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OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

JUL 28 2010

TIME: 3:33 BY: MUD
FILE NO. OPA-PA: 10-003

Attorney for Appellee, Guam Community College

**BEFORE THE OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEAL**

In the Matter of Appeal of)
EONS ENTERPRISES CORP.,)
)
Appellant)
)
)
)
)
)
)

Docket Number: OPA-PA-10-003

**STIPULATION AND ORDER TO
DISMISS APPEAL**

COMES NOW the parties who have appeared herein, by and through their respective undersigned counsels, and hereby stipulate and agree to the following:

1. The parties have come to an agreement in regards to rebidding the typhoon shutters Invitation For Bids (hereinafter IFB).
2. This settlement is subject to the approval of the Hearing Officer; and, should approval of these terms be denied, the terms hereof shall be deemed null and void and of no effect whatsoever.
3. GCC agrees to issue a new IFB for typhoon shutters within sixty (60) days from the approval of this settlement by the Hearing Officer.
4. In the event that GCC is unable to issue a new IFB 60 days from the approval of the settlement by the hearing officer, then Eons and GCC agree that Eons shall be restored to all of their respective rights and remedies prior to settlement.


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5. GCC's obligations under this stipulation are fulfilled once GCC issues the new IFB for typhoon shutter installation. If a party protests prior to award or any unforeseen circumstances arise after GCC issues the new IFB, which postpone evaluation or granting an award to a bidder, those circumstances do not trigger the restoration of the parties respective rights and remedies prior to settlement.
6. Eons agrees to dismiss this appeal without prejudice upon approval of the Hearing Officer.
7. The parties agree that this is a full and final settlement of all the issues arising out of the typhoon shutter installation IFB.
8. All parties agree to vacate all the dates on the scheduling order.

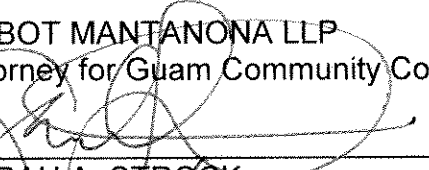
NOW THEREFORE, the parties agree and request the Office of Public Accountability dismiss without prejudice the above captioned appeal.

SO STIPULATED:

BERMAN O'CONNOR AND MANN
Attorney for Eons

By: 
DANIEL BERMAN
Date: July 28, 2010

CABOT MANTANONA LLP
Attorney for Guam Community College

By: 
SARAH A. STROOCK
Date: 7/28/10

SO ORDERED: July 30, 2010.

OFFICE OF PUBLIC ACCOUNTABILITY
The Public Auditor of Guam

By: 
DORRIS FLORES BROOKS

OFFICE OF PUBLIC ACCOUNTABILITY
Hearings Officer

Recommended by: *Anthony R. Camacho*
ANTHONY CAMACHO