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7 Attorneys for Appellant:
8 *PACIFIC DATA SYSTEMS, INC.*

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OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS

APR 25 2011

TIME: 2:03 BY: MAN
FILE NO. OPA-PA: 10-005

9 **OFFICE OF PUBLIC ACCOUNTABILITY**
10 **PROCUREMENT APPEALS**

11 In the Appeal of) Docket No. OPA-PA-10-005
12 PACIFIC DATA SYSTEMS, INC.,)
13 Appellant.) **REPLY OF PACIFIC DATA SYSTEMS,**
14) **INC. TO GCC'S RESPONSE TO**
15) **MOTION TO ENFORCE PUBLIC**
16) **AUDITOR'S DECISION**

17 COMES NOW Pacific Data Systems, Inc. ("PDS") and replies as follows to the
18 Response of Guam Community College ("GCC") to PDS's Motion to Enforce Public
19 Auditor's Decision:

20 On April 5, 2011, PDS filed a Motion to Enforce the Public Auditor's Decision.
21 This was because GCC had at that time failed to comply with the Order of the Public
22 Auditor in the Decision of January 12, 2011 that "GCC shall consider the IFB's
23 remaining bidders in accordance with Guam Procurement Law and Regulations."

24 Following the filing of that Motion, GCC did on April 7, 2011, notify the
25 remaining bidders in the subject procurement that all remaining bids were being
26 rejected. PDS has since protested that decision by Protest dated April 21, 2011. As a
27 result, PDS considers its Motion to Enforce Public Auditor's Decision to be moot, and
28 therefore withdraws it.

DATED this 25th day of April, 2011.

Respectfully submitted,

BERMAN O'CONNOR & MANN
Attorneys for *PACIFIC DATA SYSTEMS, INC.*

By:

Bill R. Mann
BILL R. MANN

COPY

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10 In the Appeal of
11 *PACIFIC DATA SYSTEMS, INC.,*
12 Appellant.

) Docket No. OPA-PA-10-005


) **CERTIFICATE OF SERVICE**

13
14 I, BILL R. MANN, hereby declare that on April 25, 2011, I caused a copy of the
15 Reply of Pacific Data Systems, Inc. to GCC's Response to Motion to Enforce Public
16 Auditor's Decision to be served via hand delivery, on the following:

17 Jeffrey A. Cook, Esq.
Cunliffe & Cook, P.C.
18 210 Archbishop Flores Street, Suite 200
Hagatna, Guam 96910

19
20 Sarah A. Strock, Esq.
Cabot Mantanona, LLP
21 Edge Bldg., Second Floor
929 S. Marine Corps Drive
22 Tamuning, Guam 96913

23
24 DATED this 25th day of April, 2011.

25
26 
27 **BILL R. MANN**

COPY