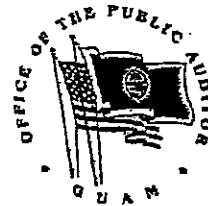


Suite 401 Pacific News Building  
238 Archbishop Flores St.  
Hagåtña, Guam 96910

Phone: (671) 475-0390  
FAX: (671) 472-7951



OFFICE OF THE PUBLIC AUDITOR

# Fax

To: Recipients listed in Attached letter From: Theresa Comatafa, OPA Procurement  
Agency: (see attached) Pages 4 (including cover)  
CC: Date: 3/7/2008 - Friday  
Fax: 649-0145 / 477-5206 / 649-7245 / 646-2968 / 670-235-4801 Phone: 647-224 / 472-7099 / 646-2367 / 670-235-4802  
Re: Order After Motion Hearing: OPA-PA-07-009  
 Urgent  For Review  Please Comment  Please Reply  Please Recycle

• Comments:

See Order Attached. Pls. re-send fax cover as acknowledgment of receipt. Thank you. ~~✍~~

475-0390 x. 207

\* re-sent to CMAA on 3/10/2008 (Monday)



OFFICE OF THE PUBLIC AUDITOR

PROCUREMENT APPEALS

IN THE APPEAL OF,  
PACIFIC SECURITY ALARM, INC.,  
Appellant

APPEAL NO: OPA-PA-07-009  
ORDER AFTER HEARING ON  
APPELLEE'S *EX PARTE* MOTION TO  
SHORTEN TIME FOR HEARING DATE

To: **Purchasing Agency:**  
Mr. PeterJohn D. Camacho, MPH, Administrator  
Guam Memorial Hospital Authority  
850 Carlos Camacho Road  
Oka, Tamuning, Guam 96911

**Attorney for the Purchasing Agency**  
Mr. Aaron R. Jackson, Esq.  
Mair, Mair, Spade & Thompson PC  
238 A.F.C. Flores Street  
Suite 801, Pacific News Building  
Hagatna, Guam, 96910

**Appellant:**  
Mr. George Lee Palmer, President & Director  
Pacific Security Alarm, Inc.  
1851 A. Army Drive  
Harmon, Guam, 96913

**Attorney for Appellant:**  
Mr. G. Anthony Long, Esq.  
Law Office of G. Anthony Long  
P.O. Box 504970  
Second Floor Lim's Bldg.  
San Jose, Saipan, MP 96950

**THIS MATTER** came before the Office of the Public Auditor on March 6, 2008 for a hearing on the Purchasing Agency's *Ex Parte* Motion to Shorten Time for Hearing Date. The

1 Appellant was present without his Counsel of Record, G. Anthony Long, Esq., who was off-  
2 island. No representatives for the Purchasing Agency were present, however, the Purchasing  
3 Agency was represented by its Counsel of Record, Aaron R. Jackson, Esq. The Hearing Officer,  
4 after hearing the arguments of the parties and considering the motions and responses thereto  
5 submitted for the hearing, hereby ORDERS the following:

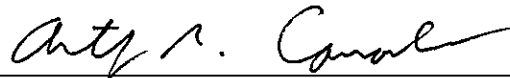
6 1. The Appellant's *Ex Parte* Motion to Continue the March 6, 2008 Hearing on  
7 Appellant's *Ex Parte* Motion to Shorten Time for Hearing Date is hereby DENIED on the  
8 following grounds: (1) The Hearing Officer finds that this motion, which was filed on March 5,  
9 2008, the day before the hearing, is untimely because the Appellant had notice of the March 6,  
10 2008 Hearing on February 29, 2008 and either knew or should have known that Appellant's  
11 counsel would be traveling at the date and time of the hearing and Appellant should have made  
12 an earlier effort to reschedule the hearing; and (2) The Hearing Officer finds that there are only  
13 eighteen (18) days between the hearing on the Purchasing Agency's *Ex Parte* Motion to shorten  
14 time and the next scheduled date for the formal hearing in this matter, and any delay would  
15 render Appellant's *Ex Parte* Motion to Shorten time moot.  
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18 2. The Purchasing Agency's *Ex Parte* Motion to Shorten Time for Hearing Date is  
19 hereby DENIED on the following grounds: (1) The Hearing Officer finds that the testimony of  
20 Appellant's Vice President, William H. Craig, is not duplicitous with the testimony of  
21 Appellant's President, George Lee Palmer because Mr. Craig would testify as to his technical  
22 knowledge and expertise relating to fire alarm systems, and such technical testimony would  
23 likely not be the same as Mr. Palmer's testimony, who is an accountant; and (2) The Hearing  
24 Officer finds that re-scheduling the hearing in this matter to a date that would prevent Appellant  
25 from presenting the testimony of Mr. Craig, whose name appears on Appellant's Witness List,  
26  
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1 would prejudicially burden Appellant by denying Appellant the opportunity to effectively  
2 present its case.

3 3. The March 24, 2008 Hearing in this matter shall be heard as scheduled.  
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5 **SO ORDERED** this 7<sup>th</sup> day of March, 2008 by:  
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9 ANTHONY R. CAMACHO, ESQ.  
10 Hearing Officer  
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