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 PROCUREMENT APPEALS

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Attorneys for Appellee
 Guam Memorial Hospital Authority

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In the Appeal of)	APPEAL NO. OPA-PA-07-009
)	
PACIFIC SECURITY ALARM, INC.,)	EX PARTE MOTION TO
)	SHORTEN TIME
Appellant.)	FOR HEARING DATE
)	
)	

Appellee Guam Memorial Hospital Authority (“GMHA”), by and through its counsel of record, Aaron R. Jackson, Esq., hereby submits this Ex Parte Motion for Hearing Date.

The recess of the hearing for over one month will greatly burden the Appellee GMHA, as time is of the essence to re-bid the project for the replacement and removal of the fire alarm system. At the hearing, the Office of the Public Auditor (“OPA”) indicated that it could hear the remainder of the appeal on March 3 or March 5. Further, counsel for the Appellant indicated that he is also available on those two dates. However, Appellant indicated that **one** of his witnesses, Executive Vice President, William H. Craig, will be off island during these dates; and thus, the hearing was recessed until March 24.

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Appellee maintains that the hearing should continue despite the availability of **one** of Appellant's witnesses. Surely, Lee Palmer, the **President** of Pacific Security Alarm, Inc. ("PSA"), has the same knowledge of the operations for this company and could provide the same testimony as the **Vice President**, Craig. This request is not overly burdensome, especially since PSA compelled the presence of the Hospital Administrator/CEO.

The presence of this duplicative witness does not warrant the recess of the hearing for over one month. Procurement appeals delay necessary and important projects and shall be heard in a shortened time frame. Here, the hearing date was set two weeks from the date of the pre-hearing conference. GMHA went to great lengths to accommodate the requests of PSA and prepare for this hearing. It is in the best interests of the territory that this hearing shall not be delayed simply to accommodate the presence of a duplicative witness. In conclusion, GMHA respectfully requests that the hearing date be set on March 3 or 5, 2008.

Dated this 26th day of February, 2008.

MAIR, MAIR, SPADE & THOMPSON
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Attorneys for Appellee Guam Memorial Hospital
Authority

By: _____

AARON R. JACKSON