

65

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

Phone: (671) 475-0390  
FAX: (671) 472-7951



GOVERNMENT OF GUAM  
RETIREMENT FUND  
OCT 30 2009  
RECEIVED  
Director's Office

OFFICE OF THE PUBLIC AUDITOR

# Fax

**To:** Ms. Paula M. Blas, Director  
Government of Guam Retirement Fund  
Mr. William J. Blair, Esq., Attorney for  
Appellant ASC Trust Corporation  
**From:** Doris Flores Brooks, Public Auditor

**Agency:** \_\_\_\_\_ **Pages:** 2 (Including cover)

**CC:** \_\_\_\_\_ **Date:** Thursday, Oct. 29, 2009

**Fax:** 475-8922 (GGRF); 475-2490 (W. Blair) **Phone:** 475-0390 x 219 (Anne Camacho); x  
204 (Rodalyn Marquez); x 210 (Lourdes  
Perez)

**Re:** OPA-PA-09-010: Notice of Appeal

Urgent     For Review     Please Comment     Please Reply     Please Recycle

**•Comments:**

**See attachment and enclosure. Please acknowledge receipt of this fax by re-sending this cover page stamped with your agency name, date, and initials. Thank you.**

Rodalyn Marquez x. 204 [rmarquez@guamopa.org](mailto:rmarquez@guamopa.org)

This facsimile transmission and accompanying documents may contain confidential or privileged information. If you are not the intended recipient of this fax transmission, please call our office and notify us immediately. Do not distribute or disclose the contents to anyone. Thank you.

1 WILLIAM J. BLAIR  
 2 BLAIR STERLING JOHNSON  
 3 MARTINEZ & LEON GUERRERO  
 4 A PROFESSIONAL CORPORATION  
 5 SUITE 1008 DNA BUILDING  
 6 238 ARCHBISHOP F.C. FLORES STREET  
 7 HAGATÑA, GUAM 96910-5205  
 8 TELEPHONE: (671) 477-7857

9 *Appellant's Duly Authorized Representative*

GOVERNMENT OF GUAM  
 RETIREMENT FUND  
 RECEIVED  
 OFFICE OF THE PUBLIC AUDITOR  
 PROCUREMENT APPEALS  
 RECEIVED  
 Director's Office

OCT 29 2009

TIME: 3:05 PM  
 BY: R. MARQUEZ  
 FILE No. OPA-PA -09-010

OFFICE OF PUBLIC ACCOUNTABILITY  
 PROCUREMENT APPEAL

IN THE APPEAL OF ) APPEAL NO. OPA-PA-09-\_\_\_\_  
 )  
 ASC TRUST CORPORATION, ) NOTICE OF APPEAL  
 )  
 )  
 )  
 Appellant. )

APPELLANT INFORMATION

13 Name: ASC Trust Corporation  
 14 Mailing Address: c/o Blair Sterling Johnson  
 15 Martinez & Leon Guerrero, P.C.  
 16 1008 DNA Building  
 238 Archbishop F.C. Flores Street  
 Hagatña, Guam 96910  
 17 Daytime Contact No.: c/o William J. Blair, Esq.  
 18 (671) 477-7857

APPEAL INFORMATION

- 20 A) Purchasing Agency: Government of Guam Retirement Fund (the
- 21 "Fund")
- 22 B) Identification Number of Procurement: RFP No. GGRE-028-06
- 23 C) Decision being appealed was made on October 26, 2009 by the
- 24 Director of the Fund.
- 25 D) Appeal is made from Decision on Protest of Award. Copies of
- 26 the notice of protest and the Fund's decision are attached
- 27 as Exhibits 1 and 2.
- 28 E) Names of Competing Offerors: Great-West Retirement Services  
 Lincoln Financial Group/Bank  
 of Hawaii

**ORIGINAL**

66

## Paula Blas

---

**From:** Paula Blas [pmbblas@ite.net]  
**Sent:** Friday, October 30, 2009 10:33 AM  
**To:** 'gregory.seller@gwrs.com'  
**Cc:** 'Morris, Kent'; 'Perez, Mike'  
**Subject:** ASC Appeal - Notice to GWRS  
**Attachments:** ASC Appeal - Notice to GWRS 10.30.09.PDF

Good Morning Everyone,

In the interest of time, please see the attached letter. I am sending the original out to Greg.

