

Suite 401 DNA Building
 238 Archbishop Flores St.
 Hagåtña, Guam 96910



FAX

To:	Mr. John M. Benavente, P.E. General Manager Guam Power Authority P.O. Box 2977 Hagåtña, Guam 96932 Fax: (671) 648-3165 Email: jbenavente@gpagwa.com	From:	Benjamin J.F. Cruz Guam Public Auditor Office of Public Accountability
	Mr. D. Graham Botha, Esq General Counsel Guam Power Authority 688 Route 15, Suite 302 Mangilao, Guam, 96913 Phone: (671) 648-3203/3002 Fax: (671) 648-3290 Email: gbotha@gpagwa.com	Pages:	3 (including cover page)
CC:	Mr. Joshua D. Walsh, Esq. Mr. Edwin J. Torres, Esq. Attorneys for Appellant Track Me Razzano Walsh & Torres, P.C. Suite 100, 139 Murray Blvd. Hagatna, Guam 96910 Phone: (671) 989-3009 Fax (671) 989-8750 Email: jdwalsh@rwtguam.com ; etorres@rwtguam.com	Date:	August 9, 2021
		Phone: (671) 475-0390 x. 204 Fax: (671) 472-7951	

Re: OPA-PA-21-002 Scheduling Order

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



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

In the Appeal of) **Appeal No: OPA-PA-21-002**
)
)
Track Me Guam, LLC,) **SCHEDULING ORDER**
)
)
Appellant.)
_____)

To: **Purchasing Agency:**
Guam Power Authority
C/O D. Graham Botha, Esq., General Counsel
688 Route 15, Suite 302
Mangilao, Guam, 96913
Phone: (671) 648-3203/3002
Fax: (671) 648-3290
Email: gbotha@gpagwa.com

Appellant:
Track Me Guam, LLC
C/O Joshua D. Walsh, Esq. and Edwin J. Torres, Esq.
Razzano Walsh & Torres, P.C.
Suite 100, 139 Murray Blvd.
Hagatna, Guam 96910
Phone: (671) 989-3009
Fax (671) 989-8750
Email: jdwalsh@rwtguam.com; etorres@rwtguam.com

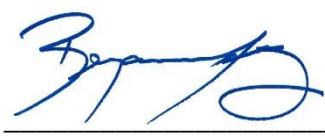
THIS MATTER, came before the Public Auditor for a Pre-Hearing Conference on August 9, 2021 via Zoom Meeting. The Purchasing Agency was represented by its Counsel of Record, D. GRAHAM BOTHA, Esq., and the Appellant was represented by its Counsel of Record, JOSHUA WALSH, Esq.

After hearing the arguments of the parties and for good cause shown, the Public Auditor hereby ORDERS the following:

**Opposition to Motions
Deadline:** August 18, 2021 at 5:00 P.M.

1 **Reply to Opposition:** August 25, 2021 at 5:00 P.M.
2 **Motion Hearing:** August 26, 2021 at 2:00 P.M.
3
4 **Filing Deadline for**
5 **Hearing Materials:** September 1, 2021 at 5:00 P.M.
6 Parties shall file and serve on the other parties, no later than
7 this date and time, their respective Witness Lists, Exhibit
8 Lists with four copies of all exhibits, Admissions of Fact and
9 List of Issues which require evidence or arguments to be
10 presented at the hearing. The Appellant's Exhibits shall be
11 marked with corresponding and sequential numbers. The
12 Purchasing Agency's Exhibits shall be marked with
13 corresponding and sequential capital letters of the alphabet.
14 The Parties may file stipulated joint witness, exhibit, and
15 issues lists, and admissions of fact in lieu of filing such
16 documents separately. The term "Exhibit List" as used in this
17 paragraph refers to exhibits that any party will present to a
18 witness for testimonial purposes during the hearing in this
19 matter.
20 **Filing Deadline for**
21 **Hearing Briefs:** September 3, 2021 at 5:00 P.M.
22 The Parties shall file and serve on the other parties, their
23 Hearing Briefs summarizing their arguments concerning
24 contested issues no later than this date and time.
25 **Hearing Date:** September 7, 2021 at 9:00 A.M.
26 The Hearing will proceed in the following order: (1)
27 Opening Statements of the Parties; (2) Appellant's Case in
28 Chief; (3) The Purchasing Agency's Case in Chief; (4)
Closing Arguments of the Parties.
29 **Filing Deadline for**
30 **Brief RE Remedies:** September 14, 2021 at 5:00 P.M.
31 The Parties may, but are not required to, file and serve on the
32 other parties, additional briefs on the issue of Remedies no
33 later than this date and time.

34 **SO ORDERED** this 9th day of August 2021 by:



Benjamin J. F. Cruz
Public Auditor of Guam



Jerrick Hernandez <jhernandez@guamopa.com>

OPA-PA-21-002 Scheduling Order

Jerrick Hernandez <jhernandez@guamopa.com>

Mon, Aug 9, 2021 at 4:04 PM

To: "Joshua D. Walsh" <jdwalsh@rwtguam.com>, Graham Botha <gbotha@gpagwa.com>, "Edwin J. Torres" <etorres@rwtguam.com>, John M Benavente <jbenavente@gpagwa.com>

Cc: Vince Duenas <vduenas@guamopa.com>

Hafa Adai,

Please see attached Scheduling Order for OPA-PA-21-002. 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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**21-002 Scheduling Order.pdf**

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