



1 a. The Purchasing Agency shall file its formal motion to seal portions of the  
2 procurement record in this matter complete with a memorandum of points and authorities and  
3 shall serve the same on the Appellant, no later than 5:00 p.m. on September 18, 2009.

4 b. The Appellant shall file its opposition or non-objection to the Purchasing  
5 Agency's Motion to Seal Portions of the Procurement Record and shall serve the same on the  
6 Purchasing Agency, no later than 5:00 p.m. on September 23, 2009.

7 c. The Purchasing Agency shall file its reply to the Appellant's Opposition, if  
8 any, and shall serve the same on the Appellant no later than 5:00 p.m. on September 25, 2009.

9 2. The Purchasing Agency's Request that the Public Auditor Confirm the Purchasing  
10 Agency's Declaration of Substantial Interest shall be heard at the DISID Conference Room at  
11 9:00 a.m. on September 28, 2009 immediately after the hearing for the Purchasing Agency's  
12 Motion to Seal Portions of the Procurement Record.

13 a. The parties shall file their respective witness lists, exhibit lists, and three (3)  
14 copies of their exhibits and shall serve the other party with their witness list, exhibit list, and one  
15 (1) copy of their exhibits no later than 5:00 p.m. on September 18, 2009. The Appellant shall use  
16 letters of the alphabet to mark its exhibits. The Purchasing Agency shall use numbers to mark its  
17 exhibits.

18 b. The Purchasing Agency shall file its reply to the Appellant's Opposition and  
19 shall serve the same on the Appellant no later than 5:00 p.m. on September 21, 2009.

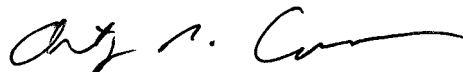
20 c. The hearing shall be conducted in the following order:

- 21 (1) The Purchasing Agency's Opening Statement.
- 22 (2) The Appellant's Opening Statement.
- 23 (3) The Purchasing Agency's presentation of evidence.
- 24 (4) The Appellant's presentation of evidence.
- 25 (5) The Purchasing Agency's Closing Statement.
- 26 (6) The Appellant's Closing Statement.
- 27 (7) The Purchasing Agency's Rebuttal.

28 d. The parties' respective presentations of evidence shall be limited to the issues  
relevant to determining whether the Public Auditor should or should not confirm the Purchasing  
Agency's Declaration of Substantial Interests.

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2 3. Any persons requiring special accommodations, auxiliary aids or services to attend the  
3 Status and Scheduling Conference shall contact and submit their request to Anne Camacho,  
4 Office of Public Accountability, Suite 401, DNA Building, 238 Archbishop Flores Street,  
5 Hagåtña, Guam, 96910, at 475-0390.

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9 **SO ORDERED** this 16<sup>th</sup> day of September, 2009 by:

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11 ANTHONY R. CAMACHO, ESQ.  
12 Hearing Officer  
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OFFICE OF THE PUBLIC AUDITOR  
Doris Flores Brooks, CPA, CGFM  
Public Auditor

### PROCUREMENT APPEALS

IN THE APPEAL OF, )  
GUAM COMMUNITY IMPROVEMENT ) **APPEAL NO: OPA-PA-09-005**  
FOUNDATION, INC., ) **NOTICE OF PRE-HEARING**  
 ) **CONFERENCE**  
Appellant )

To: **Purchasing Agency:**  
Department of Public Works, Government of Guam  
C/O Benjamin M. Abrams, Esq., Assistant Attorney General  
Civil Division, Office of the Attorney General  
287 West O'Brian Drive  
Hagåtña, Guam, 96910  
Facsimile: 472-2493

**Appellant:**  
Guam Community Improvement Foundation, Inc.  
C/O F. Randall Cunliffe, Esq.  
Law Offices of Cunliffe & Cook  
210 Archbishop Street  
Hagåtña, Guam, 96910  
Facsimile: 472-2422

**NOTICE IS HEREBY GIVEN** that a Pre-Hearing Conference in this matter shall be held before the Hearing Officer for Procurement Appeals at the Department of Integrated Services for Individuals with Disabilities-Division of Vocational Rehabilitation, Suite 602, DNA Building, 238 Archbishop Flores Street, Hagåtña, Guam, 96910 on Wednesday, September 30, 2009 at 9:00 a.m. For the benefit of the parties and their counsel, the Hearing Officer 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:

- 1 a) Formulation and simplification of issues;
- 2 b) Possibility of obtaining admissions of fact and of documents that will avoid
- 3 unnecessary proof, stipulations regarding the authenticity of documents, and advance rulings
- 4 from the Hearing Officer on the admissibility of evidence;
- 5 c) The avoidance of unnecessary proof and of cumulative evidence;
- 6 d) The identification of witnesses and documents, the need and schedule for filing
- 7 and exchanging pretrial briefs;
- 8 e) The disposition of pending motions;
- 9 f) The need for adopting special procedures for managing potentially difficult or
- 10 protracted actions, complex issues, multiple parties, or unusual proof problems;
- 11 g) Establishing a reasonable limit on the time allowed for presenting evidence; and
- 12 h) Such other matters as may facilitate the just, speedy, and inexpensive disposition
- 13 of the action.

14 2. Any persons requiring special accommodations, auxiliary aids or services to attend the

15 Status and Scheduling Conference shall contact and submit their request to Anne Camacho,

16 Office of Public Accountability, Suite 401, DNA Building, 238 Archbishop Flores Street,

17 Hagåtña, Guam, 96910, at 475-0390

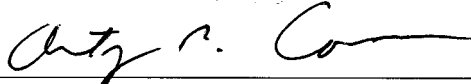
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19 **SO ORDERED** this 16<sup>th</sup> day of September, 2009 by:

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24 ANTHONY R. CAMACHO, ESQ.  
Hearing Office

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