Thank you,

-----  
Paula M. Blas  
Director  
GOVERNMENT OF GUAM RETIREMENT FUND  
(671) 475-8900/01  
-----

**NOTICE: THIS EMAIL IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE. If the reader of this message is not the intended recipient or an employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication by error, please notify us immediately by telephone and discard the original message. Thank you for your cooperation.**

  
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**RETIREMENT FUND**  
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**Felix P. Camacho**  
*Governor*

**Michael W. Cruz, M.D.**  
*Lieutenant Governor*

**Paula M. Blas**  
*Director*

*Trustees:*

**Joe T. San Agustin**  
*Chairman*

**Wilfred P. Leon Guerrero, Ed.D.**  
*Vice-Chairman*  
*Investment Committee, Chairman*

**Antolina S. Leon Guerrero**  
*Secretary*

**Gerard A. Cruz**  
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*Members' & Benefits Committee,*  
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**Katherine T.E. Taitano**  
*Trustee*

**Wilfred G. Aflague**  
*Trustee*

October 30, 2009

Mr. Gregory E. Seller  
Senior Vice President, Government Markets  
**GREAT-WEST RETIREMENT SERVICES**  
18111 Von Karman Avenue, Suite 560  
Irvine, CA. 92612

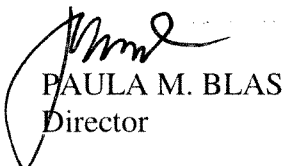
Re: RFP No. GGRF-028-06 – Investment Management and Plan  
Administration Services related to the 401(a) Defined  
Contribution Plan, 457 Deferred Compensation Plan and  
Welfare Benefit Plan: Notice of Appeal

Dear Mr. Seller:

Please be advised that on October 29, 2009, ASC Trust Corporation filed a Notice of Appeal on the above subject Request for Proposal. Please communicate directly with the Office of Public Accountability regarding the status of the Appeal. Also, be advised that the contract of award for RFP No. GGRF-028-06 is stayed until resolution of ASC Trust Corporation appeal has been settled.

Thank you for your cooperation.

Sincerely,

  
PAULA M. BLAS  
Director

**Paula Blas**

---

**From:** Paula Blas [pmbblas@ite.net]  
**Sent:** Friday, October 30, 2009 5:18 PM  
**To:** William J. Blair  
**Subject:** ASC Appeal - Notice to ASC 10.30.09  
**Attachments:** ASC Appeal - Notice to ASC 10.30.09.PDF

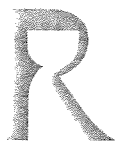
Good Evening Atty. Blair,

In the interest of time, please see the attached notice. The original letter has been mailed.

Thank you,

-----  
Paula M. Blas  
Director  
GOVERNMENT OF GUAM RETIREMENT FUND  
(671) 475-8900/01  
-----

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**RETIREMENT FUND**  
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**Katherine T.E. Taitano**  
*Trustee*

**Wilfred G. Aflague**  
*Trustee*

October 30, 2009

Mr. David J. John  
President  
**ASC TRUST CORPORATION**  
c/o William J. Blair, Esq.  
Blair Sterling Johnson Martinez & Leon Guerrero, P.C.  
1008 DNA Building  
238 Archbishop F.C. Flores Street  
Hagåtña, Guam 96910

Re: RFP No. GGRF-028-06 – Investment Management and Plan  
Administration Services related to the 401(a) Defined  
Contribution Plan, 457 Deferred Compensation Plan and  
Welfare Benefit Plan: Notice of Appeal

Dear Mr. John:

Please be advised that on October 29, 2009, ASC Trust Corporation filed a Notice of Appeal on the above subject Request for Proposal. Please communicate directly with the Office of the Public Accountability regarding the status of the Appeal. Also, be advised that the contract of award for RFP No. GGRF-028-06 is stayed until resolution of ASC Trust Corporation appeal is settled.

Thank you for your cooperation.

Sincerely,

  
PAULA M. BLAS  
Director



**Paula Blas**

---

**From:** Paula Blas [pmbblas@ite.net]  
**Sent:** Friday, October 30, 2009 4:47 PM  
**To:** Scott, Michele  
**Subject:** ASC Appeal - Notice to BOH-LFG  
**Attachments:** ASC Appeal - Notice to BOH-LFG 10.30.09.PDF

Good Evening Michele,

In the interest of time, please see the attached. The original letter has been mailed.

