

1 Esq. The Interested Party was represented by Ignacio C. Aguigui, Esq., and Janalynn Cruz
2 Damian, Esq. After hearing the arguments of the parties and for good cause shown, the Hearing
3 Officer, pursuant to 2 G.A.R., Div. 4, Chap. 12, §12109(d), hereby FINDS and ORDERS the
4 following:

5 1. The Government's Motion is hereby GRANTED. The Appellant argues that the
6 testimony of the Honorable Judith T. Won Pat, Speaker of the 33rd Guam Legislature, is
7 necessary to establish that the Government intended to exceed the \$100,000,000 limitation on the
8 solicitation at issue in this appeal, especially the Guam Department of Education's (GDOE)
9 request that Speaker Won Pat provide an opinion about whether the law authorizing the
10 solicitation authorized the \$100,000,000 cap. However, the Hearing Officer finds that this
11 evidence would be cumulative. Specifically, the Appellant called the GDOE Superintendent Jon
12 Fernandez as a witness in this matter and he testified that he requested the aforementioned
13 opinion and that Speaker Won Pat provided him a written opinion regarding whether there was a
14 \$100,000,000 limitation or cap on the solicitation at issue in this appeal. Further, Speaker Won
15 Pat's written opinion, which is in the form of a letter addressed to Fernandez, is already a part of
16 the record in this matter and was used as an Exhibit by the Appellant. There are no material
17 issues regarding the fact that Speaker Won Pat wrote the letter, that it was received by
18 Fernandez, when he received it, and his reaction to it. Hence, Speaker Won Pat's testimony
19 regarding the letter would merely be cumulative and would not substantively add any additional
20 evidence bearing on the material issues of fact in this matter.

21 ///

22 ///

23 ///

24 ///

25 ///

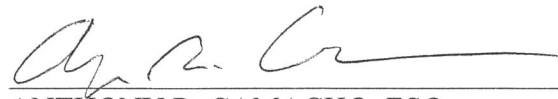
26 ///

27 ///

28 ///


1 2. The Subpoena for the Honorable Judith T. Won Pat is hereby QUASHED and shall be
2 of no further effect.

3
4 **SO ORDERED** this 22nd day of September, 2016 by:

5
6 

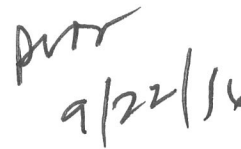
7 ANTHONY R. CAMACHO, ESQ.
8 Hearing Officer

9
10
11
12
13 **Acknowledgement Receipt:**

14
15 _____
16 Receiver's Signature
17 

18 _____
19 Print Name

20
21 DATE: 

22
23
24 

25
26 

27
28 