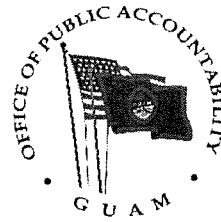


Suite 401 DNA Building
 238 Archbishop Flores St.
 Hagåtña, Guam 96910



FAX

To:	Mr. Glenn Leon Guerrero Director Department of Public Works 542 North Marine Corps Drive Upper Tumon, Guam 96913 Phone: (671)646-3121/3232 Fax: (671) 649-6178 Mr. Thomas Keeler Ms. Shannon Taitano Assistant Attorney Generals Office of the Attorney General of Guam 590 S. Marine Corps Drive, Suite 706 Tamuning, Guam, 96913 Fax: (671) 472-2493	From:	Doris Flores Brooks Guam Public Auditor Office of Public Accountability
		Pages:	3 (including cover page)
CC:	Anita Arriola, Esq. Attorney for Appellant Core Tech International Corp. Arriola, Cowan & Arriola Tel: (671) 477-9730/33 Fax: (671) 477-9734	Date:	January 29, 2018
		Phone: Fax:	(671) 475-0390 x. 216 (671) 472-7951
Re:	OPA-PA-17-010 Decision and Order RE Appellant's Motion for Leave to File Motion for Partial Summary Judgement		

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

PROCUREMENT APPEALS

IN THE APPEAL OF,

CORE TECH INTERNATIONAL CORP,

Appellant

APPEAL NO: OPA-PA-17-010

**DECISION AND ORDER RE
APPELLANT'S MOTION FOR LEAVE
TO FILE MOTION FOR PARTIAL
SUMMARY JUDGEMENT**

To: **Purchasing Agency:**
Department of Public Works, Government of Guam
C/O Thomas P. Keeler, Esq.
Office of the Attorney General of Guam
590 S. Marine Corps Drive, Suite 706
Tamuning, Guam, 96913
Facsimile: (671) 472-2493

Appellant:
Core Tech International Corp.
C/O Anita P. Arriola, Esq.
259 Martyr Street, Suite 201
Hagåtña, Guam, 96910
Facsimile: (671) 477-9734

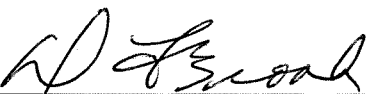
THIS MATTER, came before the Public Auditor on December 11, 2017 pursuant to the Appellant's (Hereafter Referred to as "CTI") Motion for Leave to File a Motion for Partial Summary Judgement that was filed in this matter on November 14, 2017. After reviewing the aforementioned motion and after reviewing the briefs and arguments of the parties concerning the same, the Public Auditor, hereby FINDS and ORDERS the following

1. The Public Auditor finds that this motion is now moot. Generally, a claim is moot when issues no longer live or the parties lack a legally cognizable legal interest in the outcome. *In Re Guardianship of Ulloa*, 2014 Guam 32, ¶25. Accordingly, an issue should be dismissed as moot

1 when, by virtue of an intervening event, the appellate tribunal cannot grant effective relief
2 whatever in favor of the appellant. *Id.* Further, a case can become moot at any stage of
3 litigation. *Id.*, at ¶26. Here, the original motion filing deadline in this matter was set for
4 November 6, 2017 and this date was chosen so that the Office of Public Accountability (OPA)
5 could receive, hear, and decide any motions of the parties in a timely manner prior to hearing for
6 the Appellant's Appeal that was originally scheduled for December 13, 2017. However, on
7 December 11, 2017, the OPA partially granted, in relevant part, the Appellant's Motion for
8 Sanctions by finding that the Purchasing Agency failed to provide the Appellant a complete copy
9 of the procurement record in this matter and vacated the December 13, 2017 hearing and ordered
10 the Purchasing Agency to provide a complete procurement record to the Appellant by December
11 20, 2017 and rescheduling the hearing to February 6, 2018. Further, on January 25, 2018, the
12 OPA granted the Purchasing Agency's Motion to Continue the formal hearing. Hence, the
13 Appellant's Motion is now moot because due to the Purchasing Agency not providing the
14 Appellant a complete procurement record as ordered, a new motion deadline will have to be
15 scheduled in this matter, as well as a new hearing for the Appellant's Appeal will be scheduled.

16 2. Based on the foregoing, the Appellant's Motion for Leave to File Motion for Partial
17 Summary Judgement is hereby DENIED because it is moot. The OPA shall issue an amended
18 Scheduling Order that includes a new motion filing deadline.

19
20 **SO ORDERED** this 29th day of January, 2018 by:

21
22
23 
24 _____
25 DORIS FLORES BROOKS, CPA, CGFM
26 PUBLIC AUDITOR
27
28

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To:	Mr. Glenn Leon Guerrero Director Department of Public Works 542 North Marine Corps Drive Upper Tumon, Guam 96913 Phone: (671)646-3121/3232 Fax: (671) 649-6178	From:	Doris Flores Brooks Guam Public Auditor Office of Public Accountability
	Mr. Thomas Keeler Ms. Shannon Tuitano Assistant Attorney Generals Office of the Attorney General of Guam 590 S. Marine Corps Drive, Suite 706 Tamuning, Guam, 96913 Fax: (671) 472-2493	Pages:	3 (including cover page)
CC:	Anita Arriola, Esq. Attorney for Appellant Core Tech International Corp. Arriola, Cowan & Arriola Tel: (671) 477-9730/33 Fax: (671) 477-9734	Date:	January 29, 2018
		Phone:	(671) 475-0390 x. 216
		Fax:	(671) 472-7951

Re: OPA-PA-17-010 Decision and Order RE Appellant's Motion for Leave to File Motion for Partial Summary Judgement

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003	101	6714779734	01:34:22 p.m. 01-29-2018	00:00:34	0/3	1	EC	HS	FA9600



Jerrick Hernandez <jhernandez@guamopa.com>

OPA-PA17-010 Decision and Order RE Appellant's Motion to Disqualify the Purchasing Agency's Counsel

2 messages

Jerrick Hernandez <jhernandez@guamopa.com>
To: Anita Arriola <anitaarriola@arriolacowan.com>

Mon, Jan 29, 2018 at 1:16 PM

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Regards,

Jerrick J.J.G. Hernandez, CGAP, CICA
Auditor
Office of Public Accountability – Guam
www.opaguam.org
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Mon, Jan 29, 2018 at 1:17 PM

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