Thank you,

-----  
Paula M. Blas  
Director  
GOVERNMENT OF GUAM RETIREMENT FUND  
(671) 475-8900/01  
-----

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**Paula Blas**

---

**From:** Paula Blas [pmbblas@ite.net]  
**Sent:** Friday, October 30, 2009 10:35 AM  
**To:** Scott, Michele  
**Subject:** ASC Appeal - Notice to BOH/LFG  
**Attachments:** ASC Appeal - Notice to BOH-LFG 10.30.09.PDF

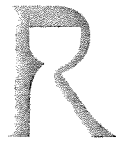
Good Morning Michele,

In the interest of time, please see the attached.

Thank you,

-----  
Paula M. Blas  
Director  
GOVERNMENT OF GUAM RETIREMENT FUND  
(671) 475-8900/01  
-----

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**Paula M. Blas**  
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*Members' & Benefits Committee,*  
*Chairman*

**Katherine T.E. Taitano**  
*Trustee*

**Wilfred G. Aflague**  
*Trustee*

October 30, 2009

Ms. Michelle Scott  
Regional Vice President  
**LINCOLN FINANCIAL GROUP/ BANK OF HAWAII**  
1300 South Clinton Street  
Fort Wayne, IN. 46802

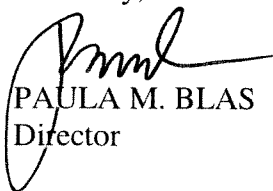
Re: RFP No. GGRF-028-06 – Investment Management and Plan  
Administration Services related to the 401(a) Defined  
Contribution Plan, 457 Deferred Compensation Plan and  
Welfare Benefit Plan: Notice of Appeal

Dear Ms. Scott:

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Thank you for your cooperation.

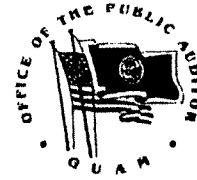
Sincerely,

  
PAULA M. BLAS  
Director

67

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

GOVERNMENT OF GUAM  
RETIREMENT FUND

OCT 30 2009

11:30 PM  
RECEIVED

Director's Office

**To:** Ms. Paula M. Blas, Director  
Government of Guam Retirement Fund  
Mr. William J. Blair, Esq., Attorney for  
Appellant ASC Trust Corporation

**From:** Doris Flores Brooks, Public Auditor

**Agency:**

**Pages:** 4 (Including cover)

**CC:**

**Date:** Friday, Oct. 30, 2009

**Fax:** 475-8922 (GGRF); 472-4290 (W. Blair)

**Phone:** 475-0390 x 219 (Anne Camacho); x  
204 (Rodalyn Marquez); x 210 (Lourdes  
Perez)

**Re:** OPA-PA-09-010: Notice of Receipt of Appeal

Urgent  For Review  Please Comment  Please Reply  Please Recycle

**Comments:**

Please see attachment and acknowledge receipt of this transmittal by re-sending this cover page stamped with your agency name, date, and initials.

Thank you.

Rodalyn Marquez x. 204 [rmarquez@guamopa.org](mailto:rmarquez@guamopa.org)

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1 WILLIAM J. BLAIR  
 2 BLAIR STERLING JOHNSON  
 3 MARTINEZ & LEON GUERRERO  
 4 A PROFESSIONAL CORPORATION  
 5 SUITE 1008 DNA BUILDING  
 6 238 ARCHBISHOP F.C. FLORES STREET  
 7 HAGÁTÑA, GUAM 96910-5205  
 8 TELEPHONE: (671) 477-7857

**RECEIVED**  
 OFFICE OF THE PUBLIC AUDITOR  
 PROCUREMENT APPEALS

OCT 29 2009

TIME: 3:05 PM

BY: R. MARQUEZ

FILE No. OPA-PA -09-010

Appellant's Duly Authorized Representative

**OFFICE OF PUBLIC ACCOUNTABILITY  
 PROCUREMENT APPEAL**

8 IN THE APPEAL OF ) APPEAL NO. OPA-PA-09-\_\_\_\_  
 9 )  
 10 ASC TRUST CORPORATION, ) NOTICE OF APPEAL  
 11 )  
 12 Appellant. )

