

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



FAX

To:	Mr. John M. Benavente, P.E. General Manager Guam Power Authority P.O. Box 2977 Hagåtña, Guam 96932 Fax: (671) 648-3165 Email: jbenavente@gpagwa.com	From:	Benjamin J.F. Cruz Guam Public Auditor Office of Public Accountability
	Mr. D. Graham Botha, Esq. General Counsel Guam Power Authority 688 Route 15, Suite 302 Mangilao, Guam, 96913 Phone: (671) 648-3203/3002 Fax: (671) 648-3290 Email: gbotha@gpagwa.com	Pages:	4 (including cover page)
CC:	Mr. James M. Maher, Esq. Attorney for Appellant Law Office of James M. Maher 238 Archbishop Flores Street, Ste. 300 Hagatna, Guam 96910 Phone: (671) 477-7892 Email: jmpc671@gmail.com	Date:	December 6, 2021
	Ms. Roxana Weil, Esq. Executive VP & Counsel Interested Party InfoSend, Inc. 4240 E La Palma Avenue Anaheim, California 92807 Phone: (714) 993-2690 Fax (714) 993-1306 Email: Roxana.w@infosend.com	Phone:	(671) 475-0390 x. 204
		Fax:	(671) 472-7951

Re: OPA-PA-21-012 Scheduling Order

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Thank you,
 Jerrick Hernandez, Auditor
jhernandez@guamopa.com

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

In the Appeal of) **Appeal No: OPA-PA-21-012**
Graphic Center, Inc.,) **SCHEDULING ORDER**
Appellant.)

To: Purchasing Agency:
Guam Power Authority
C/O D. Graham Botha, Esq., General Counsel
688 Route 15, Suite 302
Mangilao, Guam, 96913
Phone: (671) 648-3203/3002
Fax: (671) 648-3290
Email: gbotha@gpagwa.com

Appellant:
Graphic Center, Inc.
C/O James M. Maher, Esq.
Attorney for Appellant
Law Office of James M. Maher
238 Archbishop Flores Street, Ste. 300
Hagatna, Guam 96910
Phone: (671) 477-7892
Email: jmpc671@gmail.com

Interested Party:
InfoSend, Inc.
C/O Roxana Weil, Esq.
Executive VP & Counsel
4240 E La Palma Avenue
Aneheim, California 92807
Phone: (714) 993-2690
Fax (714) 993-1306
Email: Roxana.w@infosend.com

THIS MATTER, came before the Public Auditor for a Pre-Hearing Conference on December 6, 2021 via Zoom Meeting. The Purchasing Agency was represented by its Counsel of Record, D. GRAHAM BOTHA, Esq., the Appellant was represented by its Counsel of Record,

1 JAMES M. MAHER, Esq. and the Interested Party was represented by its Counsel of Record
2 ROSANA WEIL, Esq.

3 After hearing the arguments of the parties and for good cause shown, the Public Auditor
4 hereby ORDERS the following:
5

6 **Opposition to Motions
Deadline:**

December 17, 2021 at 5:00 P.M.

7 **Reply to Opposition:**

December 27, 2021 at 5:00 P.M.

8 **Motion Hearing:**

January 12, 2022 at 10:00 A.M. (To be held via Zoom)

9 **Filing Deadline for
Hearing Materials:**

January 14, 2022 at 5:00 P.M.

10 Parties shall file and serve on the other parties, no later than
11 this date and time, their respective Witness Lists, Exhibit
12 Lists with four copies of all exhibits, Admissions of Fact and
13 List of Issues which require evidence or arguments to be
14 presented at the hearing. The Appellant's Exhibits shall be
15 marked with corresponding and sequential numbers. The
16 Purchasing Agency's Exhibits shall be marked with
17 corresponding and sequential capital letters of the alphabet.
18 The Parties may file stipulated joint witness, exhibit, and
19 issues lists, and admissions of fact in lieu of filing such
20 documents separately. The term "Exhibit List" as used in this
21 paragraph refers to exhibits that any party will present to a
22 witness for testimonial purposes during the hearing in this
23 matter.

20 **Filing Deadline for
Hearing Briefs:**

January 20, 2022 at 5:00 P.M.

21 The Parties shall file and serve on the other parties, their
22 Hearing Briefs summarizing their arguments concerning
23 contested issues no later than this date and time.

23 **Hearing Date:**

January 28, 2022 at 9:00 A.M.

24 The Hearing will proceed in the following order: (1)
25 Opening Statements of the Parties; (2) Appellant's Case in
26 Chief; (3) The Purchasing Agency's Case in Chief; (4)
27 Closing Arguments of the Parties.
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**Filing Deadline for
Brief RE Remedies:**

February 4, 2022 at 5:00 P.M.
The Parties may, but are not required to, file and serve on the other parties, additional briefs on the issue of Remedies no later than this date and time.

SO ORDERED this 6th day of December 2021 by:



**Benjamin J.F. Cruz
Public Auditor of Guam**



Jerrick Hernandez <jhernandez@guamopa.com>

OPA-PA-21-012 Scheduling Order

Jerrick Hernandez <jhernandez@guamopa.com>

Mon, Dec 6, 2021 at 12:15 PM

To: Graham Botha <gbotha@gpagwa.com>, jmpc671@gmail.com, Roxana Weil <roxana.w@infosend.com>, John M Benavente <jbenavente@gpagwa.com>, Thyrza Bagana <tbagana@guamopa.com>

Hafa Adai,

Please see attached Scheduling Order for OPA-PA-21-012. This email will serve as an official notice in lieu of a transmittal via Fax.

Please confirm receipt of this email and the attached document. Thank you.

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Regards,

Jerrick J.J.G. Hernandez, MA, CGAP, CICA
Auditor
Office of Public Accountability – Guam
www.opaguam.org
Tel. (671) 475-0390 ext. 204
Fax (671) 472-7951

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 **21-012 Scheduling Order2.pdf**
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