

OFFICE OF PUBLIC ACCOUNTABILITY
Doris Flores Brooks, CPA, CGFM
Public Auditor

PROCUREMENT APPEALS

IN THE APPEAL OF,

) **APPEAL NO: OPA-PA-15-007**

PACIFIC DATA SYSTEMS, INC.,

) **SCHEDULING ORDER FOR HEARING**
) **RE APPELLANT'S APPEAL**

Appellant

To: **Purchasing Agency:**
Guam Power Authority
C/O D. Graham Botha, Esq.
P.O. Box 2977
Hagåtña, Guam, 96932
Facsimile: (671) 648-3290

Appellant:
Pacific Data Systems, Inc.
C/O John Day
185 Ilipog Drive, Suite 204A
Tamuning, Guam, 96913
Facsimile: (671) 300-0265

Interested Party:
DOCOMO Pacific, Inc.
C/O Jennifer Calvo-Quitugua, Esq.
Calvo Fisher & Jacob L.L.P.
259 Martyr Street, Suite 100
Hagåtña, Guam, 96910

THIS MATTER came before the Hearing Officer on June 30, 2015 for a Pre-Hearing Conference. John Day was present on behalf of Appellant and was represented by Appellant's Counsel of Record, Bill R. Mann, Esq. Jesse Reyes was present on behalf of the Purchasing Agency and was represented by the Purchasing Agency's counsel of record, Graham Botha, Esq. Interested Party DOCOMO Pacific, Inc., was represented by their counsel of record, Genevieve

1 P. Rapadas, Esq. After hearing the arguments of the parties and for good cause shown, the
2 Hearing Officer hereby ORDERS the following:

3 1. The following schedule is hereby ordered for the hearing on Appellant's Appeal but
4 remains subject to change at the discretion of the Hearing Officer:
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6 **Filing Deadline For
7 Supplemental**

8 **Procurement Record:**

July 10, 2015 at 5:00 P.M.

9 The Purchasing Agency shall file any supplemental documents in
10 Procurement Record that have accrued from December 18, 2014
(The date said record was filed in OPA-PA-14-013) to the present.

11 **Filing Deadline For
12 The Agency Report:**

July 15, 2015 at 5:00 P.M.

13 The Purchasing Agency shall file its Agency Report no later than
14 this date and time.

15 **Filing Deadline for
16 Comments on the
17 Agency Report:**

July 27, 2015 at 5:00 P.M.

18 The Appellant and Interested Party shall file their Comments on
19 The Agency Report, if any, no later than this date and time.

20 **Filing Deadline for
21 The Agency's Rebuttal
22 For Comments on the
23 Agency Report:**

August 3, 2015 at 5:00 P.M.

24 The Purchasing Agency shall file its Rebuttal, if any, to the
25 Comments on the Agency Report no later than this date and time.

26 **Filing Deadline For
27 Hearing Materials:**

August 7, 2015 at 5:00 P.M.

28 Parties shall file and serve on the other parties, no later than this
date and time, their respective Witness Lists, Exhibit Lists with
four copies of all Exhibits, Admissions of Fact and List of Issues
which require evidence or arguments to be presented at the
hearing. The Appellant's Exhibits shall be marked with
corresponding and sequential numbers. The Interested Parties
Exhibits shall be marked with corresponding and sequential small
letters of the alphabet. The Purchasing Agency's Exhibits shall be
marked with corresponding and sequential capital letters of the
alphabet. The Parties may file stipulated joint witness, exhibit, and
issues lists, and admissions of fact in lieu of filing such documents

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separately. The term "Exhibit List" as used in this paragraph refers to exhibits that any party will present to a witness for testimonial purposes during the hearing in this matter.

Filing Deadline for Hearing Briefs:

August 14, 2015 at 5:00 P.M.
The parties shall file and serve on the other parties, their Hearing Briefs summarizing their arguments concerning contested issues no later than this date and time.

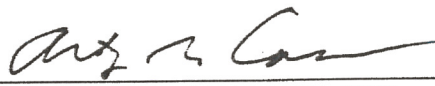
Hearing Date:

August 20, 2015 at 9:00 A.M.
The Hearing will proceed in the following order: (1) Opening Statements of the Parties; (2) Appellant's Case in Chief; (3) Interested Party's Case in Chief; (4) The Purchasing Agency's Case in Chief; (5) Closing Arguments of the Parties.

Filing Deadline for Brief Re Remedies:

August 24, 2015 at 5:00 P.M.
The Parties may, but are not required to, file and serve on the other parties, additional briefs on the issue of Remedies no later than this date and time.

SO ORDERED this 2nd day of July, 2015 by:


ANTHONY R. CAMACHO, ESQ.
Hearing Officer

Acknowledgement Receipt:

Receiver's Signature

Print Name

Date