

Suite 401 DNA Building
 238 Archbishop Flores St.
 Hagåtña, Guam 96910



FAX

To:	Mr. Vincent Arriola, Acting Director Department of Public Works 542 North Marine Corps Drive Upper Tumon, Guam 96913 Phone: (671)646-3121/3232 Fax: (671) 649-6178	From:	Anthony Camacho Hearing Officer Office of Public Accountability
	Thomas Keeler, Esq., Assistant Attorney General Office of the Attorney General of Guam 590 S. Marine Corps Drive, Suite 706 Tamuning, Guam, 96913 Fax: (671) 472-2493	Pages:	4 (including cover page)
CC:	Terrence M. Brooks, Esq Co-Counsel for DPW Brooks Concepcion Law, P.C. 247 Martyr Street, Ste. 101 Hagåtña, Guam 96910 Fax: (671) 477-5790	Date:	February 12, 2019
	Joyce C.H. Tang, Esq. (Attorney for Appellant Korando) Civile & Tang, PLLC 330 Hernan Cortez Avenue Suite 200 Hagåtña, Guam 96910 Phone: (671) 472-8868/9 Fax: (671) 477-2511	Phone:	(671) 475-0390 x. 203
	Vanessa L. Williams, Esq. (Attorney for Appellant Korando) Law Office of Vanessa L. Williams, P.C. GCIC Bldg., Suite 500 Hagåtña, Guam 96910 Phone: (671) 477-1389 Email: VLW@vlwilliamsllaw.com	Fax:	(671) 472-7951

Re: OPA-PA-18-002 Signed Stipulation and Order RE: Settlement and Dismissal of Appeal

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Thank you,
 Jerrick Hernandez, Auditor
 jhernandez@guamopa.com

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3 **CIVILLE & TANG PLLC**
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9 **LAW OFFICE OF VANESSA L. WILLIAMS, P.C.**
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14 Email: vlw@vlwilliamsllaw.com

RECEIVED
OFFICE OF PUBLIC ACCOUNTABILITY
PROCUREMENT APPEALS
DATE: Feb 12, 2019
TIME: 8:33 AM PM BY: FDJ
FILE NO OPA-PA: 18-002

11 **PROCUREMENT APPEAL**
12 **IN THE OFFICE OF PUBLIC ACCOUNTABILITY**

13 In the Appeal of

14 Korando Corporation,

15 Appellant.

DOCKET NO. OPA-PA-18-002

**STIPULATION AND ORDER RE:
SETTLEMENT AND DISMISSAL OF
APPEAL**

16 The Department of Public Works, Government of Guam (“DPW”) and Korando Corporation
17 (“Korando”) (collectively “the Parties”), by and through their respective undersigned counsel, hereby
18 jointly submit this Stipulation and Order Re: Settlement and Dismissal of Appeal.

19 The Parties stipulate as follows:

20
21 1. DPW and Korando have agreed to compromise and settle Korando’s claims and
22 disputes in connection with Section 5 of the *Stipulation and Order to Rescind Termination* dated
23 12/16/15, and surety expenses incurred by Korando, for the sum of FOUR HUNDRED TWENTY-

1 EIGHT THOUSAND FIVE HUNDRED SIXTY-TWO AND 61/100 DOLLARS (\$428,562.61)
2 (“Settlement Amount”).

3 2. DPW will pay to Korando the Settlement Amount by no later than March 11, 2019,
4 without any offsets or deductions.

5 3. The Parties’ claims in this Appeal are dismissed with prejudice.

6 4. The Parties are informed of their right to appeal from a Decision by the Public Auditor
7 to the Superior Court of Guam, in accordance with Part D of Article 9 of 5 GCA§5481(a). The
8 Parties intend for this Stipulation and Order to be a final, binding resolution of the disputes between
9 them and accordingly, the Parties waive their right to appeal this Stipulation and Order under Part D
10 of Article 9 of 5 GCA §5481(a) or any other applicable statute. Nothing contained herein constitutes
11 an admission of liability by either of the Parties.
12

13
14 SO STIPULATED on this 11th day of February, 2019.

15 **CIVILLE & TANG PLLC**

16
17 By: 

18 **JOYCE C.H. TANG**
19 Attorneys Korando Corp.

20 **OFFICE OF THE ATTORNEY GENERAL**
21 Leevin T. Camacho, Attorney General

22 By: 

23 **THOMAS P. KEELER**
24 Assistant Attorney General

25 **BROOKS CONCEPCION LAW, P.C.**

26 By: 

27 **GEORGETTE CONCEPCION**
28 Attorneys for the Department of Public Works

DEPARTMENT OF PUBLIC WORKS

By: 

VINCENT ARRIOLA
Acting Director

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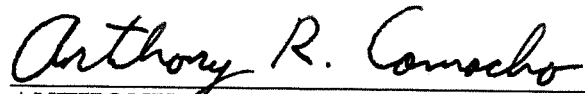
ORDER

Pursuant to the foregoing Stipulations made by the Parties, it is hereby ORDERED that the Parties' claims in this matter are dismissed with prejudice, and the terms of the above Stipulations are hereby incorporated into and made a part of this Order.

The Hearing Officer's approval of this Stipulation and Order is a Final Administrative Decision. As acknowledged in the Stipulations above, the Parties are hereby informed of their right to appeal from a Decision by the Public Auditor to the Superior Court of Guam, in accordance with Part D of Article 9 of 5 GCA §5481(a), and said right to appeal is knowingly waived.

A copy of this Stipulation and Order shall be provided to the Parties and their respective attorneys in accordance with 5 GCA § 5702, and shall be made available for review on the OPA website at www.opaguam.org.

SO ORDERED this 12th day of February, 2019.


ANTHONY CAMACHO
Hearing Officer

Broadcast Report

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002	886	6714722493	03:36:47 p.m. 02-12-2019	00:01:24	4/4	1	EC	HS	CP12000
003	886	477 5790	03:36:47 p.m. 02-12-2019	00:01:18	4/4	1	EC	HS	CP14400
004	886	671 4772511	03:36:47 p.m. 02-12-2019	00:01:18	4/4	1	EC	HS	CP14400



Jerrick Hernandez <jhernandez@guamopa.com>

OPA-PA-18-002 Signed Stipulation and Order RE: Settlement and Dismissal of Appeal

Jerrick Hernandez <jhernandez@guamopa.com>

Tue, Feb 12, 2019 at 3:53 PM

To: Joyce Tang <jtang@civilletang.com>, Vanessa Williams <vlw@vlwilliamslaw.com>, "Leslie A. Travis" <ltravis@civilletang.com>, Tom Keeler <tkeeler@guamag.org>, Georgette Concepcion <gbc@guamlaw.net>, "Terrence M. Brooks" <tmb@guamlaw.net>

Hello All,

See attached Signed Stipulation and Order RE: Settlement and Dismissal of Appeal by the Hearing Officer. The document was also faxed to the parties.

Please confirm receipt of this email and the attachment.

--

Regards,

Jerrick J.J.G. Hernandez, CGAP, CICA

Auditor

Office of Public Accountability – Guam

www.opaguam.org

Tel. (671) 475-0390 ext. 208

Fax (671) 472-7951

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