



March 27, 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 March 9, 2026 (the “Request”) to the Town of Addison (the “City”) from requestor Ryan Johnson -- (our file reference 13179).

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**. The City believes portions of the information responsive to this request are excepted from public disclosure pursuant to Texas Government Code Sections 552.107 and 552.111. We have attached the responsive information hereto as **EXHIBIT B**¹.

Pursuant to Tex. Govt. Code §552.301(a), on March 23, 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. 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 ; [...]**”

¹ The remaining responsive records for which the City is not seeking an Attorney General opinion have been made available to the requestor as of today.

The City asserts that the responsive information marked as “§ 552.107(1)” in **Exhibit B** includes communications between the City and its attorneys (Whitt Wyatt, Nicole Corr, Sarah Ross, Ashley White, and their Legal Assistant Tiffany Camelin) as well as outside legal counsel with Hanson Bridgett LLP and Bracewell LLP. Therefore, this information is protected from disclosure under Section 552.107(1) based on the following:

These documents contain email communications between and among City attorneys Whitt Wyatt, Nicole Corr, Sarah Ross, Ashley White, and Tiffany Camelin, outside counsel with Hanson Bridgett LLP and Bracewell LLP, and their client, the City. Various City officials, including City staff, and council members, were involved in sending or receiving these communications with legal counsel. The communications demonstrate that they were transmitted for the purpose of rendering professional legal services and facilitating legal advice or guidance. These attorney-client communications were and remain confidential and privileged as they were used to facilitate the rendition of legal advice to the City. They were not intended for disclosure to third parties other than those to whom disclosure was made in reasonable and necessary furtherance of professional legal services. Finally, the City confirms that it has not waived the attorney-client privilege and that these communications have remained confidential. Therefore, these documents should be excepted from disclosure under Section 552.107(1).

2. Tex. Gov’t Code, Section 552.111: Exception: Agency Memoranda

It is the City’s position that the responsive information marked “§ 552.111” attached in **EXHIBIT B** is exempt from disclosure according to the following relevant portions of law:

Tex. Gov’t Code, Section 552.111: Exception: Agency Memoranda

“An interagency or intraagency memorandum or letter that would not be available by law to a party in litigation with the agency is excepted from the requirements of Section 552.021.”

Your office has concluded that Section 552.111 of the Texas Government Code incorporates the privilege for work product found in Texas Rule of Civil Procedure 192.5. See Tex. Att’y Gen. Open Records Decision No. 677 at 4-8 (2002).

Section 552.111 incorporates the privilege for work product found in Texas Rule of Civil Procedure 192.5, which defines work product as: (1) material prepared or mental impressions developed in anticipation of litigation or for trial by or for a party or a party’s representatives, including the party’s attorneys, consultants, sureties, indemnitors, insurers, employees, or agents; or (2) a communication made in anticipation of litigation or for trial between a party and the party’s representatives or among a party’s representatives, including the party’s attorneys, consultants, sureties, indemnitors, insurers, employees, or agents. Tex. R. Civ. P. 192.5(a)(1), (a)(2). A governmental body raising the work product privilege under Section 552.111 bears the burden of providing the relevant facts in each case to demonstrate the elements of the privilege.

One element of the work product test is that the information must have been made or developed for trial or in anticipation of litigation. In order for the attorney general to conclude that information was created for trial or in anticipation of litigation, the governmental body must demonstrate that at the time the information was created or acquired: a) a reasonable person would have concluded from

the totality of the circumstances that there was a substantial chance that litigation would ensue; and b) the party resisting discovery believed in good faith that there was a substantial chance that litigation would ensue and created or obtained the information for the purpose of preparing for such litigation. A “substantial chance” of litigation does not mean a statistical probability, but rather “that litigation is more than merely an abstract possibility or unwarranted fear.” Also, as part of the work product test, material or a mental impression must have been prepared or developed by or for a party or a party’s representatives. Similarly, in the case of a communication, the communication must have been between a party and the party’s representatives. Thus, a governmental body claiming the work product privilege must identify the parties or potential parties to the litigation, the person or entity that prepared the information, and any individual with whom the information was shared.

