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**BEFORE THE PUBLIC AUDITOR OF GUAM**

IN THE APPEAL OF	)	OPA File 13-006
	)	
	)	
DFS GUAM L.P., APPELLANT	)	
	)	DECLARATION OF DAVID J. LUJAN
OF THE DECISION OF THE	)	
A.B. WON PAT INTERNATIONAL	)	
AIRPORT AUTHORITY, GUAM	)	
	)	
	)	

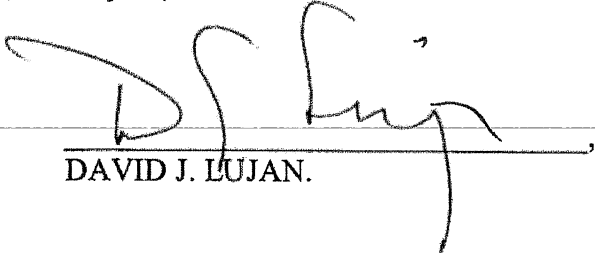
I, DAVID J. LUJAN, make the following declaration under penalty of perjury.

1. All matters contained herein are of my own personal knowledge.
2. This declaration is executed in support of DFS Guam's ("DFS") proceedings before the Public Auditor of Guam, specifically allegations by the Guam International Airport Authority ("GIAA") and Lotte Guam that the Public Auditor should be disqualified.
3. I am the Senior Partner of the Law Firm of Lujan, Aguigui & Wolff, LLP., formerly Lujan Aguigui & Perez LLP ("the Firm").
4. I have personal knowledge of the employment status of every partner and person employed by the Firm.
5. Since January 2003, James Brooks has been and is still employed as a paralegal of the Firm. He works approximately 40 hours per week. He does not have an employment contract with the Firm.
6. Mr. Brooks is a strictly salaried employee.
7. As a salaried employee, Mr. Brooks' compensation is not impacted in any way by the outcome of any case or of any client relationship.

ORIGINAL

- 1 8. In approximately January 2013, I was retained by DFS to provide general advice with  
2 respect to the GIAA Request for Proposals, GIAA RFP No. GIAA010-FY12, for the  
3 development, construction, and operation of a high quality specialty retail concession at  
4 GIAA's main passenger terminal. I have not participated in any of the briefing or the  
5 proceedings in Superior Court, nor have I participated in any of the briefing or  
6 proceedings before the Public Auditor, aside from this declaration.
- 7 9. At the time that DFS retained me, I was aware that Doris Flores Brooks was the Public  
8 Auditor, that she was married to Mr. Brooks and that the potential for a conflict might  
9 arise as to her if Mr. Brooks was in any way involved with the work that Ignacio, my  
10 partner, and I performed for DFS.
- 11 10. Mr. Aguigui and I are the two attorneys within the firm who provided advice to DFS.  
12 Mr. Aguigui has not participated in any of the briefing or the proceedings in the Superior  
13 Court, nor has he participated in any of the briefing or proceedings before the Public  
14 Auditor.
- 15 11. Further, at the time that I was retained by DFS to provide general advice with respect to  
16 the GIAA's Request for Proposals relative to the airport terminal duty free concession, an  
17 ethical wall was established and continues to exist that prohibits Mr. Brooks from having  
18 any access to any information that the Firm has regarding the matter whether it arises  
19 from the appeal that DFS filed with the Public Auditor, OPA-PA-13-006 or the Superior  
20 Court, CV0685-13. Indeed, the information regarding DFS has been under my close  
21 personal supervision and is not generally known within my Firm.
- 22 12. Mr. Brooks has abided by the ethical wall and has had no involvement regarding the  
23 advice that Mr. Aguigui and I have provided to DFS nor has he had access to any  
24 materials reviewed by Mr. Aguigui or me in providing advice to DFS.

25 I declare under penalty of perjury under the laws of the Territory of Guam that the foregoing  
26 is true and correct. Executed at Hagåtña, Guam, January 15, 2014.

27   
28 DAVID J. LUJAN.