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PROCUREMENT APPEALS

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BY: J. Cruz

FILE No. OPA-PA -08-009

10 **OFFICE OF THE PUBLIC AUDITOR**

11 **TERRITORY OF GUAM**

12 IN THE APPEAL OF,

13 CAPTAIN, HUTAPEA & ASSOCIATES,
14 INC.

Appellant.

APPEAL NO: OPA-PA-08-009

DECLARATION OF ANTHONY C. PEREZ
RE: CONFLICT OF INTEREST

15 I, Anthony C. Perez, hereby declare and state as follows:

- 16 1) I am an attorney with the Law Firm of Lujan Aguigui & Perez ("LAP"), and represent
- 17 the Guam Housing and Urban Renewal Authority ("GHURA") in the case of In the
- 18 Appeal of Captain, Hutapea & Associates, Inc., Appeal No. OPA-PA-08-009.
- 19 2) On October 7, 2008, the Office of the Public Auditor, through Hearing Officer
- 20 Anthony R. Camacho, Esq., issued an Order Re. Production Of Additional Documents
- 21 And Information From The Purchasing Agency, requesting in part, that undersigned
- 22 counsel confirm that GHURA has given their informed consent to LAP to represent
- 23 them in this matter, considering an attorney at LAP may have a personal interest in
- 24 this case considering his wife ("wife") works for Captain Realty Advisors.

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28 In the Appeal of Captain, Hutapea & Associates, Inc.
Appeal No. OPA-PA-08-009
Declaration of Anthony C. Perez re: Conflict of Interest

- 1 3) Based on information and belief, the wife does not work for Captain, Hutapea &
2 Associates, nor is she identified as a person who would provide services pursuant to
3 this Request for Proposal as identified in Appellant's proposal.
4
5 4) Wife works as a real estate broker at Captain Realty Advisors, which is not an
6 appellant in this matter, and whose focus is the selling of real estate, not real estate
7 consulting as is contemplated by the proposal submitted by Captain, Hutapea &
8 Associates.
9
10 5) Furthermore, husband of wife, who is an attorney at LAP, has been screened from this
11 matter to ensure no appearance or existence of any impropriety.
12
13 6) Consequently, there is no significant risk that representation of GHURA will be
14 materially limited by any personal interest of LAP. *See* Rule 1.7(a)(2), Guam Rules of
15 Conduct.
16
17 7) In accordance with Rule 1.7(b)(4), GHURA has been informed of the potential
18 conflict issues, and has given informed consent to undersigned counsel, confirmed in
19 writing. *See* attached Declaration of Benny Pinaula, Deputy Director of GHURA.

20 I declare under the penalty of perjury that the foregoing is true and correct. Executed this
21 9th day of October, 2008, in Hagatna, Guam.

22 **LUJAN AGUIGUI & PEREZ LLP**

23
24 By:


25 **ANTHONY C. PEREZ, ESQ.**
26 *Attorneys for GHURA*