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FILE NO OPA-PA: 14-013

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8 *PACIFIC DATA SYSTEMS, INC.*

OFFICE OF PUBLIC ACCOUNTABILITY

Docket No. OPA-PA 14-013

9 In the Appeal of
10 PACIFIC DATA SYSTEMS, INC.,
11 Appellant.

WITNESS LIST, ADMISSIONS OF
FACT, AND LIST OF ISSUES FILED BY
APPELLANT PACIFIC DATA SYSTEMS,
INC.

12
13 The Appellant Pacific Data Systems, Inc. ("PDS") files the following in response
14 to the Scheduling Order dated January 23, 2015.

15 I. WITNESS LIST

16 John Day, President of PDS, will testify on behalf of PDS.

17 II. ADMISSIONS OF FACT

18 1. PDS admits that Docomo Pacific, Inc. ("Docomo") was qualified to
19 provide services on Bid Forms A-1 and A-2. These are for internet services. PDS
20 further admits that Docomo was the low bidder on Bid Forms A-1 and A-2, and that
21 PDS is not protesting the award of those portions of the procurement to Docomo. PDS
22 protested only the award of items A-3, A-4 and A-5 to Docomo.

23 2. PDS admits that Guam Telecom, LLC has authority from the Guam
24 Public Utilities Commission to provide telecommunications services on Guam. PDS
25 denies that Docomo has such authorization.

26 3. PDS admits that Guam Telecom, LLC is an "affiliate" of Docomo.
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III. LIST OF ISSUES

1. Did Docomo violate Section 2.10.1.1 of the IFB by failing to provide the required information for its affiliate Guam Telecom, LLC?

2. Did GPA violate the IFB by failing to evaluate whether Guam Telecom, LLC met the qualification requirements to provide the specific services required by Bid Forms A-3, A-4 and A-5?

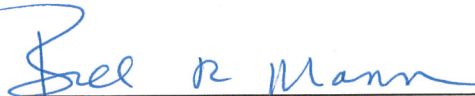
3. Did GPA violate the automatic stay?

DATED this 3^d day of February, 2015.

Respectfully submitted,

BERMAN O'CONNOR & MANN
Attorneys for Appellant
PACIFIC DATA SYSTEMS, INC.

By:



BILL R. MANN