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TO:

FAX NO.:

**Anthony R. Camacho, Esq.
OPA Hearing Officer**

(671) 472-7951 and email

**Aaron R. Jackson, Esq.
Attorney for GMHA**

Via Email

FROM: G. Anthony Long

DATE: February 18, 2008

RE: PSA's Witness List and Statement of Material Issues

5 Pages including cover sheet

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Attorney for Pacific Security Alarm, Inc.

OFFICE OF THE PUBLIC AUDITOR

IN THE APPEAL OF) APPEAL NO: OPA-PA-007-009
)
PACIFIC SECURITY ALARM, INC.)
) PSA'S WITNESS LIST
Appellant)
_____)

Pacific Security Alarm, Inc., ("PSA") reserves the right to call the following as witnesses during its case in chief:

1. Peter John D. Camacho, M.P.H., Hospital Administrator/CEO
2. Daniel C. Matanane, GMHA Materials Management Administrator
3. Lee Palmer, President of PSA
4. William H Craig, Executive Vice President of PSA

In addition to the above identified persons, PSA reserves the right to call a witness any person identified on GMHA's witness list, any person whose testimony becomes necessary and relevant for impeachment purposes, rebuttal

purposes or for any other purposes during the hearing. PSA also reserves the right to amend this witness list prior to the hearing.

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By: G. Anthony Long
G. Anthony Long

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Attorney for Pacific Security Alarm, Inc.

OFFICE OF THE PUBLIC AUDITOR

IN THE APPEAL OF) APPEAL NO: OPA-PA-007-009
)
PACIFIC SECURITY ALARM, INC.)
)
Appellant) PSA'S STATEMENT OF THE
) MATERIAL ISSUES
)

Pacific Security Alarm, Inc., ("PSA") hereby submits its statement of the material issues presented on this appeal.

1. Whether PSA's protest was timely

2. Whether GMHA's cancellation of Bid 023 - 2007 was proper under the law. This question involves the following issues:
 - A. Whether a distinction exists between cancellation of a bid and rejection of a bid

 - B. Whether GMHA abused it discretion, acted arbitrarily or acted contrary to law pursuant to 26 GAR § 16316(d)(2)(A)(4) in regards to determining or not determining that "it would not be appropriate to adjust quantities to come within available funds" with respect to GMHA Bid 023-2007.

4. Whether GMHA knew prior to bid opening that the available funds were insufficient for performance of the bid.

5. Whether GMHA's cancellation of the bid was in good faith.

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