Cause No. D-1-GN-06-001120

TEXAS COMPTROLLER OF PUBLIC ACCOUNTS,	§	**IN THE 126th JUDICIAL**
Plaintiff,	§	
	§	
v.	§	
	§	
	§	
ATTORNEY GENERAL OF TEXAS,	§	**DISTRICT COURT OF**
Defendant,	§	
§		
v. §		
	§	
THE DALLAS MORNING NEWS,	§	**TRAVIS COUNTY, TEXAS**
Intervenor.	§	

ORDER ON MOTION FOR PARTIAL SUMMARY JUDGMENT

On July 27, 2006, came on for hearing Intervenor Dallas Morning News' motion for partial summary judgment and Plaintiff Comptroller's cross-motion for summary judgment.

After considering Intervenor Dallas Morning News' motion for partial summary judgment, and Plaintiff Comptroller's cross-motion for summary judgment, the pleadings, the responses (including that of the defendant Attorney General), the affidavits, and other evidence on file, the court concludes that public employees' date of birth information is public information and is therfore subject to disclosure under the Texas Public Information Act. Therefore, the court

GRANTS the Dallas Morning News' motion for partial summary judgment. And,

DENIES the Comptroller's cross- motion for summary judgment.

SIGNED on September 6, 2006.

/s/

Lora J. Livingston, Presiding Judge