In this case, the circumstances and the information marked “§ 552.111” in EXHIBIT B consist of internal communications and materials prepared by or for the City and its representatives. These records were developed to facilitate sensitive administrative and personnel processes, including the evaluation of complex proposals and the finalization of confidential agreements. These documents contain internal guidance, recommended best practices, and procedural frameworks intended to assist the City’s leadership and governing body in exercising their discretionary decision-making authority. The materials reflect the mental impressions and deliberative analysis of City staff regarding the management of confidential evaluations and the resolution of contractual matters.

Because these materials were developed by City representatives to support the City's official decision-making processes in contexts where the City did reasonably anticipate potential legal challenges or litigation, the responsive information qualifies as attorney work product as recognized by Texas Rule of Civil Procedure 192.5 and Attorney General guidance. As such, it is excepted from public disclosure under Texas Government Code Section 552.111. Accordingly, this information must be withheld from release in response to the present public information request, as it would not be available by law to a party in litigation with the City.

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,



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 (#W013179-030926)

▼ Open Records Request Details

Type of Information Requested: Information Technology

Public Record Desired: Under the Texas Public Information Act, I request all emails, internal memos, and digital communications (including text/SMS) sent or received by the City Manager's Office, the City Council, the Mayor's Office, and the City Attorney's Office from February 20, 2026, to March 9, 2026, containing any of the following terms:"

"Ryan Johnson" / "The Patriot"

"SIB Loan" / "State Infrastructure Bank"

"66387862" (The AG Complaint ID)

"Wyatt Hamilton Findlay" / "Tiffany"

"W013125" (The Addison Request ID) / "C000357" (The Denton Request ID)

"Liability" / "Forensic Audit"

"Official Oppression" / "March 3"

"10-Day Window" / "Section 552.301"

"Additionally, I request the full unredacted logs of all electronic submissions made to the Office of the Attorney General (OAG) by the City Attorney's Office between March 1, 2026, and March 9, 2026, including the automated 'Timestamp' of receipt."

Preferred Method to Receive Documents: Inspect

> Clarification(s) Requested/Required

> Clarification(s) Received

> Activity Generation -- Records Collection (EZchecklist)

> Payment Information

> Extension Information

> AG Information

▼ Message History

Date

On 3/9/2026 1:15:23 PM, Ryan Johnson wrote:
Request Created on Public Portal

On 3/9/2026 1:15:14 PM, System Generated Message:

Message sent to: **Ryan Johnson**

Subject: [Town of Addison] Open Records Request :: W013179-030926

Body:



03/09/2026

Ryan Johnson
4910 Goodman Ave apt 3924
Addison TX 75001

RE: OPEN RECORDS REQUEST RECEIVED 3/9/2026, REFERENCE # W013179-030926

Dear Mr./Ms. Johnson,

Welcome to the Town of Addison Open Records Center. The Town received your Open Records Request on 3/9/2026 asking for "Under the Texas Public Information Act, I request all emails, internal memos, and digital communications (including text/SMS) sent or received by the City Manager's Office, the City Council, the Mayor's Office, and the City Attorney's Office from February 20, 2026, to March 9, 2026, containing any of the following terms:"

"Ryan Johnson" / "The Patriot"

"SIB Loan" / "State Infrastructure Bank"

"66387862" (The AG Complaint ID)

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"Liability" / "Forensic Audit"

"Official Oppression" / "March 3"

"10-Day Window" / "Section 552.301"

"Additionally, I request the full unredacted logs of all electronic submissions made to the Office of the Attorney General (OAG) by the City Attorney's Office between March 1, 2026, and March 9, 2026, including the automated 'Timestamp' of receipt.". Your request has been assigned Number W013179-030926.

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 exempted 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

Reference No: W013179-030926
Create Date: 3/9/2026 1:15 PM
Update Date: 3/9/2026 1:15 PM
Completed/Closed: No
Required Completion Date: 3/23/2026

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 23, 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 March 9, 2026 (the "Request") to the Town of Addison (the "City") from requestor Ryan Johnson -- (our file reference 13179).

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 March 9, 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**.

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