



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

PROCUREMENT APPEALS

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6 IN THE APPEAL OF,
7 JMI-EDISON

8 Appellant

) **APPEAL NO: OPA-PA-11-001**

) **ORDER AFTER PRE-HEARING
CONFERENCE**

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11 **To: Purchasing Agency:**
12 General Services Agency
13 C/O Benjamin M. Abrams, Esq.
14 Civil Division, Office of the Attorney General
287 West O'Brien Drive
Hagåtña, Guam, 96910
Facsimile: (671) 472-2493

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16 **Appellant:**
17 JMI-Edison
18 C/O Joshua D. Walsh, Esq.
19 Teker Torres & Teker, P.C.
130 Aspinall Ave., Ste. 2A
Hagåtña, Guam, 96910
Facsimile: (671) 472-2601

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21 **Interested Party:**
22 Medpharm
23 C/O Jeffrey A. Cook, Esq.
24 Cunliffe & Cook, P.C.
210 Archbishop Flores St., Ste 200
Hagåtña, Guam, 96910
Facsimile: (671) 472-2422

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26 **THIS MATTER** came before the hearing officer on March 3, 2011 for a pre-hearing
27 conference. For good cause shown, the following is hereby ORDERED:
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1 1. A hearing on the merits of the Appellant's Appeal shall not be scheduled and the
2 Office of Public Accountability will issue a written decision based upon the pleadings and filing
3 on record in this matter. For appeals concerning procurement protests, parties shall either
4 request a hearing in writing or waive their right to a hearing and submit the case on the record
5 without a hearing. 2 G.A.R., Div. 4, Chap. 12, §12108(a). The Hearing Officer finds that after
6 the Appellant waived its right to a hearing on March 2, 2011, there is no other party in this
7 matter requesting a hearing. Therefore, no hearing in this matter shall be scheduled and a
8 decision shall be issued based on the existing record filed in this matter.
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11 2. The existing record in this matter shall include the Purchasing Agency's adoption of
12 Interested Party MEDPHARM's January 31, 2011 Comment on the Agency Report as the
13 Purchasing Agency's Rebuttal to the Appellant's January 31, 2011 Comments on the Agency
14 Report and the Appellant's February 23, 2011 Comments on the Amended Agency Report.
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16 3. Brief Re Remedies shall be due on Tuesday, March 8, 2011 at 5:00 p.m. The Parties
17 may, but are not required to, file and serve on the other parties, additional briefs on the issue of
18 Remedies no later than this date and time. Said briefs, if filed as set forth herein, shall be part of
19 the record in this matter to be considered in the decision.
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21 **SO ORDERED** this 3rd day of March, 2011 by:
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25 ANTHONY R. CAMACHO, ESQ.
26 Hearing Officer
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