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 OFFICE OF PUBLIC ACCOUNTABILITY
 PROCUREMENT APPEALS

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 FILE NO. OPA-PA 11-009

Attorneys for the Government of Guam

**BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY
 PROCUREMENT APPEAL**

IN THE APPEAL OF)	DOCKET NO. OPA-PA-11-009
)	
HUBTEC INTERNATIONAL CORP.)	
)	
Appellant.)	DPW'S WITNESS LIST AND LIST OF ISSUES
)	
)	

Pursuant to the SCHEDULING ORDER RE HEARING FOR APPELLANT'S APPEAL that was issued on July 26, 2011, Appellee Purchasing Agency **DEPARTMENT OF PUBLIC WORKS, GOVERNMENT OF GUAM** ("DPW") respectfully submits the following *Witness List* identifying those witnesses whom DPW intends to call during its case-in-chief at the hearing of this matter.

Additionally, DPW also submits herein its *List of Issues* which require evidence or arguments to be presented at the hearing.



A. DPW'S WITNESS LIST.

At all times, DPW reserves its right to call witnesses identified by Appellant **HUBTEC INTERNATIONAL, INC. ("Hubtec")**. Additionally, DPW reserves its right to supplement its Witness List below in order identify any additional witnesses it deems necessary, including expert witnesses, witnesses identified by Hubtec who were not previously identified, witnesses identified by Hubtec but not called at the hearing, or witnesses to rebut or substantiate unexpected testimony. Finally, DPW reserves its right to call any rebuttal witnesses and/or rebuttal expert witnesses:

1. Brown, Joanne (DPW Director);
2. Bilong, Sagrado (DPW Contracts Design & Analysis Section);
3. Blaz, Joaquin (DPW Highway Administrator);
4. Carpio, Paey (DPW Project Engineer);
5. Diaz, Rigolito (DPW Supervising Engineer);
6. Dominguez, Carl (DPW Deputy Director);
7. Duenas, John (Duenas, Camacho & Associates);
8. Kim, Young C. (Hubtec Project Manager);
9. Lanning, Michael (Parsons Transportation Group); and
10. Rekdahl, Ken (Duenas, Camacho & Associates).

B. DPW'S LIST OF ISSUES.

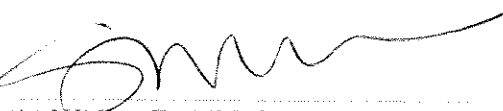
At all times, DPW reserves its right to amend the following List of Issues in order to conform them to the evidence or to raise an unpleaded or unstated issue:

- Issue 1.** Whether DPW wrongfully breached the terms of the construction contract or otherwise violated Guam law by terminating the contract and Hubtec's performance therein.
- Issue 2.** Whether Appellant Hubtec wrongfully breached the terms of the construction contract.
- Issue 3.** Whether DPW is liable to Appellant Hubtec for any unpaid change orders or other sums that may be owed under the terminated contract.
- Issue 4.** Whether DPW is entitled to an offset of any amounts allegedly owed to Appellant Hubtec against the additional liabilities caused to DPW by the breaches, negligence, and fraudulent actions of Hubtec.

Respectfully submitted this 12th day of August, 2011.

OFFICE OF THE ATTORNEY GENERAL
Leonardo M. Rapadas, Attorney General

By:



SANDRA E. CRUZ-MILLER
Assistant Attorney General