

Broadcast Five, ¶ 1: The general information on cases being dismissed was obtained from court records as is described above.

[1]

When you get arrested for DWI, it normally costs about \$600 to hire an attorney to handle your case. Last week we reported on six DWI cases in McLennan County where attorneys charged up to \$3,500 each. The cases were later dismissed or forgotten by the DA's office. The FBI has been investigating whether there's a link between the high attorney's fees and the lack of prosecution.

Here again, the Belo Defendants are seeking a blanket protection under the "fair accounts" privilege for the entire paragraph, and that is an improper application of the law.

The only portions of this paragraph that could possibly come from "court records" are the phrases, "six DWI cases in McLennan County" and "The cases were later dismissed."

We have already discussed each of the six cases referred to ... and we've already pointed out that cases are "dismissed" by the courts.

- The "court records" say nothing of the so-called "normal costs" to hire an attorney.
- The "court records" say nothing of the fees charged by the attorneys in the six cases described.
- The "court records" do not indicate that any cases were "forgotten" by the DA's office.
- The "court records" say nothing of what the FBI was investigating.