



OFFICE OF PUBLIC ACCOUNTABILITY
Doris Flores Brooks, CPA, CGFM
Public Auditor

PROCUREMENT APPEALS

IN THE APPEAL OF,

KORANDO CORPORATION,

Appellant

) **APPEAL NO: OPA-PA-15-009**

) **DECISION AND ORDER RE**
) **PURCHASING AGENCY'S MOTION TO**
) **DISQUALIFY CIVILLE & TANG PLLC.**

To: **Purchasing Agency:**
Department of Public Works, Government of Guam
C/O Thomas P. Keeler, Esq., Assistant Attorney General
Office of the Attorney General, Civil Solicitor Division
ITC Bldg., Ste. 706
Tamuning, Guam, 96913
Facsimile: (671) 472-2493

Appellant:
Korando Corporation
C/O Joyce C.H. Tang, Esq.
Civille & Tang PLLC
330 Hernan Cortez Ave., Ste. 200
Hagåtña, Guam, 96910
Facsimile: (671) 477-2511

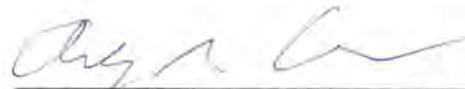
THIS MATTER came before the Hearing Officer on November 24, 2015 for a hearing for the Purchasing Agency's Motion to Disqualify Civille & Tang PLLC. Byong Ho and Kiwook Hahn were present on behalf of Appellant and were represented by Appellant's Counsel of Record, Joyce Tang, Esq. The Purchasing Agency was represented by its counsel of record, Assistant Attorney General Tom Keeler, Esq. After reviewing the record in this matter and after hearing the arguments of the parties, the Hearing Officer hereby FINDS and ORDERS the following:

1. The violations of the Guam Rules of Professional Conduct alleged by the Purchasing Agency are not properly before the Public Auditor. Generally, the jurisdiction of the Public Auditor, is limited to matters properly submitted before her. 5 G.C.A. §5703. Here, the Purchasing Agency is alleging that the OPA must disqualify the law firm representing the

1 Appellant in this matter because of alleged violations of the Guam Rules of Professional
2 Conduct. However, this matter is not properly before the Public Auditor because the OPA is not
3 the proper body to hear or decide such allegations. Instead the Guam Bar Ethics Committee is
4 the proper investigatory and adjudicative body that is empowered with investigating and
5 deciding such allegations. Rule 3.1, Guam Bar Ethics Committee Rules of Procedure-
6 Disciplinary Proceedings. It is this body that has the jurisdiction to impose discipline on
7 attorneys who violate the Guam Rules of Professional Conduct in their practice of law on Guam.
8 Rule 8, Guam Bar Ethics Committee Rules of Procedure- Disciplinary Proceedings. Therefore,
9 the issue of whether the Appellant's Counsel violated the Guam Rules of Professional Conduct is
10 not properly before the OPA.

11 2. Based on the foregoing, the Purchasing Agency's Motion to Disqualify Civile &
12 Tang PLLC is hereby DENIED.

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14 **SO ORDERED THIS 3rd day of December, 2015 by:**

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18 ANTHONY R. CAMACHO, ESQ.
19 Hearing Officer
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