**APPELLANT INFORMATION**

13 Name: ASC Trust Corporation  
 14 Mailing Address: c/o Blair Sterling Johnson  
 15 Martinez & Leon Guerrero, P.C.  
 16 1008 DNA Building  
 238 Archbishop F.C. Flores Street  
 Hagåtña, Guam 96910  
 17 Daytime Contact No.: c/o William J. Blair, Esq.  
 18 (671) 477-7857

**APPEAL INFORMATION**

- 20 A) Purchasing Agency: Government of Guam Retirement Fund (the
- 21 "Fund")
- 22 B) Identification Number of Procurement: RFP No. GGRF-028-06
- 23 C) Decision being appealed was made on October 26, 2009 by the
- 24 Director of the Fund.
- 25 D) Appeal is made from Decision on Protest of Award. Copies of
- 26 the notice of protest and the Fund's decision are attached
- 27 as Exhibits 1 and 2.
- 28 E) Names of Competing Offerors: Great-West Retirement Services  
 Lincoln Financial Group/Bank  
 of Hawaii

**ORIGINAL**

68

Oct-30-09

10:25am From-Gov Guam Ret. ent Employee

+6714779491

T-693

P.001/001

F-446

4727951

OFFICE OF PUBLIC AUD

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

GOVERNMENT OF GUAM  
RETIREMENT FUND

OCT 30 2009

RECEIVED

Director's Office

# Fax

To: Ms. Paula M. Blas, Director  
Government of Guam Retirement Fund  
Mr. William J. Blair, Esq., Attorney for  
Appellant ASC Trust Corporation

From: Doris Flores Brooks, Public Auditor

Agency: \_\_\_\_\_ Pages: 2 (including cover)

CC: \_\_\_\_\_ Date: Thursday, Oct 29, 2009

Fax: 475-8922 (GGRF); 472-4250 (W. Blair) Phone: 475-0390 x 219 (Anne Camacho); x  
204 (Rodalyn Marquez); x 210 (Lourdes  
Perez)

Re: OPA-PA-09-010: Notice of Appeal

Urgent  For Review  Please Comment  Please Reply  Please Recycle

Comments:

See attachment and enclosure. Please acknowledge receipt of this fax by re-  
sending this cover page stamped with your agency name, date, and initials.

Thank you.

Rodalyn Marquez x. 204 rmarquez@guamopa.org

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OFFICE OF THE PUBLIC AUDITOR  
Doris Flores Brooks, CPA, CGFM  
Public Auditor

October 30, 2009

Ms. Paula M. Blas  
Director  
Government of Guam Retirement Fund  
424 Route 8  
Maite, Guam 96910

COVERED BY  
RECEIVED  
OCT 30 2009  
RECEIVED  
Director's Office

**VIA FACSIMILE: 475-8922**

Re: Receipt of Notice of Appeal Regarding RFP No. GGRF-028-06: Investment Management and Plan Administration Services

Dear Ms. Blas,


Please be advised that Attorney William Blair, Esq., Attorney for Appellant ASC Trust Corporation, has filed an appeal with the Office of Public Accountability on October 29, 2009, of your protest decision on the above-stated procurement action. The appeal has been assigned Master File No. **OPA-PA-09-010**.

Immediate action is required of your office pursuant to the Rules of Procedure for Procurement Appeals, found in Chapter 12 of the Guam Administrative Regulations. Copies of the rules, the appeal, and all filing deadlines are available at our office and on our website at [www.guamopa.org](http://www.guamopa.org). The transmittal letter and the first page of the notice of appeal files are enclosed for your reference.

Please provide the required notice of this appeal to the required parties with instruction that they should communicate directly with OPA regarding the appeal. You are also responsible for giving notice to the Attorney General or other counsel for your agency. Promptly provide OPA with the identities and addresses of interested parties and a formal entry of appearance by your counsel.

Please submit one complete copy of the procurement record to OPA by Friday, November 6, 2009, five working days following receipt of this notice of appeal. When filing required documents with our office please provide an original and two copies for OPA and serve a copy to the Appellant (protesting vendor).

Thank you for your prompt attention to this matter. Please contact Rodalyn Marquez at ext. 204 if you have any questions regarding this notice.

