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**RECEIVED
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PROCUREMENT APPEALS**

DEC 11 2009

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BY: mmh
FILE No. OPA-PA DA-009

OFFICE OF THE PUBLIC AUDITOR
PROCUREMENT APPEALS

IN THE APPEAL OF,)
)
GUAM CLEANING MASTERS)
)
Appellant.)
)
)
)
)
)

APPEAL NO. OPA-PA-09-009
**MOTION TO EXTEND
MOTION CUTOFF DATE &
CONTINUE PRE-HEARING
CONFERENCE**

**MOTION TO EXTEND MOTION CUTOFF
& CONTINUE PRE-HEARING CONFERENCE**

Comes now Appellant, GUAM CLEANING MASTERS, by and through counsel, and moves the Hearing Officer to extend the motion cutoff dates in the above captioned matter set for December 11, 2009 at 5:00 p.m. and December 14, 2009 at 9:00 a.m. respectively.

This motion is supported by the Declaration of Counsel and Memorandum of Points and Authorities in Support of Motion filed contemporaneously herewith and all pleadings and documents on file herein and upon such further evidence and legal argument as may be presented at the hearing on this matter.

Respectfully submitted this ^{HTK} ____ day of December, 2009.

CABOT MANTANONA LLP
Attorney for *Guam Cleaning Masters*

By:



RAWLEN M. T. MANTANONA

MEMORANDUM OF POINTS AND AUTHORITIES

The time for hearings shall be set by the Hearing Officer. 2 G.A.R. 12108(b). In analogous civil proceedings, motions for continuances are viewed with liberality. See Vol.9, Moore's Federal Practice and Procedure, Chapter 7, §2352. Denial of a motion to continue a hearing date may be proper when the party seeking such continuance has had adequate time to prepare for the hearing; or when the party seeking the continuance has sought it at the last minute prior to the hearing; or when the denial of the continuance would not prejudice the moving party. *Id.*

The motion cutoff date is currently set as December 11, 2009 and a Pre-Hearing conference following on December 3, 2009. Undersigned counsel was just retained on December 10, 2009 leaving counsel with literally a few hours to prepare all documents necessary for submission at the pre-hearing conference. Appellant submits that a minimal extension of time will allow its recently retained attorney enough time to prepare for this matter.

Defendant's counsel has contacted the non-moving party and requested a stipulation for continuance which has been denied, hence the instant motion.

CONCLUSION

There being good cause, the Defendant respectfully requests that in order that the ends of justice may be achieved, that the motion for continuance be granted.

Respectfully submitted this 6th day of December, 2009.

CABOT MANTANONA LLP
Attorney for ***Guam Cleaning Masters***

By:



RAWLEN M. T. MANTANONA