

**D. GRAHAM BOTHA, ESQ.**  
**LEGAL COUNSEL FOR GPA**  
**Guam Power Authority**  
**1911 Route 16, Suite 227**  
**Harmon, Guam, 96913**  
**Telephone: (671) 648-3203/3225**  
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**RECEIVED**  
**OFFICE OF THE PUBLIC AUDITOR**  
**PROCUREMENT APPEALS**

SEP 21 2009  
TIME: 5:00 PM  
BY: AC  
FILE No. OPA-PA 09-003

*Attorney for the Guam Power Authority*

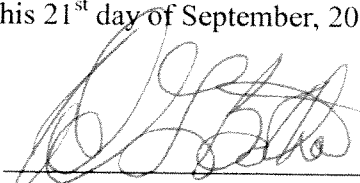
**OFFICE OF THE PUBLIC AUDITOR**  
**PROCUREMENT APPEALS**

IN THE APPEAL OF	)	DOCKET NO. OPA-PA-09-003
	)	
GUAM PACIFIC ENTERPRISE, INC.	)	<b>WITNESS LIST</b>
	)	
Appellant.	)	
_____	)	

The Appellee, Guam Power Authority, may call the following as witnesses in the above captioned case:

1. Jaimie Pangelinan - Guam Power Authority
2. Jesse Reyes - Guam Power Authority
3. Sedfrey M. Linsangan – Guam Pacific Enterprise, Inc.
4. Any person or persons listed or called by the Appellant, and
5. Appellee reserves the right to call additional witnesses in rebuttal or as may be revealed through testimony unknown at this time.

**RESPECTFULLY SUBMITTED** this 21<sup>st</sup> day of September, 2009 by:

  
\_\_\_\_\_  
D. GRAHAM BOTHA, ESQ.  
Attorney for the Guam Power Authority

**ORIGINAL**

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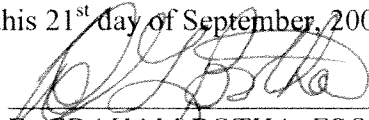
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**PROCUREMENT APPEALS**

IN THE APPEAL OF	)	DOCKET NO. OPA-PA-09-003
	)	
GUAM PACIFIC ENTERPRISE, INC.	)	<b>EXHIBIT LIST</b>
	)	
Appellant.	)	
_____	)	

The Appellee, Guam Power Authority, may use the following as exhibits in the above captioned case:

1. All documents contained in the Procurement Record filed by Guam Power Authority.
2. All documents presented by Appellant, Guam Pacific Enterprise, Inc.
3. Appellee, Guam Power Authority, reserves the right to use or introduce any exhibits necessary for impeachment and to use additional exhibits as they become known to it, for use in rebuttal, or as may be revealed through testimony unknown at this time, and
4. Appellee requests that judicial notice be taken of the Government Claims Act, 5 GCA Chapter 6 and 2 GAR, Division 4, Procurement Regulations.

**RESPECTFULLY SUBMITTED** this 21<sup>st</sup> day of September, 2009 by:

  
\_\_\_\_\_  
D. GRAHAM BOTHA, ESQ.  
Attorney for the Guam Power Authority

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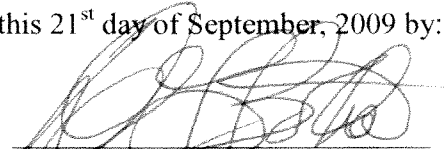
*Attorney for the Guam Power Authority*

OFFICE OF THE PUBLIC AUDITOR  
PROCUREMENT APPEALS

IN THE APPEAL OF	)	DOCKET NO. OPA-PA-09-003
	)	
GUAM PACIFIC ENTERPRISE, INC.	)	<b>Admissions of Fact and Stipulations</b>
	)	
Appellant.	)	
_____	)	

1. The Appellee, Guam Power Authority, is not aware of any facts that the parties have stipulated to, and will rely on the evidence presented in the Appellee's Agency Record and other documents filed in the above captioned case.

**RESPECTFULLY SUBMITTED** this 21<sup>st</sup> day of September, 2009 by:

  
D. GRAHAM BOTHA, ESQ.  
Attorney for the Guam Power Authority

**ORIGINAL**