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PROCUREMENT APPEALS

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CABOT MANTANONA, LLP

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BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY PROCUREMENT APPEAL

IN THE MATTER OF THE APPEAL OF) APPEAL NO.: OPA-PA-010-004
HARBOR CENTER GUAM CO. LTD., And HARBOUR CENTRE PORT TERMINAL, INC.	VERIFIED PETITION FOR DEPOSITION OF MATERIAL WITNESSES)))

COMES NOW, Harbor Center Guam, by and through its attorneys, Cabot Mantanona LLP, requests that the Office of Public Accountability orders that the testimony of twelve material witnesses be taken by deposition in the manner prescribed by law for depositions in civil matters. 5 G.C.A. § 9218.

Appellant alleges:

- Based on my information and belief, this appeal is complicated and requires
 the depositions and testimony of the following material witnesses in order to
 adequately prepare for the hearing:
 - Claudia Acfalle, Chief Procurement Officer, General Services Agency
 - b. Alma Javier, Chief Procurement Officer, Port Authority of Guam
 - c. John B. Santos, Operations Manager

- d. Emie Candoleta, Maintenance Manager
- e. Joaquin Pangelinan, Equipment Support Services Manager
- f. Ray B. Santos, Transportation Superintendent
- g. Francine T. Rocio, Personnel Services Administrator
- h. Sooja L. Suk, Systems Manager
- i. Glenn B. Nelson, Commercial Manager
- Jovyna Lujan, Board Member
- k. Bill Berry, Board Member:
- I. Dora Jean Perez, Planner IV. Alternate Evaluator
- Guarn Procurement law allows the Hearings Officer to "compel attendance and testimony of and production of documents by an employee of the government of Guam, including any employee of any autonomous agency, public corporation or board or commission." 2 G.A.R. Div. 4. § 12109(i).
- All of the above referenced material witnesses are employees of the Government of Guarn.
- Based on my information and belief, at least one of the above referenced witnesses is being uncooperative. See Exhibit "A" of Appellant's Motion to Continue Hearing Date.

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PRAYER

Appellant prays that the Office of Public Accountability orders that the testimony of the twelve material witnesses be taken by deposition in the manner prescribed by law for depositions in civil matters pursuant to 2 G.A.R. Div. 4. § 12109(i), 2 G.A.R. Div. 4. § 12104(c)(7), and 5 G.C.A. § 9218.

Respectfully submitted this 4 day of 0c

ttomeys for Harbor Center Guam

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VERIFICATION

I, REGHIS M. ROMERO III, the undersigned, say:

I am the Appellant in the above-entitled matter. The foregoing document is true of my own knowledge, except as to the matters which are therein stated on my information and believe, and as to those matters, I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.

Executed on the	day of	OCT 07 2010	_, 2010.	
	Ву:	REGHIS M. ROM	ERO III	
•	ACKN	OWLEDGMENT		
Republic of the Philippines) City of Manila) City of Ma				
OCT 0 7 2010) On this day of O		0040 before we #		Cons

On this _____ day of October, 2010, pefore me, the undersigned <u>stataty publics</u> personally appeared REGHIS M. ROMERO, known to me as the person whose name is subscribed to the foregoing Verified Petition and he acknowledged to me that he voluntarily executed the foregoing petition for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notacy Rublexx

MICHAEL E. GARROTE

Consul

United States of America