Sincerely,  
  
Doris Flores Brooks, CPA, CGFM  
Public Auditor

Enclosure: First Page of Notice of Appeal- OPA-PA-09-010  
Cc: Mr. William J. Blair, Esq., Attorney for Appellant ASC Trust Corporation (Via Facsimile 475 2490)

69

## Paula Blas

---

**From:** Paula Blas [pmbblas@ite.net]  
**Sent:** Tuesday, November 03, 2009 5:50 PM  
**To:** 'gregory.seller@gwrs.com'; 'Morris, Kent'; 'Perez, Mike'  
**Subject:** Amended Notice of Appeal  
**Attachments:** Amended Notice of Appeal to GWRS 11.03.09 - ASC Appeal.PDF

Hafa Adai Greg,

Please see the attached amended notice of appeal. This should provide clarification on the stay of the contract.

Thank you,

-----  
Paula M. Blas  
Director  
GOVERNMENT OF GUAM RETIREMENT FUND  
(671) 475-8900/01  
-----

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GOVERNMENT OF GUAM  
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**Wilfred G. Aflague**  
*Trustee*

November 3, 2009

Mr. Gregory E. Seller  
Senior Vice President, Government Markets  
**GREAT-WEST RETIREMENT SERVICES**  
18111 Von Karman Avenue, Suite 560  
Irvine, CA. 92612

**Re: RFP No. GGRF-028-06 – Investment Management and Plan  
Administration Services related to the 401(a) Defined Contribution  
Plan, 457 Deferred Compensation Plan and Welfare Benefit Plan:  
Amended Notice of Appeal**

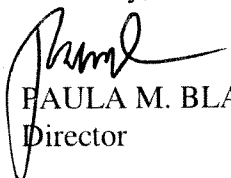
Dear Mr. Seller:

In our Notice of Appeal to you dated October 30, 2009, we informed you that the contract between the Government of Guam Retirement Fund (GGRF) and Great West Retirement Services (GWRS) was stayed "until resolution of ASC Trust Corporation appeal has been settled." That notice was incorrect. The contract between GWRS and GGRF was effective as of August 21, 2009. The Guam Procurement Law and attendant Regulations do not impose a stay in this instance because the contract was awarded prior to ASC filing its protest.

To repeat, the contract between GGRF and GWRS with an effective date of August 21, 2009, is not stayed and the parties thereto are bound to execute their respective obligations thereunder.

Thank you for your cooperation.

Sincerely,

  
**PAULA M. BLAS**  
Director

424 Route 8  
Maite, Guam 96910  
Tel: 671.475.8900  
Fax: 671.475.8922  
[www.ggrf.com](http://www.ggrf.com)

## Paula Blas

---

**From:** Paula Blas [pmbblas@ite.net]  
**Sent:** Wednesday, November 04, 2009 7:27 AM  
**To:** 'William J. Blair'  
**Subject:** Amended Notice of Appeal to ASC 11.03.09  
**Attachments:** Amended Notice of Appeal to ASC 11.03.09 - ASC Appeal.PDF

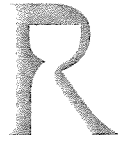
Atty. Blair,

Please see the attached Amended Notice of Appeal. The original letter was mailed out today.

Thank you,

-----  
Paula M. Blas  
Director  
GOVERNMENT OF GUAM RETIREMENT FUND  
(671) 475-8900/01  
-----

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November 3, 2009

Mr. David J. John  
President  
**ASC TRUST CORPORATION**  
c/o William J. Blair, Esq.  
Blair Sterling Johnson Martinez & Leon Guerrero, P.C.  
1008 DNA Building  
238 Archbishop F.C. Flores Street  
Hagåtña, Guam 96910

**Re:** RFP No. GGRF-028-06 – Investment Management and Plan  
Administration Services related to the 401(a) Defined Contribution  
Plan, 457 Deferred Compensation Plan and Welfare Benefit Plan:  
Amended Notice of Appeal

Dear Mr. John:

In our Notice of Appeal to you dated October 30, 2009, we informed you that the contract between the Government of Guam Retirement Fund (GGRF) and Great West Retirement Services (GWRS) was stayed "until resolution of ASC Trust Corporation appeal has been settled." That notice was incorrect. The contract between GWRS and GGRF was effective as of August 21, 2009. The Guam Procurement Law and attendant Regulations do not impose a stay in this instance because the contract was awarded prior to ASC filing its protest.

To repeat, the contract between GGRF and GWRS with an effective date of August 21, 2009, is not stayed and the parties thereto are bound to execute their respective obligations thereunder.

Thank you for your cooperation.

