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FAX

To:	Leevin T. Camacho, Esq. (Attorney for Cars Plus, LLC)	From:	Doris Flores Brooks Guam Public Auditor Office of Public Accountability
Phone: Fax:	(671) 477-8894/5 (671) 472-8896	Pages:	3 (including cover page)
To:	Fred Nishihira (Legal Counsel for GSA) Office of the Attorney General	Date:	October 31, 2013
Phone: Fax:	(671) 475-3324 (671) 472-2493	Phone: Fax:	475-0390 x. 215 472-7951
CC: Phone: Fax:	Matthew Kane, Esq. (Attorneys for Triple J – Interested Party) Cabot Mantanona LLP (671) 646-2001 (671) 646-0777		

Re: OPA-PA-13-014 Order After Hearing/Scheduling Order

Urgent For Review Please Comment Please Reply Please Recycle

Comments:

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Thank you,
 Clariza Roque
 Auditor I
croque@guamopa.org

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OFFICE OF PUBLIC ACCOUNTABILITY
Doris Flores Brooks, CPA, CGFM
Public Auditor

**BEFORE THE PUBLIC AUDITOR
PROCUREMENT APPEALS
TERRITORY OF GUAM**

IN THE APPEAL OF

CARS PLUS LLC,

Appellant.

Docket OPA-PA-13-014

**ORDER AFTER HEARING/ SCHEDULING
ORDER**

In the interest of administrative efficiency, and upon the consent of all parties present, a pre-hearing conference in the above-named appeal was held on October 30, 2013. Present for the Appellant, Cars Plus LLC (“Cars Plus”), was Leevin T. Camacho, Esq. Present for the General Services Agency (the “Government”) was legal counsel Assistant Attorney General Fred Nishihira, Esq., who indicated that he was entering his appearance as counsel of record. Present for Interested Party, Triple J. Enterprises, was Matthew S. Kane, Esq. No objection was made to the Public Auditor’s appointment of the undersigned as the Hearing Officer for this appeal.

As a result of the pre-hearing conference, the Public Auditor orders the following schedule:

1. No later than November 12, 2013, the parties may file with the Office of Public Accountability (“OPA”), and serve on opposing parties or counsel, oppositions or responses to any of the currently pending motions in this appeal. Optional replies to such oppositions/responses shall be filed and served no later than November 15, 2013.
2. The parties may, but are not required to, file any other pre-hearing motions they wish the Public Auditor to consider. Any such motions shall be also filed with the OPA and served on opposing parties or counsel no later than November 12, 2013. Oppositions/responses

1 to any such motions shall be filed and served no later than November 19, 2013. Optional
2 replies to such oppositions/responses shall be filed and served no later than November 22,
3 2013.

4 3. The formal hearing on this appeal shall commence at 9:00 a.m., November 26, 2013, at
5 the OPA hearing room, Room 907, DNA Building, Hagåtña, Guam.

6 4. The parties shall file with the OPA, and serve on opposing parties or counsel, the
7 following materials by November 19, 2013:

8 a. Formal Hearing Brief. A formal hearing brief stating the party's respective
9 position regarding the matters at issue in the appeal, with appropriate legal
10 citations and citations to the record on appeal and Exhibits. The parties shall also
11 discuss in their briefs what relief or remedies they are asking the Public Auditor to
12 grant or award, with legal citations to applicable Guam statutes, rules, regulations,
13 and case law.

14 b. Witness Lists. Each party shall submit a witness list of individuals it intends to
15 call as witnesses at the formal hearing. The parties shall be responsible for
16 ensuring the attendance of their own witnesses at the formal hearing.

17 c. Exhibits. Each party shall submit a binder of all exhibits it intends to rely on at the
18 formal hearing.

19 d. Joint Statement. A joint statement by the parties of stipulated facts, if any.

20 5. No later than November 4, 2013, the Government shall serve a copy of this Scheduling
21 Order on any other Interested Parties to these appeals, as the Government is the entity
22 most likely to have the correct names and addresses for such Interested Parties.

23 **IT IS SO ORDERED this 30th day of October, 2013.**

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27 **IGNACIO C. AGUIGUI, ESQ.**
HEARING OFFICER