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**RECEIVED**  
 OFFICE OF PUBLIC ACCOUNTABILITY  
 PROCUREMENT APPEALS  
 DATE: 11/1/12  
 TIME: 3:45  AM  PM BY: mtt  
 FILE NO OPA-PA: 12-07

Attorneys for the General Services Agency

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

IN THE APPEAL OF:	)	DOCKET NO. OPA-PA-12-007
	)	
DATA MANAGEMENT RESOURCES,	)	<b>DECLARATION OF</b>
LLC.	)	<b>BRYAN J. CRUZ</b>
	)	
Appellant.	)	

I, Bryan J. Cruz, an Investigator with the Office of the Attorney General, Civil/Solicitor's Division, hereby declare the following:

On November 1, 2012, I was tasked by Assistant Attorney General John Weisenberger to meet with Ms. Marissa Leon Guerrero employed at the General Services Agency (GSA) and obtain any audio/video files or any and all procurement records not currently provided.

On November 1, 2012 at 8:50a.m., while at GSA, I interviewed Ms. Marissa Leon Guerrero, who informed me that the government issued iPad belonging to Ms. Anita Cruz may have also been used to record meetings relative to the Point of Sale (POS) procurement. Upon review of this iPad I found no files or records pertaining to the POS procurement. Ms.

**ORIGINAL**

Leon Guerrero informed me that she also used her personal digital voice recorder, to include a similar personally owned digital voice recorder belonging to Ms. Anita Cruz to record meetings she attended. After reviewing the files on both personal digital recorders, I did not find any files or records relative to the POS procurement. Ms. Leon Guerrero further indicated that she has two (2) personal thumb drives/memory sticks of which she saves her work upon. I reviewed these thumb drives/memory sticks and found only one (1) file relative to the POS procurement, which I recognized to be the minutes for the Mandatory Pre-Conference Meeting of which has been provided to our office.


On November 1, 2012, at about 2:55p.m., I conducted a follow-up with Ms. Leon Guerrero to clarify whether she had located any other POS procurement file or record since our earlier meeting. Ms. Leon Guerrero stated she did not and that any notes that she might have generated during the POS procurement process was given to the Chief Procurement Officer, namely, Ms. Claudia Acfalle.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 1st day of November, 2012.

**OFFICE OF THE ATTORNEY GENERAL**  
Leonardo M. Rapadas, Attorney General

By:

  
\_\_\_\_\_  
**BRYAN J. CRUZ**  
Investigator