



Office of the Attorney General
Elizabeth Barrett-Anderson
 Attorney General of Guam
Litigation Division
 590 S. Marine Corps Drive
 Suite 706, ITC Building
 Tamuning, Guam 96913 • USA
 Tel. (671) 475-3324 Fax. (671) 472-2493
 www.guamag.org

Attorneys for the Government of Guam

RECEIVED
 OFFICE OF PUBLIC ACCOUNTABILITY
 PROCUREMENT APPEALS

DATE: 09-14-16

TIME: 4:05 AM PM BY: JTP

FILE NO OPA-PA: 16-007, 16-011

IN THE OFFICE OF PUBLIC ACCOUNTABILITY

IN THE APPEAL OF
 CORE TECH INTERNATIONAL,

 Appellant.

) CONSOLIDATED DOCKET NOS.
) OPA-PA-16-007
) OPA-PA-16-011

)
) **DECLARATION OF THE HONORABLE**
) **JUDITH T. WON PAT IN SUPPORT OF**
) **HER MOTION TO QUASH**
)

I, **JUDITH T. WON PAT**, hereby certify and declare as follows:

1. I am over 18 years of age, under no civil disability, and competent to testify to the matters stated herein.

2. I am the Speaker of the Guam Legislature.

3. Attached hereto is a copy of a Declaration of Service I recently received from Core Tech's attorney indicating that I was personally served with a subpoena on this matter on August 23, 2016. I do not recall, and I do not believe I have ever been personally served with a subpoena on this matter. Prior to the September 7th hearing, I never saw such a subpoena. As a result, I never appeared at the September 7th hearing. The Declaration of Service also states

ORIGINAL

“note: off island on hearing day 9/7/16.” I was on –island on September 7th and never told anyone I would be off-island that day.

4. In August and September of this year, the Guam Legislature has been in session. The Budget session ended on August 29, 2016. Session was called for State Funeral for former Senator Vicente Ada on September 2, 2016. The Regular Session began on September 12, 2016 and ended September 14, 2016. I believe it would be an undue burden for me to testify on this matter and that it would interfere with my duties as Speaker of the Guam Legislature.

5. As a legislative branch official, I am not responsible for procuring goods and services for the Government of Guam. I did not participate in, made no decisions in, and have no personal knowledge regarding how the Guam Department of Public Works conducted the procurement which is the subject of this litigation. I am not aware of any “conspiracy”, “collusion” or agreement to exceed One Hundred Million Dollars (\$100,000,000.00) in the subject procurement. If called to testify in this matter, I do not believe I would have anything to say about this procurement.

Executed this 14th day of September, 2016.



JUDITH T. WON PAT
Speaker of the Guam Legislature

JOYCE C.H. TANG
LESLIE A. TRAVIS
CIVILLE & TANG, PLLC
SUITE 200, 330 HERNAN CORTEZ AVENUE
Hagatna, Guam 96910
Telephone No. 671.472-8868/9
Facsimile No. 671.477-2511

Attorneys for Core Tech International, Inc.

IN THE OFFICE OF PUBLIC ACCOUNTABILITY

In the Appeal of)
)
Core Tech International,)
)
Appellant.)
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)
)
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CONSOLIDATED DOCKET NOS.
OPA-PA-16-007 & OPA-PA-16-011

DECLARATION OF
[X] SERVICE
[] NON-SERVICE

I, CHARLES T. DAMIAN, being first duly sworn, depose and say that: I am a duly licensed Process Server in the Territory of Guam, and not a party interested in the above-captioned case; I:

(X) served upon Judith T. WON PAT

The below listed document(s) to HEN NOTE: 00 Island on Hearing Day 9/7/16
personally at: GUAM Legislature Bldg., HAGATNA AVE.
(W) 472-3586

On the 23 day of August, 2016, at 9:40 (a.m.) (p.m.)

() attempted to serve the below listed document(s) on the address thereon provided but was unable to effect such service for the following reason(s): _____

DOCUMENT(S) TO BE SERVED:

- () Summons, Complaint or Affidavit
- () Amended Summons, Amended Complaint or Affidavit
- () Alias Summons, Copy of Complaint or Affidavit
- () Affidavit and JDX () Order to Show Cause
- (X) Others: SUBPOENA

DECLARATION OF SERVICE:

"I declare under penalty of perjury under the laws of Guam that the foregoing is true and correct."

3 Attempts

0 Mileage

9/7/16 Hearing



CHARLIE DAMIAN
Process Server SP0199-99