

1 **LUJAN AGUIGUI & PEREZ LLP**

2 Attorneys at Law
3 Pacific News Building, Suite 300
4 238 Archbishop Flores Street
5 Hagåtña, Guam 96910
6 Telephone (671) 477-8064/5
7 Facsimile (671) 477-5297

8 *Attorneys for Guam Housing and
9 Urban Renewal Authority*

RECEIVED
OFFICE OF THE PUBLIC AUDITOR
PROCUREMENT APPEALS

OCT 10 2008
TIME: 10:25 AM
BY: T. Penabazco
FILE No. OPA-PA-08-009

10 **OFFICE OF THE PUBLIC AUDITOR**
11 **TERRITORY OF GUAM**

12 IN THE APPEAL OF,
13 CAPTAIN, HUTAPEA & ASSOCIATES,
14 INC.

15 Appellant.

16 APPEAL NO: OPA-PA-08-009

17 **DECLARATION OF BENNY A. PINAULA**
18 **RE: CONFLICT OF INTEREST**

19 I, BENNY A. PINAULA, hereby declare and state as follows:

- 20 1) I am the Deputy Director of the Guam Housing and Urban Renewal Authority
21 (“GHURA”), and have knowledge of the case of In the Appeal of Captain, Hutapea &
22 Associates, Inc., Appeal No. OPA-PA-08-009.
- 23 2) GHURA is represented by the Lujan Aguigui & Perez in this procurement appeal,
24 through Attorney Anthony C. Perez.
- 25 3) At the inception of this case, by the filing of the procurement protest by Appellant, I
26 was informed of a potential conflict of interests that may exist for LAP due to the fact
27 that the wife of an attorney at LAP works for Captain Realty Advisors, which based
28 upon information and belief, has an association or relationship with Appellant herein.

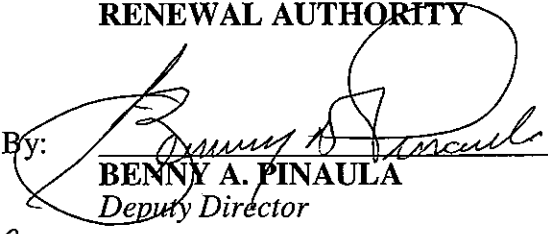
In the Appeal of Captain, Hutapea & Associates, Inc.
Appeal No. OPA-PA-08-009
Declaration of Benny A. Pinault re: Conflict of Interest

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

4) On behalf of GHURA, I hereby confirm in writing that I have provided informed consent for LAP to have represented GHURA in this matter, and to continue to represent GHURA in this matter.

I declare under the penalty of perjury that the foregoing is true and correct. Executed this 9th day of October, 2008, in Hagatna, Guam.

**GUAM HOUSING AND URBAN
RENEWAL AUTHORITY**

By: 
BENNY A. PINAULA
Deputy Director

Ba