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MAIR, MAIR, SPADE & THOMPSON, L.L.C.
Attorneys at Law
238 A.F.C. Flores Street
Suite 801, DNA Building
Hagåtña, Guam 96910
Telephone: (671) 472-2089/90
Facsimile: (671) 477-5206

Attorneys for Z4 Corporation

OFFICE OF THE PUBLIC AUDITOR
PROCUREMENT APPEAL

IN THE APPEAL OF)	Docket No. OPA-PA-09-012
)	
Z4 CORPORATION)	Z4 CORPORATION'S
)	OBJECTION TO THE DOE'S
Appellant.)	SUBMITTAL OF ADDITIONAL
)	WITNESS AND MOTION TO
_____)	STRIKE

OBJECTION AND MOTION TO STRIKE

Appellant Z4 Corporation, Inc. ("Z4") hereby objects to and moves to strike the "DOE's Submittal of Additional Witness" filed on July 15, 2010, by Appellee Department of Education (the "DOE"), in the above-entitled Procurement Appeal.

The submission of the DOE's "additional witness" is in violation of the July 7, 2010, Scheduling Order issued by the Hearing Office for the Office of Public Accountability (the "OPA"). The Scheduling Order clearly indicated that the parties were to submit their witness lists on July 14, 2010.

Further, the DOE has already submitted a witness list with *fourteen (14)* witnesses. The addition of another witness is simply too much. As it stands, the DOE's

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fourteen (14) other witnesses should be able to present the DOE's position without the need for yet another witness, whose name was added after the deadline. Therefore, the OPA should strike this additional witness for the DOE's witness list.

CONCLUSION

For these reasons noted above, Z4 objects to the late filing of the DOE's additional witness and respectfully requests the OPA grant its motion to strike said additional witness from the DOE's witness list.

Respectfully submitted this 16th day of July, 2010.

MAIR, MAIR, SPADE & THOMPSON, L.L.C.
Attorneys for Z4 Corporation

By: 

AARON R. JACKSON

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