Sincerely,

  
PAULA M. BLAS  
Director

424 Route 8  
Maite, Guam 96910  
Tel: 671.475.8900  
Fax: 671.475.8922  
www.ggrf.com

## Paula Blas

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**From:** Paula Blas [pmbblas@ite.net]  
**Sent:** Wednesday, November 04, 2009 7:32 AM  
**To:** Scott, Michele  
**Cc:** Rosemarie E. Aquino  
**Subject:** Amended Notice of Appeal to BOH-LFG 11.03.09  
**Attachments:** Amended Notice of Appeal to BOH-LFG 11.03.09 - ASC Appeal.PDF

Good Morning Michele and RoseMarie,

Please see the attached Amended Notice of Appeal. The original letter was mailed to Michele.

Thank you,

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Paula M. Blas  
Director  
GOVERNMENT OF GUAM RETIREMENT FUND  
(671) 475-8900/01  
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**NOTICE: THIS EMAIL IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE. If the reader of this message is not the intended recipient or an employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication by error, please notify us immediately by telephone and discard the original message. Thank you for your cooperation.**

  
GOVERNMENT OF GUAM  
**RETIREMENT FUND**  
STABILITY · SECURITY · REWARDS

**Felix P. Camacho**  
*Governor*

**Michael W. Cruz, M.D.**  
*Lieutenant Governor*

**Paula M. Blas**  
*Director*

*Trustees:*

**Joe T. San Agustin**  
*Chairman*

**Wilfred P. Leon Guerrero, Ed.D.**  
*Vice-Chairman*  
*Investment Committee, Chairman*

**Antolina S. Leon Guerrero**  
*Secretary*

**Gerard A. Cruz**  
*Treasurer*  
*Audit & Operations Committee,*  
*Chairman*

**George A. Santos**  
*Members' & Benefits Committee,*  
*Chairman*

**Katherine T.E. Taitano**  
*Trustee*

**Wilfred G. Aflague**  
*Trustee*

November 3, 2009

Ms. Michelle Scott  
Regional Vice President  
**LINCOLN FINANCIAL GROUP/ BANK OF HAWAII**  
1300 South Clinton Street  
Fort Wayne, IN 46802

**Re:** RFP No. GGRF-028-06 – Investment Management and Plan Administration Services related to the 401(a) Defined Contribution Plan, 457 Deferred Compensation Plan and Welfare Benefit Plan: Amended Notice of Appeal

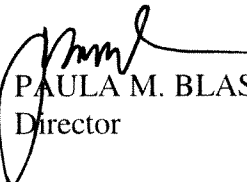
Dear Ms. Scott:

In our Notice of Appeal to you dated October 30, 2009, we informed you that the contract between the Government of Guam Retirement Fund (GGRF) and Great West Retirement Services (GWRS) was stayed "until resolution of ASC Trust Corporation appeal has been settled." That notice was incorrect. The contract between GWRS and GGRF was effective as of August 21, 2009. The Guam Procurement Law and attendant Regulations do not impose a stay in this instance because the contract was awarded prior to ASC filing its protest.

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Thank you for your cooperation.

Sincerely,

  
PAULA M. BLAS  
Director

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Maite, Guam 96910  
Tel: 671.475.8900  
Fax: 671.475.8922  
www.ggrf.com



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CARLSMITH BALL LLP

ELYZE J. McDONALD  
*emcdonald@carlsmith.com*  
MARIA TERESA B. CENZON  
*mcenzon@carlsmith.com*  
134 West Soledad Ave  
Bank of Hawaii Bldg., Suite 401  
Hagåtña, Guam 96910  
Telephone No. 671.472.6813  
Facsimile No. 671.477.4375

Attorneys for Purchasing Agency  
Government of Guam Retirement Fund

NOV 03 2009  
103591 PD  
3:55pm  
Jtt  
09-010

OFFICE OF THE PUBLIC ACCOUNTABILITY PROCUREMENT APPEAL

IN THE APPEAL OF  
  
ASC TRUST CORPORATION,  
  
Appellant.

APPEAL NO. OPA-PA-09-010


ENTRY OF APPEARANCE

The law firm of Carlsmith Ball LLP, through Counsel, Maria Teresa B. Cenzon, hereby enters its appearance as Counsel of record for Purchasing Agency, the Government of Guam Retirement Fund ("GGRF") in the above-entitled action. Request is hereby made that all service of process and other correspondence in this matter addressed to Purchasing Agency, GGRF be sent to:

Elyze J. McDonald, Esq.  
Maria Teresa B. Cenzon, Esq.  
Carlsmith Ball LLP  
Suite 401, Bank of Hawaii Building  
134 West Soledad Avenue  
Hagåtña, Guam 96910

DATED: Hagåtña, Guam, November 3, 2009.

