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*Attorneys for Appellant
Core Tech International Corp.*

**BEFORE THE PUBLIC AUDITOR
PROCUREMENT APPEALS
TERRITORY OF GUAM**

ARRIOLA, COWAN & ARRIOLA, HAGATNA, GUAM 96910

IN THE APPEAL OF) Docket No. OPA PA-17-10
)
CORE TECH INTERNATIONAL) **APPELLANT CORE TECH**
CORP.,) **INTERNATIONAL CORP.'S REQUEST**
) **FOR EXPEDITED RULINGS ON**
Appellant.) **PENDING MOTIONS**
)

On January 8, 2018, Appellant Core Tech International Corp. ("CTI") received the First Amended Scheduling Order and Notice of Rescheduled Hearing Re Appellant's Appeal. The First Amended Scheduling Order provides for a new filing deadline for Amended Hearing Materials, including all Amended Witness Lists, Amended Exhibits Lists, Amended Admissions of Fact, and List of Issues. It further provides for a new filing deadline for Amended Hearing Briefs and a rescheduling Hearing Date of February 5, 2018.

CTI respectfully requests that the Office of Public Auditor issue **expedited** rulings on three pending motions previously filed by CTI. Resolution of these motions is necessary before the formal hearing commences, as the decisions will determine the scope of the evidence at the

hearing, the content of CTI's amended filings, amended hearing brief, and list of witnesses, the witnesses who will testify at the hearing, and the length of the hearing. The three motions are:

1. **CTI's Motion to Disqualify Appellee Department of Public Works' ("DPW") Counsel Thomas P. Keeler filed on November 27, 2017:** The motion is fully briefed, with the last reply brief filed on December 11, 2017. CTI intends to call Mr. Keeler as a witness to testify about DPW's reliance on advice of counsel defense, as well as numerous other issues, including but not limited to, Mr. Keeler's communications to and from DPW, Parsons Transportation Group, and the Federal Highway Administration concerning the Project and termination of CTI's Contract with DPW, all of which were disclosed in DPW's procurement record. A decision on this motion will potentially require additional privileged documents, and the possible need to substitute Mr. Keeler as counsel for DPW.
2. **CTI's Motion for Leave to File Motion for Partial Summary Judgment, filed on November 14, 2017:** This motion is fully briefed, with the last reply brief filed on December 11, 2017. At the hearing on this motion, the Public Auditor and Hearing Officer indicated that this motion would be denied, however no decision has issued concerning the motion.
3. **CTI's Objections and Motion to Compel Production of Documents, filed on December 26, 2017:** In this motion, CTI objected to the privilege log filed by DPW and moved for production of all of the documents listed in the privilege log on the grounds that the privilege log was deficient and failed to assert any privileges, and DPW had waived any privilege over the documents in the log. DPW failed to file an opposition or response to the motion. As such, the motion should be granted. A ruling on this motion is critical, as it will have a determinative effect on the content of CTI's Amended Hearing Materials, particularly the Amended Witness List and Amended Exhibit List.

CONCLUSION

For all of the foregoing reasons, Appellant Core Tech International Corp. respectfully requests that the Office of Public Auditor issue expedited rulings on the above-mentioned three motions as soon as practicable.

Dated this 9th day of December, 2018.

ARRIOLA, COWAN & ARRIOLA
Counsel for Core Tech International Corp.

By: 
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