



OFFICE OF PUBLIC ACCOUNTABILITY
Doris Flores Brooks, CPA, CGFM
Public Auditor

PROCUREMENT APPEALS

IN THE APPEAL OF,

TOWN HOUSE DEPARTMENT STORES,
INC, dba ISLAND BUSINESS SYSTEMS &
SUPPLIES,

Appellant

APPEAL NO: OPA-PA-11-02

2ND NOTICE OF PRE-HEARING
CONFERENCE AND SCHEDULING
ORDER RE MOTIONS

To: **Purchasing Agency:**
Department of Education, Government of Guam
C/O Laura J. Mooney, Esq.
GDOE Office of the Superintendent
312 Aspinall Ave.
Hagåtña, Guam, 96932
Facsimile: (671) 472-5003

Appellant:
IBSS
C/O John T. Brown, Esq.
P.O. Box 7
Hagåtña, Guam, 96932
Facsimile: (671) 472-6153

Interested Party:
Xerox Corporation
C/O Elyze M. Iriarte, Esq.
Carlsmith Ball, LLP
Bank of Hawaii Bldg., Suite 401
134 West Soledad Ave.
Hagåtña, Guam, 96932
Facsimile: (671) 477-4375

NOTICE IS HEREBY GIVEN that the Pre-Hearing Conference and the Hearing on the:
(1) Appellant's Motion to Disclose Procurement Record filed on February 10, 2011 and as
amended on February 21, 2011; (2) Appellant's Motion for Interested Party XEROX
CORPORATION (Hereafter Referred to as XEROX) filed on February 15, 2011; and (3)

1 Interested Party XEROX's Motion to Dismiss Appeal filed on February 25, 2011, scheduled for
2 Friday March 25, 2011 at 9:30 a.m., is hereby rescheduled and shall be heard before the Hearing
3 Officer for Procurement Appeals at Suite 907, 9th Floor, DNA Building, 238 Archbishop Flores
4 Street, Hagåtña , Guam, 96910 on Wednesday, April 27, 2011 at 9:30 a.m. For the benefit of the
5 parties and their counsel, the Hearing Officer issues the following statement regarding the
6 scheduled Pre-Hearing conference:

7 1. The Pre-Hearing Conference will focus on expediting the disposition of the appeal and
8 may include:

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

22 2. Any persons requiring special accommodations, auxiliary aids or services to attend the
23 Pre-hearing Conference shall contact and submit their request to Anne Camacho, Office of

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1 Public Accountability, Suite 401, DNA Building, 238 Archbishop Flores Street, Hagåtña, Guam,
2 96910, at 475-0390.

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4 **SO ORDERED** this 25th day of March, 2011 by:

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8 ANTHONY R. CAMACHO, ESQ.
9 Hearing Officer
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