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OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

DATE: 07/06/2016
TIME: 8:40 AM PM BY: AG
FILE NO OPA-PA: 16-003 & 16-005

**IN THE OFFICE OF PUBLIC ACCOUNTABILITY
HAGATNA GUAM**

In the Appeal of

TLK Marketing Co. Ltd.,
Appellant.

**DOCKET NO. OPA-PA-16-003 &
OPA-PA-16-005**

**DECLARATION OF SARA ROSE
FITZPATRICK**

I, **SARA ROSE FITZPATRICK**, hereby declare under penalty perjury as follows:

1. I am employed as a legal assistant at the firm of Civile & Tang, PLLC.
2. I have personal knowledge of the facts set forth herein, and if called upon to testify, I would and could competently testify thereto.
3. On Tuesday, July 5, 2016, from approximately 11:00 a.m. to approximately 12:00 p.m., I went to the Tumon offices of the Guam Visitors Bureau to inspect all of the files relating to the solicitation for the GVB Korean Marketing Services contract (GVB RFP No. 2016-006) ("Solicitation Files").
4. When I arrived, I was assisted by Mr. Tony Muna, who represented to me

that all documents and files relating to the Solicitation Files were in three boxes which had been sealed shut with tape and were placed in a conference room for my review. The three boxes were unsealed in front of me. From the time the boxes were opened until I finished inspecting the Solicitation Files, I did not leave the room. During that time, no part of the Solicitation Files was removed, replaced, or added to the boxes, except for my inspection or to make copies at my request.

5. Mr. Muna was present in the conference room while I reviewed the Solicitation Files, and left only to make copies that I requested.

6. The boxes contained the four proposals submitted by the offerors. I examined the entire Solicitation Files *except* for the four proposals.

7. At no time during my review of the file did I see copies of the following documents:

a. The Memorandum of Negotiation dated July 1, 2016 signed by Jon Nathan Denight, which was attached to GVB's Notice providing additional documents in this case.

b. The July 1, 2016 letter from Jon Nathan Denight to Attorney General Elizabeth Barrett Anderson, regarding debarment proceedings against TLK, which was attached to GVB's Notice providing additional documents in this case.

c. The March 5, 2016 email chain from Pilar Laguana (GVB), which was attached to GVB's Notice providing additional documents in this case.

d. A log of communications between government employees and any member of the public, potential bidder, vendor or manufacturer which was in any

way related to the procurement.

Executed this 5th day of July, 2016, in Hagatna, Guam.



SARA ROSE FITZPATRICK