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Attorney for Appellant
Purestone, LLC

**BEFORE THE PUBLIC AUDITOR
PROCUREMENT APPEALS
TERRITORY OF GUAM**

IN THE MATTER OF THE APPEAL)	PROCUREMENT APPEAL NO. OPA-PA-16-009
of)	
PURESTONE, LLC)	DECLARATION OF SAMANTHA STERN IN
)	SUPPORT OF APPELLANT'S MOTION
Appellant.)	FOR DISQUALIFICATION AND
)	REQUEST FOR DISMISSAL

I, SAMANTHA STERN, hereby declare as follows:

1. I am over the age of eighteen and competent to testify should I be called to testify about the facts set forth in this Declaration.
2. I make this declaration in support of the Appellant's motion for disqualification and request for dismissal.
3. I am the President and authorized agent for the Appellant, Purestone, LLC.
4. On January 21, 2014, Purestone, LLC submitted its proposal to the Guam Economic Development Authority (hereinafter "GEDA") RFP-14-002 for the residential development of Lajuna Point for the Chamorro Land Trust Commission (hereinafter "CLTC").

ORIGINAL

1 5. On March 21, 2014, on behalf of Purestone, LLC, I was notified that it was ranked Most
2 Qualified Offeror.

3 6. I personally was involved in the negotiations for the Development Agreement for the
4 extraction of aggregate from the property for the purpose of preparing the property for a residential
5 subdivision. The attorney that I worked with prior to the initiation of the procurement dispute was
6 Attorney Terrene Brooks, who represented to me that he was the attorney for GEDA.

7 7. During the course of the negotiation, I was contacted by Attorney Brooks and advised that
8 the CLTC was requesting that the finalization of the Development Agreement be suspended due to the
9 Guam Legislature's consideration of rules and regulations which would affect the commercial activities of
10 the CLTC.

11 8. I have corresponded directly with Attorney Brooks regarding the Development Agreement
12 and the nature of the scope of work under the proposal, and various issues involving RFP-14-002.

13 9. Upon information and belief, Attorney Brooks is the step-son of the Public Auditor, Doris
14 Flores Brooks.

15 10. On or about November 9, 2015, Public Law 33-95 was signed into law, modifying specific
16 provisions of law related to the regulation of CLTC commercial activity.

17 11. Following Purestone, LLC's protest, Attorney Tom Fisher was then the assigned attorney
18 to the procurement protest. Upon information and belief, Attorney Fisher was requested to manage the
19 procurement protest in the anticipation that this protest would be forwarded to the Public Auditor, and
20 GEDA was anticipating avoiding a conflict with the Public Auditor due to the family relationship between
21 the Public Auditor and Attorney Brooks.

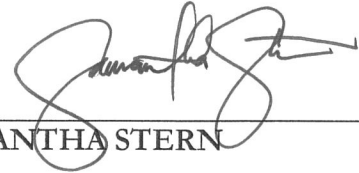
22 12. Nearly three (3) years has passed since the request for proposal was issued, and I anticipate
23 another delay due to this appeal and the disqualification process.

1 13. I request that the Public Auditor recuse herself from these proceedings, and dismiss these
2 proceedings to allow Purestone, LLC to proceed to the Superior Court of Guam. To do otherwise, may
3 result in a protracted proceeding, which is contrary to the policy of expedited appeals.

4 I declare under penalty of perjury of the laws of Guam that the foregoing is true and correct to the
5 best of my knowledge.

6 DATED this 29th day of August, 2016.

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SAMANTHA STERN