

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:** John Weisenberger – Attorney for Appellee      **From:** OPA Procurement Appeals  
John Thos. Brown – Attorney for Appellant

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**Agency:** Office of the Attorney General      **Pages:** 5 (Including cover)  
Island Business Systems and Supplies

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**CC:** Appellee – Claudia Acfalle – CPO      **Date:** Wednesday– 12/24/08

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**Fax:** 472-2493 / 472-6153 / 475-4217      **Phone:** 475-3324 / 477-7293

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**Re:** (1) Notice of Hearing & (2) Corrected Dates on Scheduling Order re  
Formal Hearing: OPA-PA-08-012

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Urgent     For Review     Please Comment     Please Reply     Please Recycle

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● **Comments:**

See Orders attached. Please acknowledge receipt by re-sending this cover page along with the firm or agency stamp, date, and initials of receiver. Thank you.

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Theresa – 475-0390 [tgumataotao@guamopa.org](mailto:tgumataotao@guamopa.org)

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OFFICE OF THE PUBLIC AUDITOR

**PROCUREMENT APPEALS**

IN THE APPEAL OF,  
TOWN HOUSE DEPARTMENT STORES,  
INC., dba ISLAND BUSINESS SYSTEMS &  
SUPPLIES,

Appellant.

**APPEAL NO: OPA-PA-08-012**

**NOTICE OF HEARING**

To: **Attorney for Appellant: Island Business Systems and Supplies**  
John Thos. Brown, Esq.  
General Counsel  
545 Chalan Machaute  
Maite, Guam 96932

VIA FACSIMILE: 671-472-6153

**Attorney for Appellee: General Services Agency**  
John Weisenberger, Esq.  
Assistant Attorney General  
Office of the Attorney General  
287 West O'Brien Drive  
Hagatna, Guam, 96910

VIA FACSIMILE: 671-472-2493

**Purchasing Agency - General Services Agency (GSA)**  
Claudia S. Acfalle  
Chief Procurement Officer  
General Services Agency  
Department of Administration  
148 Route 1 Marine Drive  
Piti, Guam 96915

VIA FACSIMILE 671-475-4217

You are hereby notified that a Hearing will be held on Wednesday, January 7, 2009, at 9:00 A.M. before Public Auditor Doris Flores Brooks and the appointed Hearing Officer for

Notice of Hearing- 1

1 Procurement Appeals, Anthony R. Camacho, Esq. relative to the above-referenced procurement  
2 appeal.

3  
4 The Hearing will be held at the Department of Corrections, Conference Room, located on the 5<sup>th</sup>  
5 floor of the DNA Building, Suite 505, at 238 Archbishop Flores Street, Hagatna Guam 96910.  
6 You may be present at the Hearing and may be represented by counsel. Further, you may present  
7 any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying  
8 against you. You are entitled to the issuance of subpoenas to compel the attendance of witnesses  
9 and the production of books, documents, or other things by applying to the appointed Hearing  
10 Officer for Procurement Appeals at the Office of the Public Auditor.

11 This Notice of Hearing is issued this 24th day of December 2008, by the Office the Public  
12 Auditor. Please acknowledge receipt of this Notice and return to the Office of the Public  
13 Auditor.

14  
15  
16 **Acknowledged receipt:**

17  
18 \_\_\_\_\_  
19 Receiver's Signature

20 \_\_\_\_\_  
21 Print Name

22  
23 \_\_\_\_\_  
24 Date



OFFICE OF THE PUBLIC AUDITOR

PROCUREMENT APPEALS

IN THE APPEAL OF,  
TOWN HOUSE DEPARTMENT STORES,  
INC., dba ISLAND BUSINESS SYSTEMS &  
SUPPLIES,  
Appellant.

APPEAL NO: OPA-PA-08-012

SCHEDULING ORDER RE FORMAL  
HEARING

To: **Attorney for Appellant: Island Business Systems and Supplies**  
John Thos. Brown, Esq.  
General Counsel  
545 Chalan Machaute  
Maite, Guam 96932

VIA FACSIMILE: 671-472-6153

**Attorney for Appellee: General Services Agency**  
John Weisenberger, Esq.  
Assistant Attorney General  
Office of the Attorney General  
287 West O'Brien Drive  
Hagatna, Guam, 96910

VIA FACSIMILE: 671-472-2493

**THIS MATTER** came before the Office of the Public Auditor on December 5, 2008, for a Pre-Hearing Conference. The Appellant was represented by its Counsel of Record, John Thos. Brown. No representatives from the purchasing agency, the General Services Agency (Hereafter referred to as "GSA") were present; however, GSA was represented by its Counsel of Record Assistant Attorney General John Weisenberger.

