

CAUSE NO. 18-0998-C395

TERRILL W. PUTNAM  
*Plaintiff,*

v.

CITY OF GEORGETOWN, TEXAS,  
DALE ROSS, MAYOR OF  
THE CITY OF GEORGETOWN,  
and DAVID MORGAN,  
CITY MANAGER OF THE CITY  
OF GEORGETOWN  
*Defendants.*

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IN THE DISTRICT COURT OF

WILLIAMSON COUNTY, TEXAS

395<sup>th</sup> JUDICIAL DISTRICT

**ORDER**

On March 26, 2019, the Court heard arguments and evidence on Plaintiff’s Motion for Summary Judgment and Defendants’ Plea to the Jurisdiction. The Court has examined the pleadings and evidence on file, considered the arguments of counsel, and enters the following Order:

The Court ORDERS that Plaintiff’s Motion for Summary Judgment is GRANTED and, consequently the Court DECLARES as follows:

1. The document referred to as the “payback analysis,” which was requested by Plaintiff on November 16, 2016, and was sent to Plaintiff’s attorneys on October 2, 2018, (which letter and payback analysis were attached to Plaintiff’s Motion for Summary Judgment as Exhibit E), is not excepted from public disclosure under Texas law,
2. The payback analysis is not exempt from disclosure under any exception found in TEX. GOV’T CODE § 552.133; and
3. the payback analysis is public and must be disclosed.

The Court determines that an award to Plaintiff of his reasonable and necessary attorney fees and costs is equitable and just, and ORDERS that Plaintiff submit his motion for award of fees within 10 days of the date of this Order, with any response by Defendant due 5 days thereafter. The Court will determine reasonable and necessary attorney fees and costs by submission.

The Court hereby ORDERS that Defendants' Plea to the Jurisdiction is hereby DENIED.

Signed and Entered this \_\_\_\_\_ day of **4/30/2020**, 2020.  
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Presiding Judge