

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



# FAX

<b>To:</b>	<b>Ms. Claudia S. Acfalle</b> <b>Chief Procurement Officer</b> <b>General Services Agency</b> Department of Administration 148 Route 1 Marine Drive Piti, Guam 96915 Phone: (671) 475-1707 Fax: (671) 475-1727 Email: <a href="mailto:Claudia.Acfalle@gsdoa.guam.gov">Claudia.Acfalle@gsdoa.guam.gov</a>	<b>From:</b>	<b>Benjamin J.F. Cruz</b> <b>Public Auditor</b> Office of Public Accountability
	<b>Ms. Marlyn T. Aguilar</b> <b>Assistant Attorney General</b> <b>Office of Attorney General</b> 590 S. Marine Corps Drive ITC Bldg., Ste. 802 Tamuning, Guam, 96913 Phone: (671) 475-2709 Fax: (671) 472-2493 Email: <a href="mailto:maguilar@oagguam.org">maguilar@oagguam.org</a>	<b>Pages:</b>	3 (including cover page)
<b>CC:</b>	<b>Mr. Joshua D. Walsh, Esq.</b> <b>Mr. Edwin J. Torres, Esq.</b> <b>Attorney for Appellant Guahan Ventures Inc. dba Turfco</b> Razano Walsh & Torres, P.C. 139 Murrery Blvd. Hagåtña, Guam 96910 Phone: (671) 989-3009 Email: <a href="mailto:jdwalsh@rwtguam.com">jdwalsh@rwtguam.com</a> ; <a href="mailto:etorres@rwtguam.com">etorres@rwtguam.com</a>	<b>Date:</b>	August 18, 2021
		<b>Phone:</b> <b>Fax:</b>	(671) 475-0390 x. 204 (671) 472-7951

**Re:** OPA-PA-21-003 Scheduling Order

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**Comments:**

Please acknowledge receipt of this transmittal by re-sending this cover page along with your firm or agency's receipt stamp, date, and initials of receiver.

Thank you,  
 Jerrick Hernandez, Auditor  
[jhernandez@guamopa.com](mailto:jhernandez@guamopa.com)

This facsimile transmission and accompanying documents may contain confidential or privileged information. If you are not the intended recipient of this fax transmission, please call our office and notify us immediately. Do not distribute or disclose the contents to anyone. Thank you.



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

In the Appeal of ) **Appeal No: OPA-PA-21-003**  
Guahan Ventures Inc. dba Turfco, ) **SCHEDULING ORDER**  
Appellant. )  
\_\_\_\_\_ )

To: **Purchasing Agency:**  
General Services Agency  
C/O Marlyn T. Aguilar, Assistant Attorney General  
Office of Attorney General  
590 S. Marine Corps Drive  
ITC Bldg., Ste. 802  
Tamuning, Guam, 96913  
Phone: (671) 475-2709  
Fax: (671) 472-2493  
Email: [maguilar@oagguam.org](mailto:maguilar@oagguam.org)

**Appellant:**  
Guahan Ventures Inc. dba Turfco  
C/O Joshua D. Walsh, Esq. and Edwin J. Torres, Esq.  
Razzano Walsh & Torres, P.C.  
Suite 100, 139 Murray Blvd.  
Hagatna, Guam 96910  
Phone: (671) 989-3009  
Fax (671) 989-8750  
Email: [jdwalsh@rwtguam.com](mailto:jdwalsh@rwtguam.com); [etorres@rwtguam.com](mailto:etorres@rwtguam.com)

**THIS MATTER**, came before the Public Auditor for a Pre-Hearing Conference on August 18, 2021 via Zoom Meeting. The Purchasing Agency was represented by its Counsel of Record, MARLYN AGUILAR, Esq., and the Appellant was represented by its Counsel of Record, JOSHUA WALSH, Esq. After hearing the arguments of the parties and for good cause shown, the Public Auditor hereby ORDERS the following:

**Opposition to Motions**

**Deadline:** August 27, 2021 at 5:00 P.M.

1 **Reply to Opposition:** September 3, 2021 at 5:00 P.M.  
2 **Motion Hearing:** September 8, 2021 at 10:00 A.M.  
3 **Filing Deadline for**  
4 **Hearing Materials:** September 10, 2021 at 5:00 P.M.  
5 Parties shall file and serve on the other parties, no later than  
6 this date and time, their respective Witness Lists, Exhibit  
7 Lists with four copies of all exhibits, Admissions of Fact and  
8 List of Issues which require evidence or arguments to be  
9 presented at the hearing. The Appellant's Exhibits shall be  
10 marked with corresponding and sequential numbers. The  
11 Purchasing Agency's Exhibits shall be marked with  
12 corresponding and sequential capital letters of the alphabet.  
13 The Parties may file stipulated joint witness, exhibit, and  
14 issues lists, and admissions of fact in lieu of filing such  
15 documents separately. The term "Exhibit List" as used in this  
16 paragraph refers to exhibits that any party will present to a  
17 witness for testimonial purposes during the hearing in this  
18 matter.  
19 **Filing Deadline for**  
20 **Hearing Briefs:** September 15, 2021 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.  
24 **Hearing Date:** September 16, 2021 at 9:00 A.M.  
25 The Hearing will proceed in the following order: (1)  
26 Opening Statements of the Parties; (2) Appellant's Case in  
27 Chief; (3) The Purchasing Agency's Case in Chief; (4)  
28 Closing Arguments of the Parties.  
**Filing Deadline for**  
**Brief RE Remedies:** September 23, 2021 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.

24 **SO ORDERED** this 18<sup>th</sup> day of August 2021 by:



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



Jerrick Hernandez &lt;jhernandez@guamopa.com&gt;

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**OPA-PA-21-003 Scheduling Order (Re-sending with attachment)**

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**Jerrick Hernandez** <jhernandez@guamopa.com>

Thu, Aug 19, 2021 at 7:35 AM

To: "Joshua D. Walsh" &lt;jdwalsh@rwtguam.com&gt;, Marlyn Aguilar &lt;maguilar@oagguam.org&gt;, "Edwin J. Torres" &lt;etorres@rwtguam.com&gt;, robert.kona@gsa.guam.gov, Claudia Acfalle &lt;Claudia.Acfalle@gsadoa.guam.gov&gt;

Cc: Clariza Roque &lt;croque@guamopa.com&gt;

Hafa Adai,

Please see attached Scheduling Order for OPA-PA-21-003. 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](http://www.opaguam.org)

Tel. (671) 475-0390 ext. 204

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 **21-003 Scheduling Order.pdf**

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