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OFFICE OF PUBLIC ACCOUNTABILITY  
PROCUREMENT APPEALS  
JUN 22 2011  
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FILE NO. OPA-PA-11-002

IN THE OFFICE OF PUBLIC ACCOUNTABILITY  
PROCUREMENT APPEAL

In the Appeal of	)	
	)	PARTIAL RETRACTION AND
	)	CORRECTION OF
TOWN HOUSE DEPARTMENT STORES,	)	APPELLANT'S OPPOSITION TO
INC., dba	)	XEROX REQUEST TO ALLOW
ISLAND BUSINESS SYSTEMS	)	APPEARANCE
& SUPPLIES,	)	
APPELLANT	)	DOCKET NO. OPA-PA-11-002
_____	)	

Appellant hereby formally retracts and correction the assert it made that the subject witness was not named in Xerox' Witness List. The error was noticed and corrected within two hours of filing the Opposition, by email notice to OPA and the parties. Appellant's Counsel apologizes for that error.

Appellant reiterates, however, other grounds for opposing the testimony of the witness as specified in its filed Opposition, namely, why it would be "critical" to call this witness, from New York, when:

there is no apparent involvement of this person in this solicitation;

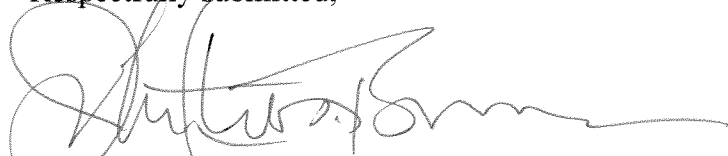
Xerox has claimed its "internal notes, documents, memoranda, communications, and diary entries related to the preparation of its bid" and "process in preparing such bids is proprietary and involves trade secrets", yet this person is called to testify to the inclusion of matter in its bid, information which Xerox still maintains is confidential, and is still kept from Appellant;

when this witness from New York must have communicated with the Xerox employees on Guam about the disputed material yet Xerox has claimed "There is no information

within Xerox's pre-bid notes and, correspondence, and other documents, ***which would be relevant to IBSS' appeal.***";

and when, there are at least three Xerox employees on Guam who have been involved in the bid from beginning to end and would be competent to testify in defense of Appellant's claim that Xerox was a non-responsive bidder by including material terms and conditions of the contract beyond the requirements of the IFB.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Thos. Brown", written over a horizontal line.

John Thos. Brown  
June 22, 2012  
for Appellant