

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



FAX

To:	Ms. Claudia S. Acfalle Chief Procurement Officer General Services Agency Department of Administration 148 Route 1 Marine Drive Piti, Guam 96915 Phone: (671) 475-1707 Fax: (671) 475-1727/472-4217	From:	Benjamin J.F. Cruz Public Auditor Office of Public Accountability
	Ms. Shannon Taitano Assistant Attorney Generals Office of the Attorney General of Guam 590 S. Marine Corps Drive, Suite 706 Tamuning, Guam, 96913 Fax: (671) 472-2493	Pages:	4 (including cover page)
CC:	Mr. John C Terlaje, Esq. Attorney for Appellant Joeten Development, Inc. Law Offices of John C. Terlaje 194 Hernan Cortes Avenue, Suite 216 Hagatna, Guam 96910 Tel: (671) 477-8894 Fax: (671) 472-8896	Date:	December 31, 2018
		Phone: Fax:	(671) 475-0390 x. 208 (671) 472-7951

Re: OPA-PA-18-008 Signed Stipulation and Order of Dismissal

Urgent
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Thank you,
 Jerrick Hernandez
 Auditor
 jhernandez@guamopa.com

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Office of the Attorney General
Elizabeth Barrett-Anderson
 Attorney General of Guam
Solicitor Division
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 Tel. (671) 475-3324 Fax. (671) 472-2493
 www.guamag.org
Attorneys for the Government of Guam

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 OFFICE OF PUBLIC ACCOUNTABILITY
 PROCUREMENT APPEALS

DATE: Dec 28, 2018

TIME: 2:42 AM PM BY: FDJ

FILE NO OPA-PA: 18-008

**IN THE OFFICE OF PUBLIC ACCOUNTABILITY
 PROCUREMENT APPEAL**

IN THE APPEAL OF:)	DOCKET NO. OPA-PA-18-008
)	
JOETEN DEVELOPMENT, INC.,)	
)	
Appellant,)	
)	
And)	STIPULATION AND
)	ORDER OF DISMISSAL
GENERAL SERVICES AGENCY AND)	
DEPARTMENT OF REVENUE AND)	
TAXATION,)	
)	
Purchasing Agency.)	

The Department of Revenue and Taxation and General Services Agency, Government of Guam, and Joeten Development, Inc. (collectively "the Parties"), by and through their respective undersigned counsel, hereby jointly submit this Stipulation and Order. The Parties stipulate as follows:

1. The Parties have negotiated a lease agreement and a Purchase Order has been issued to Joeten Development, Inc. for the lease of office space as described in the Purchase Order pursuant to a sole source procurement under 5 G.C.A. § 3112.

ACKNOWLEDGEMENT COPY
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12/26/18 3:54

2. In light of the foregoing, the Parties stipulate to withdraw and dismiss all claims in the appeal. Each party shall bear its own costs and fees.
3. The Parties are informed of their right to appeal from a Decision by the Public Auditor to the Superior Court of Guam, in accordance with 5 G.C.A. § 5481(a). The Parties intend and agree for this Stipulation and Order to be a final, binding resolution of the disputes between them, and accordingly, the Parties agree that they shall not appeal, and hereby waive their right to appeal, this Stipulation and Order under 5 G.C.A. § 5481(a) or any other applicable statute. The Office of Public Accountability shall retain jurisdiction of this matter solely for the purpose of enforcing the terms and conditions of this Stipulation and Order. Nothing contained herein constitutes an admission of liability by either of the Parties.

SO STIPULATED:

LAW OFFICES OF JOHN C. TERLAJE

**OFFICE OF THE ATTORNEY GENERAL
Elizabeth Barrett-Anderson, Attorney General**

By: 

JOHN C. TERLAJE
Attorney for Joeten Development, Inc.

By: 

SHANNON JOY TAITANO
Assistant Attorney General

Dated: 12/28/18

Dated: 12-28-18

///

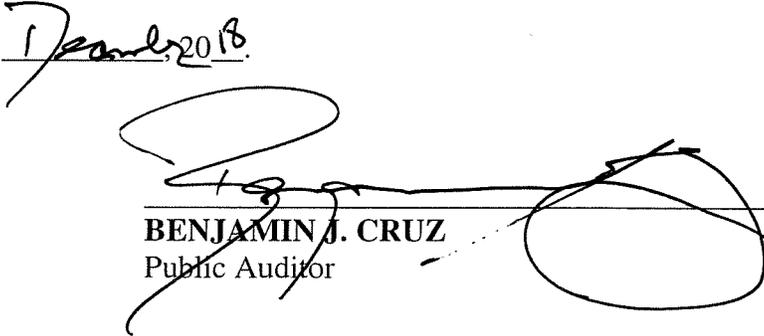
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ORDER

Pursuant to the foregoing Stipulation made by the Parties, it is hereby ORDERED that this matter is dismissed by mutual stipulation by the Parties. The Public Auditor's approval of this Stipulation and Order is a Final Administrative Decision. As acknowledged in this Stipulation above, the Parties are hereby informed of their right to appeal from a Decision by the Public Auditor to the Superior Court of Guam, in accordance with 5 G.C.A. § 5481(a). The Parties have agreed not to appeal this order, and knowingly waive said right to appeal.

A copy of this Stipulation and Order shall be provided to the Parties and their respective attorneys in accordance with 5 G.C.A. § 5702, and shall be made available for review on the OPA website at www.opaguam.org.

SO ORDERED this 31 day of January, 2018.



BENJAMIN J. CRUZ
Public Auditor

Broadcast Report

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12-31-2018
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003	775	6714722493	11:04:08 a.m. 12-31-2018	00:00:51	4/4	1	EC	HS	CP21600
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Law Offices of John C. Terlaje

Name: falia

Date: 12/31/18 Time: 11:26am

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 Jerrick Hernandez
 Auditor
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