



OFFICE OF THE PUBLIC AUDITOR

PROCUREMENT APPEALS

IN THE APPEAL OF,
HARBOR CENTRE GUAM CO. LTD.,
And HARBOUR CENTRE PORT
TERMINAL , INC.

Appellant

) APPEAL NO: OPA-PA-10-004
)
) SCHEDULING ORDER RE HEARING
) FOR APPELLANT'S APPEAL
)
)

To: **Purchasing Agency:**
Jose D. Leon Guerrero Commercial Port, Government of Guam
C/O Rebecca Perez Santo Tomas, Esq.
Lujan Aguigui & Perez, LLP
DNA Building, Ste 300
238 Archbishop Flores Street
Hagåtña, Guam, 96910
Facsimile: (671) 477-5297

Appellant:
Harbor Centre Guam Co., Ltd., and Harbor Centre Port Terminal, Inc.
C/O Rawlen M.T. Mantanona, Esq.
Cabot Mantanona, LLP
Edge Bldg., Second Floor
929 S. Marine Corps Drive
Tamuning, Guam, 96913
Facsimile: (671) 646-0777

Interested Parties:
Ports America, Inc.
C/O Sirena Perez Cassidy, Esq.
Civille & Tang, PLLC
330 Hernan Cortez Ave., Suite 200
Hagåtña, Guam, 96910
Facsimile: (671) 477-2511

APM Terminals
C/O Elyze J. McDonald, Esq.
Carlsmith Ball LLP
Bank of Hawaii Bldg., Suite 401

1 134 West Soledad Ave.
2 Hagåtña, Guam, 96910
3 Facsimile: (671) 477-4375

4 **THIS MATTER** came before the Office of the Public Auditor on September 30, 2010
5 for a Pre-Hearing Conference. Rawlen M.T. Mantanona, Esq. was present on behalf of
6 Appellant. Rebecca Perez Santo Tomas, Esq., was present on behalf of the Purchasing Agency.
7 Sirena Perez Cassidy, Esq., was present on behalf of interested party Ports America, Inc. Elyze
8 J. McDonald, Esq., was present on behalf of Interested Party APM Terminals. The following
9 schedule is hereby ordered for the hearing on Appellant's Appeal, but remains subject to change
10 at the discretion of the Hearing Officer:

11 **Motion Filing Deadline:** October 8, 2010 at 5:00 P.M.
12 Parties shall file and serve on the other parties, no later than this
13 date and time, their respective motions, if any.

14 **Filing Deadline For**
15 **Hearing Materials:** October 8, 2010 at 5:00 P.M.
16 Parties shall file and serve on the other parties, no later than this
17 date and time, their respective Witness Lists, Exhibit Lists with
18 four copies of all Exhibits, Admissions of Fact and List of Issues
19 which require evidence or arguments to be presented at the
20 hearing. The Appellant's Exhibits shall be marked with
21 corresponding and sequential numbers. The Purchasing Agency's
22 Exhibits shall be marked with corresponding and sequential letters
23 of the alphabet. The Parties may file stipulated joint witness,
24 exhibit, and issues lists, and admissions of fact in lieu of filing
25 such documents separately. The term "Exhibit List" as used in this
26 paragraph refers to exhibits that any party will present to a witness
27 for testimonial purposes during the hearing in this matter.

28 **Filing Deadline for**
Oppositions to Motions October 13, 2010 at 5:00 P.M.
The parties shall file and serve on the other parties, any
Oppositions to any filed motions.

Filing Deadline for
Hearing Briefs: October 13, 2010 at 5:00 P.M.
The parties shall file and serve on the other parties, their Hearing
Briefs summarizing their arguments concerning contested issues
no later than this date and time.

1 **Filing Deadline for**
2 **Replies to Oppositions**
3 **to Motions:**

October 15, 2010 at 5:00 P.M.

4 The parties shall file and serve on the other parties, any replies to
5 any oppositions to motions.

6 **Hearing Date:**

October 18 at 9:00 A.M.

(Notice to issue no later than ten days prior – October 8, 2010)

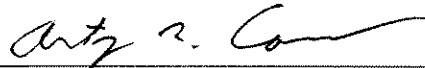
7 The Hearing will proceed in the following order: (1) Hearing on
8 all motions, if any; (2) Opening Statements of the Parties; (3)
9 Appellant's Case in Chief; (4) The Purchasing Agency's Case in
10 Chief; (5) Closing Statements of the Parties.

11 **Filing Deadline for**
12 **Brief Re Remedies:**

October 26, at 5:00 P.M.

13 The Parties may, but are not required to, file and serve on the other
14 parties, additional briefs on the issue of Remedies no later than this
15 date and time.

16 **SO ORDERED** this 30th day of September, 2010 by:

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18 ANTHONY R. CAMACHO, ESQ.
19 Hearing Officer
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