the Attorney General, but if you decide not to submit arguments, the Office of the Attorney General will presume that you have no interest in withholding your records from disclosure. In other words, if you fail to take timely action, the Attorney General will more than likely rule that the records must be released to the public. If you decide to submit arguments, **you must do so not later than the tenth business day after the date you receive this notice.**

If you choose to submit arguments to the Attorney General, you must:

- a. Identify the legal exceptions that apply;
- b. Identify the specific parts of each document that are covered by each exception; and
- c. Explain why each exception applies. Gov't Code §552.035(d).

A claim that an exception applies without further explanation will not suffice. *Texas Attorney General Opinion H-436*. We will provide the Attorney General with a copy of the request for

information and a copy of the requested information, along with other material required by the Act. The Attorney General is generally required to issue a decision within 45 working days. Please send your written comments to the Office of the Attorney General at the following address:

Office of the Attorney General
Open Records Division
P.O. Box 12548
Austin, TX 78711-2548

In addition, you are required to provide the requestor with a copy of your communication to the Office of the Attorney General. *Tex. Gov't Code §552.305(e)*. The requestor's email address is as follows: **ryanjohnsonthepatriot@gmail.com**. You may redact the requestor's copy of your communication to the extent it contains the substance of the requested information. *Tex. Gov't Code §552.305 (e)*.

Commonly Raised Exceptions

In order for a governmental body to withhold requested information, specific tests or facts for the applicability of a claimed exception must be met. Failure to meet these tests may result in the release of requested information. We have listed the most commonly claimed exceptions in the Government Code concerning proprietary information and the leading cases or decisions discussing them. This listing is not intended to limit any exceptions or statutes you may raise:

Section 552.101: Information Made Confidential by Law

Open Records Decision No. 652 (1997).

Section 552.110: Trade Secrets and Commercial or Financial Information

Trade Secrets:

Hyde Corp. v. Huffines, 314 S.W.2d 763, 776 (Tex.), *cert. denied*, 358 U.S. 898 (1958).
Open Records Decision No. 552 (1990).

Commercial or Financial Information:

The commercial or financial information prong of section 552.110 was amended by the Seventy-sixth Legislature. The amendment became effective September 1, 1999. At the time of publication of this form, there were no cases or opinions construing the amended provision.

Birnbaum v. Alliance of Am. Insurers, 994 S.W.2d 766 (Tex. App.--Austin 1999, pet. filed) (construing previous version of section 552.110).

National Parks & Conservation Ass'n v. Morton, 498 F.2d 765 (D.C. Cir. 1974).
Open Records Decision No. 639 (1996).

Section 552.113: Geological or Geophysical Information

Open Records Decision No. 627 (1994).

Section 552.131: Economic Development Negotiation Information

Section 552.1101: Confidentiality of Proprietary Information

If you have questions about this notice or release of information under the Act, please feel free to refer to the Public Information Handbook published by the Office of the Attorney General or contact the Attorney General's Open Government Hotline at (512) 478-OPEN (6736) or toll-free at (877) 673-6839 (877-OPEN TEX). To obtain copies of the Public Information Handbook or Attorney General Opinions, including those listed above; please visit the attorney general's website at <http://www.oag.state.tx.us> or call the Attorney General's Opinions Library at (512) 936-1730.

Thank you kindly for your consideration and please do not hesitate to contact me should you need anything further in this regard.

Sincerely,



Ashley L. White
City Attorney

Enclosures

cc: Requestor (via email: ryanjohnsonthepatriot@gmail.com)
Town of Addison (via email)