CARLSMITH BALL LLP

  
\_\_\_\_\_  
MARIA TERESA B. CENZON  
Attorneys for Purchasing Agency  
Government of Guam Retirement Fund

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COPY

# CARLSMITH BALL LLP

A LIMITED LIABILITY LAW PARTNERSHIP

134 W. SOLEDAD AVE  
BANK OF HAWAII BLDG., SUITE 401  
HAGÁTÑA, GUAM 96910  
TELEPHONE 671.472.6813 FAX 671.477.4375  
WWW.CARLSMITH.COM

DIRECT EXTENSION NO.:  
X304

MCENZON@CARLSMITH.COM

OUR REFERENCE NO.:  
039415-00028

November 3, 2009

**VIA HAND DELIVERY**

Ms. Doris Flores Brooks  
PUBLIC AUDITOR  
Office of the Public Auditor  
Suite 401, DNA Building  
Hagátña, Guam 96910

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BY: JH  
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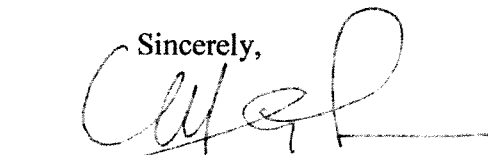
Re: In the Appeal of ASC Trust Corporation  
Office of the Public Accountability Procurement  
Appeal No. OPA-PA-09-010

Dear Ms. Brooks:

This letter seeks to clarify the due dates of the Procurement Record and Agency Report, respectively. The deadline stated in your letter of October 30, 2009, is November 6, 2009; however, due to the All Soul's Day holiday yesterday, November 2, the five (5) day deadline to provide the Procurement Record should be November 9, 2009, and the Agency Report is due on November 17, 2009 as holidays are not counted in the calculation of "working days."

Please confirm whether our calculation is correct. Thank you, in advance, for your prompt response.

Sincerely,



Maria Teresa B. Cenzone

MBC/3jmcb

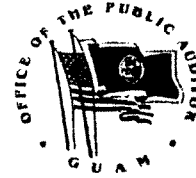
cc: Ms. Paula M. Blas, Director, Government of Guam Retirement Fund  
Mr. William J. Blair, Esq., Blair Sterling Johnson Martinez & Leon Guerrero, P.C.

4820-7779-0469.1.039415-00028

72

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:** Ms. Teresa B. Cenzone, Esq.  
Legal Counsel of Record for GGRF  
Mr. William J. Blair, Esq., Attorney for  
Appellant ASC Trust Corporation

**From:** Doris Flores Brooks, Public Auditor

**Agency:**

**Pages:** 3 (Including cover)

**CC:** Ms. Paula M. Blas, Director  
GGRF

**Date:** Tuesday, Nov. 3, 2009

**Fax:** 477-4375 (T. Cenzone);  
472-4290 (W. Blair);  
475-8922 (GGRF);

**Phone:** 475-0390 x 219 (Anne Camacho);  
x 204 (Rodalyn Marquez);  
x 210 (Lourdes Perez)

**Re:** **Appeal No. OPA-PA-09-010: Notice of Revised Due Dates for Procurement  
Record and Agency Report to OPA**

Urgent     For Review     Please Comment     Please Reply     Please Recycle

● **Comments:** Due to Government of Guam holidays observed on Nov. 2, 2009 (All Souls Day) and to be observed on Nov. 11, 2009 (Veterans Day), the submission due dates for the Procurement Record and Agency Report has been revised. **The due date for the submission of the Procurement Record is revised to Monday, Nov. 9, 2009** (5 work days from the Notice of Receipt of Appeal date - Oct. 30, 2009). **The due date for the Agency Report is revised to Tuesday, Nov. 17, 2009** (10 work days from Oct. 30, 2009). Thank you for your kind attention to this revision.

**See attachment for reference. Please acknowledge receipt of this fax by re-sending this cover page stamped with your agency name, date, and initials. Thank you.**

Anne Camacho x 219; acamacho@guamopa.org

Vertical stamp and handwritten signature on the right side of the page.