



Jerrick Hernandez <jhernandez@guamopa.com>

In the Appeal of Guahan Ventures Inc. dba Turfco; OPA-PA-21-003

Claire Pollard <cpollard@rwtguam.com>

Tue, Sep 14, 2021 at 3:38 PM

To: Jerrick Hernandez <jhernandez@guamopa.com>

Cc: "Edwin J. Torres" <etorres@rwtguam.com>, "Joshua D. Walsh" <jdwalsh@rwtguam.com>

Dear Mr. Hernandez:

Please see the attached *Motion to Continue Hearing Date* and *Declaration of Joshua D. Walsh in Support of Motion to Continue Hearing Date*. Please feel free to contact our office if you have any questions. Thank you.

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Regards,
Claire Pollard**RAZZANO WALSH & TORRES, P.C.**

139 Murray Blvd. Ste. 100

Hagatna, Guam 96910

(T): 989-3009

(F): 989-8750

2 attachments **9.14.21 Motion to Continue Hearing Date.pdf**
136K **9.14.21 Declaration of JDW.pdf**
71K

RAZZANO WALSH & TORRES, P.C.
JOSEPH C. RAZZANO
JOSHUA D. WALSH
SUITE 100, 139 MURRAY BLVD.
HAGÁTÑA, GUAM 96910
TELEPHONE: (671) 989-3009
FACSIMILE: (671) 989-8750

IN THE OFFICE OF PUBLIC ACCOUNTABILITY

In the Appeal of

Guahan Ventures Inc. dba Turfco,

Appellant.

DOCKET NO. OPA-PA-21-003

**DECLARATION OF JOSHUA D.
WALSH IN SUPPORT OF MOTION
TO CONTINUE HEARING DATE**

I, JOSHUA D. WALSH, hereby declare as follows:

1. I am over the age of 21 and am competent to make this Declaration.
2. I am counsel of record for Appellant Guahan Ventures Inc. dba Turfco (“Turfco”) in the above captioned and titled case.
3. The hearing in this procurement appeal was set to commence on September 16, 2021, in accordance with the Scheduling Order issued by the Public Auditor on August 18, 2021.
4. In conformance with that Scheduling Order, Turfco submitted its witness list to the OPA and the GSA on Friday, September 10, 2021. Its witness list named GSA Chief Procurement Officer Claudia Acfalle as a witness.
5. On September 13, 2021, counsel for the parties conferred regarding streamlining witness testimony. It was disclosed to the Appellant on that day that the Chief Procurement Officer in this matter, Claudia Acfalle, is on leave, left the island, and would be unavailable for at least two months.

6. GSA confirmed a month ago during the scheduling conference held in this matter the appropriateness of the September 16, 2021, hearing date.

7. Ms. Acfalle's absence from these proceedings materially prejudices Turfco and its appeal, as Ms. Acfalle's testimony is significantly relevant to various portions of the appeal.


8. Ms. Acfalle is the Chief Procurement Officer in this appeal that implicates significant issues related to notice to offerors, the established practices of the GSA in procuring items, and the expansive use of emergency procurement powers.

9. I spoke with GSA's counsel on September 14, 2021, and she has no objection to the continuance request.

Submitted this 14th day of September, 2021.

RAZZANO WALSH & TORRES, P.C.

By: _____


JOSHUA D. WALSH
Attorneys for Appellant
Turfco