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TRANSMITTAL

To:	Mr. Edward M. Birn Director Department of Administration 590 South Marine Corps Drive, ITC Building, Suite 224 Tamuning, Guam 96913 Phone: (671) 475-1101/1250 Fax: (671) 477-6788 Email: edward.birn@doa.guam.gov	From:	Benjamin J.F. Cruz Public Auditor Office of Public Accountability
	Mr. D. Graham Botha, Esq. Counsel for General Service Agency ITC Bldg., 2 nd floor 590 S. Marine Corps. Drive Tamuning, Guam 96913 Phone: (671) 475-2709/10 Fax: (671) 477-2493 Email: graham.botha@gsadoa.guam.gov	Pages:	3 (including cover page)
CC:	Mr. Louie J. Yanza, Esq. Attorney for Appellant TakeCare Insurance Company, Inc. Law Office of Louie J. Yanza, P.C. MVP Building 862 S. Marine Corps. Dr., Ste. 203 Tamuning, Guam 96913 Phone: (671) 989-3009 Email: admin@jurisguam.com ; lyanza@jurisguam.com	Date:	December 2, 2024
		Phone:	(671) 475-0390 x. 204
		Fax:	(671) 472-7951

Re: OPA-PA-24-003 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-24-003**
TakeCare Insurance Company Inc.) **SCHEDULING ORDER**
Appellant.)

To: **Purchasing Agency:**
Department of Administration
C/O D. Graham Botha, Esq.
General Service Agency
ITC Bldg. 2nd floor
590 S. Marine Corps. Drive
Tamuning, Guam 96913
Phone: (671) 475-1705
Fax: (671) 472-4217
Email: graham.botha@gsadoa.guam.gov

Appellant:
TakeCare Insurance
C/O Louie J. Yanza, Esq.
Law Office of Louie J. Yanza, P.C.
MVP Building 862 S. Marine Corps. Dr., Ste. 203
Tamuning, Guam 96913
Phone: (671) 989-3009
Email: lyanza@jurisguam.com

THIS MATTER, came before the Public Auditor for a Pre-Hearing Conference on November 11, 2024 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, LOUIE J. YANZA, Esq. In addition, the parties filed a Proposed Scheduling Order on November 27, 2024.

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

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**Filing Deadline for
Hearing Materials:**

January 10, 2025 at 5:00 P.M.
Parties shall file and serve on the other parties, no later than this date and time, their respective Witness Lists, Exhibit Lists with four copies of all exhibits, Admissions of Fact and List of Issues which require evidence or arguments to be presented at the hearing. The Appellant’s Exhibits shall be marked with corresponding and sequential numbers. The Purchasing Agency’s Exhibits shall be marked with corresponding and sequential capital letters of the alphabet. The Parties may file stipulated joint witness, exhibit, and issues lists, and admissions of fact in lieu of filing such documents separately. The term “Exhibit List” as used in this paragraph refers to exhibits that any party will present to a witness for testimonial purposes during the hearing in this matter.

**Filing Deadline for
Hearing Briefs:**

January 17, 2025 at 5:00 P.M.
The Parties shall file and serve on the other parties, their Hearing Briefs summarizing their arguments concerning contested issues no later than this date and time.

Hearing Date:

January 23, 2025 at 9:00 A.M.
The Hearing will proceed in the following order: (1) Opening Statements of the Parties; (2) Appellant’s Case in Chief; (3) The Purchasing Agency’s Case in Chief; (4) Closing Arguments of the Parties.

**Filing Deadline for
Brief RE Remedies:**

January 30, 2025 at 5:00 P.M.
The Parties may, but are not required to, file and serve on the other parties, additional briefs on the issue of Remedies no later than this date and time.

SO ORDERED this 2nd day of December, 2024 by:



**Benjamin J.F. Cruz
Public Auditor of Guam**



Jerrick Hernandez <jhernandez@guamopa.com>

OPA-PA-24-003 Scheduling Order

Jerrick Hernandez <jhernandez@guamopa.com>

Mon, Dec 2, 2024 at 3:34 PM

To: Darlow Graham Botha <graham.botha@gsadoa.guam.gov>, Iyanza@jurisguam.com

Cc: Thyrza Bagana <tbagana@guamopa.com>, Admin <admin@jurisguam.com>

Hafa Adai,

Please see attached Scheduling Order for OPA-PA-24-003. 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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Best Regards,




Jerrick J.J.G. Hernandez, MA, CGFM, CFE, CICA, CGAP
Accountability Auditor

Office of Public Accountability

+1 671 475 0390 (ext. 204)

jhernandez@guamopa.com<https://www.opaguam.org/>

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 **24-003 Scheduling Order.pdf**
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