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RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS
DATE: Feb 12, 2019
TIME: 8:33 AM PM BY: FDJ
FILE NO OPA-PA: 18-002

11 **PROCUREMENT APPEAL**
12 **IN THE OFFICE OF PUBLIC ACCOUNTABILITY**

13 In the Appeal of

14 Korando Corporation,

15 Appellant.

DOCKET NO. OPA-PA-18-002

**STIPULATION AND ORDER RE:
SETTLEMENT AND DISMISSAL OF
APPEAL**

16 The Department of Public Works, Government of Guam ("DPW") and Korando Corporation
17 ("Korando") (collectively "the Parties"), by and through their respective undersigned counsel, hereby
18 jointly submit this Stipulation and Order Re: Settlement and Dismissal of Appeal.

19 The Parties stipulate as follows:

20
21 1. DPW and Korando have agreed to compromise and settle Korando's claims and
22 disputes in connection with Section 5 of the *Stipulation and Order to Rescind Termination* dated
23 12/16/15, and surety expenses incurred by Korando, for the sum of FOUR HUNDRED TWENTY-

1 EIGHT THOUSAND FIVE HUNDRED SIXTY-TWO AND 61/100 DOLLARS (\$428,562.61)
2 (“Settlement Amount”).

3 2. DPW will pay to Korando the Settlement Amount by no later than March 11, 2019,
4 without any offsets or deductions.

5 3. The Parties’ claims in this Appeal are dismissed with prejudice.

6 4. The Parties are informed of their right to appeal from a Decision by the Public Auditor
7 to the Superior Court of Guam, in accordance with Part D of Article 9 of 5 GCA§5481(a). The
8 Parties intend for this Stipulation and Order to be a final, binding resolution of the disputes between
9 them and accordingly, the Parties waive their right to appeal this Stipulation and Order under Part D
10 of Article 9 of 5 GCA §5481(a) or any other applicable statute. Nothing contained herein constitutes
11 an admission of liability by either of the Parties.
12

13 SO STIPULATED on this 11th day of February, 2019.

14
15 **CIVILLE & TANG PLLC**

16
17 By: 

18 **JOYCE C.H. TANG**
19 Attorneys Korando Corp.

20 **OFFICE OF THE ATTORNEY GENERAL**
21 Leevin T. Camacho, Attorney General

22 By: 

23 **THOMAS P. KEELER**
24 Assistant Attorney General

25 **BROOKS CONCEPCION LAW, P.C.**

26 By: 

27 **GEORGETTE CONCEPCION**
28 Attorneys for the Department of Public Works

DEPARTMENT OF PUBLIC WORKS

By: 

VINCENT ARRIOLA
Acting Director

1 **ORDER**

2 Pursuant to the foregoing Stipulations made by the Parties, it is hereby ORDERED that the
3 Parties' claims in this matter are dismissed with prejudice, and the terms of the above Stipulations are
4 hereby incorporated into and made a part of this Order.

5 The Hearing Officer's approval of this Stipulation and Order is a Final Administrative
6 Decision. As acknowledged in the Stipulations above, the Parties are hereby informed of their right to
7 appeal from a Decision by the Public Auditor to the Superior Court of Guam, in accordance with Part
8 D of Article 9 of 5 GCA §5481(a), and said right to appeal is knowingly waived.

9 A copy of this Stipulation and Order shall be provided to the Parties and their respective
10 attorneys in accordance with 5 GCA § 5702, and shall be made available for review on the OPA
11 website at www.opaguam.org.
12

13 **SO ORDERED** this 11th day of February, 2019.
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16 _____
17 **ANTHONY CAMACHO**
18 Hearing Officer
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