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 238 Archbishop Flores St.
 Hagåtña, Guam 96910



FAX

To:	Ms. Emily G. Gumataotao Supply Management Administrator University of Guam UOG Station Mangilao, Guam 96923 Phone: (671) 735-2925 Fax: (671) 735-3010 Email: eggumataotao@triton.uog.edu ; uog.bids@triton.uog.edu	From:	Joseph B. McDonald, Esq. Hearing Officer Office of Public Accountability
	Mr. Anthony R. Camacho, Esq. Legal Counsel University of Guam UOG Station Mangilao, Guam 96923 Email: arcamacho@triton.uog.edu	Pages:	3 (including cover page)
CC:	Mr. Sedfrey Linsangan President Guam Pacific Enterprise, Inc. Phone: (671) 649-6994/7/8 Email: guampacific@gmail.com	Date:	January 31, 2022
		Phone:	(671) 475-0390 x. 204
		Fax:	(671) 472-7951

Re: OPA-PA-21-015 Order of Dismissal

For Review
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Thank you,
 Jerrick Hernandez, Auditor
jhernandez@guamopa.com

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

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8 In the Appeal of) **Appeal No: OPA-PA-21-015**
9 Guam Pacific Enterprise, Inc.,) **ORDER OF DISMISSAL**
10 Appellant.)

11
12 To: **Purchasing Agency:**
13 University of Guam
14 C/O Anthony R. Camacho, Esq.
15 Legal Counsel
16 UOG Station
Mangilao, Guam, 96923
Phone: (671) 735-2925
Fax: (671) 735-3010
Email: arcamacho@triton.uog.edu

17 **Appellant:**
18 Guam Pacific Enterprise, Inc.
19 C/O Sedfrey Linsangan
20 President
Phone: (671) 649-6994/7/8
Email: guampacific@gmail.com

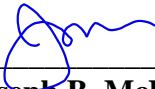
21 This is an order *sua sponte* dismissing this appeal, OPA-PA-21-015, without prejudice.
22 Dismissal is warranted because the OPA has no subject matter jurisdiction as this appeal is not
23 properly before the OPA.

24 This appeal was brought by Mr. Sedfrey Linsangan *In Propria Personum*, as President of
25 Guam Pacific Enterprises, Inc. (“GPE”), on December 8, 2021. The undersigned has been
26 appointed and designated hearing officer in this appeal. *See* Recusal of Public Auditor and Order
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1 Appointing and Designating Hearing Officer to Preside over Appeal, OPA-PA-21-015, 1/6/22. In
2 OPA-PA-21-011, an earlier appeal involving GPE and the University of Guam (“UOG”), the
3 undersigned as duly appointed hearing officer dismissed that appeal on UOG’s motion that it (the
4 appeal) was not properly before the OPA. *See* OPA-PA-21-011, Decision and Order, 1/21/22.
5 Consonant with OPA-PA-21-011, GPE’s appeal here in OPA-PA-21-015 is not properly before
6 the OPA and must be dismissed because the OPA lacks subject matter jurisdiction over it.
7

8 Accordingly, IT IS HERBY ORDERED that the above referenced case number be
9 DISMISSED WITHOUT PREJUDICE. Each party shall bear their own attorneys’ fees and costs.
10

11 **SO ORDERED** this ³¹ ___ day of January, 2022 by:

12
13
14 

15 _____
16 **Joseph B. McDonald, Esq.**
17 **Hearing Officer**
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Jerrick Hernandez <jhernandez@guamopa.com>

OPA-PA-21-015 Order of Dismissal

Jerrick Hernandez <jhernandez@guamopa.com>

Mon, Jan 31, 2022 at 1:51 PM

To: GPE INC <guampacific@gmail.com>, "Camacho, Anthony" <arcamacho@triton.uog.edu>

Cc: Vince Duenas <vduenas@guamopa.com>, "Gumataotao, Emily" <eggumataotao@triton.uog.edu>, UOG Procurement Bids <uog.bids@triton.uog.edu>

Hafa Adai,

Please see attached Order of Dismissal for OPA-PA-21-015. This email will serve as an official notice in lieu of a transmittal via Fax.

Please confirm receipt of this email and the attached document. Thank you.

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Regards,

Jerrick J.J.G. Hernandez, MA, CGAP, CICA

Auditor

Office of Public Accountability – Guam

www.opaguam.org

Tel. (671) 475-0390 ext. 204

Fax (671) 472-7951

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