The following schedule is hereby ordered for the Hearing on Appellant's appeal, but remains subject to change at the discretion of the Hearing Officer:

1 **Filing Deadline For**  
2 **Hearing Materials:**

December 29, 2008 at 5:00 P.M.

3 Parties shall file and serve on the other parties, no later than this  
4 date and time, copies of their respective Witness Lists, Exhibit  
5 Lists, Exhibits, Admissions of Fact, and List of Issues which  
6 require evidence or arguments to be presented at the Hearing. The  
7 Parties may file stipulated joint witness, exhibits, issues lists, and  
admissions of fact in lieu of filing such documents separately. No  
less than four copies of all lists and exhibits must be submitted to  
OPA.

8 **Filing Deadline for**  
9 **Hearing Briefs:**

December 30, 2008 at 5:00 P.M.

10 The parties shall file and serve on the other parties, their Hearing  
11 Briefs summarizing their arguments concerning contested issues  
no later than this date and time.

12 **Hearing Date:**

13 January 7, 2008<sup>9</sup> at 9:00 A.M.

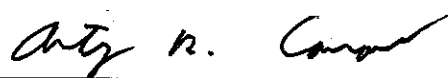
14 (Notice to issue no later than ten days prior – December 26, 2008)  
15 The Hearing will proceed in the following order: (1) Opening  
Statements of the Parties; (2) Appellant's Case in Chief; (3) The  
Purchasing Agency's Case in Chief; (4) Closing Statements of the  
Parties.

16 **Filing Deadline for**  
17 **Brief Re Remedies:**

18 January 14, 2008<sup>9A</sup> at 5:00 P.M.

19 The Parties may, but are not required to, file and serve on the other  
20 parties, additional briefs on the issue of Remedies no later than this  
date and time.

21 **SO ORDERED** this 5<sup>th</sup> day of December, 2008 by:

22 

23 ANTHONY R. CAMACHO, ESQ.  
24 Hearing Officer

# WorkCentre Pro 123 Broadcast Report

G3 ID

472-7951

Date/Time: 12/24/2008: 11:04AM

Page: 1

Local Name  
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Document Size 8.5X11\*SEF

Suite 401 Pacific News Building  
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Hagåtña, Guam 96910

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FAX: (671) 472-7951



OFFICE OF THE PUBLIC AUDITOR

## Fax

To: Guam Media	From: OPA Procurement Appeals
Agency:	Pages: 3 (including cover)
On:	Date: Wednesday - 12/24/08
Fax:	Phone:
Re: Notice of Hearing - OPA-PA-08-012 In the appeal of IBSS for January 7, 2009 9:00 AM	
<input type="checkbox"/> Urgent <input checked="" type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle	

\*Comments:

See Notices Attached.

Further, if any disabled person or party wishes to attend the announced meeting and requires special accommodations, auxiliary aids, or services please contact Theresa Gumataotao at 475-0390 x. 220.

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2	0194	MV	10:51AM	24s	3/ 3	SG3 BC		CP
3	0194	K57	10:52AM	41s	3/ 3	ECM BC		CP
4	0194	KUAM	10:54AM	21s	3/ 3	SG3 BC		CP
5	0194	GUAM BUSINESS	10:55AM	18s	3/ 3	SG3 BC		CP
6	0194	KSTO	10:57AM	52s	3/ 3	ECM BC		CP
7	0194	GUAHAN MAGAZINE	10:59AM	1m11s	3/ 3	ECM BC		CP
8	0194	HIT RADIO 100	11:02AM	15s	3/ 3	SG3 BC		CP

# WorkCentre Pro 123 Broadcast Report

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PG: Polling      RB: Relay Broadcast      RS: Relay Send      BF: Box Fax Forward      CP: Completed  
SA: Send Again      EN: Engaged      AS: Auto Send      TM: Terminated