

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



# FAX

<b>To:</b>	<b>Ms. Carmen T. Charfauros</b> <b>Supply Management Administrator</b> Department of Education 501 Mariner Avenue B-Building, Suite 116 Barrigada, Guam 96913 Phone: (671) 475-0438 Fax: (671) 472-5001 Email: <a href="mailto:ctcharfauros@gdoe.net">ctcharfauros@gdoe.net</a>	<b>From:</b>	<b>Benjamin J.F. Cruz</b> <b>Public Auditor</b> Office of Public Accountability
	<b>Mr. James L.G. Stake, Esq.</b> <b>Legal Counsel</b> 501 Mariner Avenue Barrigada, Guam 96913 Phone: (671) 300-1537 Email: <a href="mailto:jlgstake@gdoe.net">jlgstake@gdoe.net</a> ; <a href="mailto:legal-admin@gdoe.net">legal-admin@gdoe.net</a>	<b>Pages:</b>	3 (including cover page)
<b>CC:</b>	<b>Mr. Joshua D. Walsh, Esq.</b> <b>Attorney for Appellant Pacific Data Systems, Inc.</b> Razano Walsh & Torres, P.C. 139 Murrary Blvd. Hagåtña, Guam 96910 Phone: (671) 989-3009 Email: <a href="mailto:jdwalsh@rwtguam.com">jdwalsh@rwtguam.com</a>	<b>Date:</b>	August 16, 2021
		<b>Phone:</b>	(671) 475-0390 x. 204
		<b>Fax:</b>	(671) 472-7951

**Re:** OPA-PA-21-004 and OPA-PA-21-005 Notice of Pre-Hearing Conference and Motion Filing Deadline

- For Review     
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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)



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

In the Appeal of ) **Appeal Nos: OPA-PA-21-004 and**  
Pacific Data Systems, Inc., ) **OPA-PA-21-005**  
Appellant. ) **NOTICE OF PRE-HEARING**  
**CONFERENCE AND MOTION**  
**FILING DEADLINE**

To: **Purchasing Agency:**  
Department of Education  
C/O James L.G. Stake, Esq.  
Legal Counsel  
501 Mariner Avenue  
Barrigada, Guam 96913  
Phone: (671) 300-1537  
Email: [jlgstake@gdoe.net](mailto:jlgstake@gdoe.net); [legal-admin@gdoe.net](mailto:legal-admin@gdoe.net)

**Appellant:**  
Pacific Data Systems, Inc.  
C/O Joshua D. Walsh, 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)

**NOTICE IS HEREBY GIVEN**, that a Pre-Hearing Conference shall be held before the Public Auditor via Zoom Meeting on Monday, August 30, 2021 at 2:00 p.m. Please provide e-mail to receive link for meeting to [jhernandez@guamopa.com](mailto:jhernandez@guamopa.com). For the benefit of the parties and their counsel, the Public Auditor issues the following statement regarding the scheduled Pre-Hearing conference:

1. The Pre-Hearing Conference will focus on expediting the disposition of the appeal and may include:
  - a. Formulation and simplification of issues;

1                   b. Possibility of obtaining admissions of fact and of documents that will avoid  
2 unnecessary proof, stipulations regarding the authenticity of documents, and advance rulings  
3 from the Hearing Officer on the admissibility of evidence;

4                   c. The avoidance of unnecessary proof and cumulative evidence;

5                   d. The identification of witnesses and documents, the need and schedule for  
6 filing and exchanging pretrial briefs;

7                   e. The disposition of pending motions;

8                   f. The need for adopting special procedures for managing potentially difficult  
9 or protracted actions, complex issues, multiple parties, or unusual problems;

10                  g. Establishing a reasonable limit on time allowed for presenting evidence; and

11                  h. Such other matters as may facilitate the just, speedy, and inexpensive  
12 disposition of the action.

13 2. Motion filing Deadline: 5:00 p.m. Tuesday, August 31, 2021.

14 3. Any persons requiring special accommodations, auxiliary aids or services to attend the  
15 Pre-Hearing Conference shall contact and submit their request to Jerrick Hernandez,  
16 Office of Public Accountability, Suite 401, DNA Building, 238 Archbishop Flores  
17 Street, Hagatna, Guam, 96910, at 475-0390 ext. 204 or email  
18 jhernandez@guamopa.com.

19 **SO ORDERED** this 16<sup>th</sup> day of August 2021 by:

20 

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

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

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## OPA-PA-21-004 and 21-005 Notice of Pre-Hearing Conference and Motion Filing Deadline

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Jerrick Hernandez <jhernandez@guamopa.com>

Mon, Aug 16, 2021 at 10:18 AM

To: "Joshua D. Walsh" <jdwalsh@rwtguam.com>, "James L.G. Stake" <jlgstake@gdoe.net>, Legal Admin <legal-admin@gdoe.net>, ctcharfauros@gdoe.net

Cc: Thyrza Bagana <tbagana@guamopa.com>

Hafa Adai,

Please see attached Notice of Pre-Hearing Conference and Motion Filing Deadline for OPA-PA-21-004 and 21-005. 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

Fax (671) 472-7951

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**21-004 and 21-005 Notice of Pre-Hearing Conference and Motion Filing Deadline.pdf**

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