

Republic of the Philippines  
**PRESIDENTIAL ELECTORAL TRIBUNAL**  
Manila

**FERDINAND "BONGBONG" R.  
MARCOS, JR.,**

*Protestant,*

-versus-

**MARIA LEONOR "LENI DAANG  
MATUWID" G. ROBREDO,**

*Protestee.*

X - - - - - X

PRESIDENTIAL ELECTORAL TRIBUNAL

**RECEIVED**  
OCT 12 2017

BY: mmj  
TIME: 3:20 pm w/cd

**PET Case No. 005**  
For: Election Protest  
Vice-President

**COMMENT**

[TO ROBREDO'S MANIFESTATION AND COMMENT (ON THE  
PRELIMINARY CONFERENCE ORDER) DATED 14 SEPTEMBER 2017]

Protestant **FERDINAND "BONGBONG" R. MARCOS, JR.** ("protestant Marcos"), through the undersigned counsel, unto this Honorable Presidential Electoral Tribunal ("PET"), in compliance with its *Resolution* dated 19 September 2017, most respectfully alleges the following:

**1.** On **2 October 2017**, protestant Marcos received a copy of PET Resolution dated 19 September 2017, which required him, among others, to comment on Robredo's Manifestation and Comment (on the Preliminary Conference Order) dated 14 September 2017, within ten (10) days from notice thereof.

**2.** Since protestant Marcos was notified of the aforesaid PET Resolution only on 2 October 2017, he has 10 days therefrom or until **12 October 2017** to submit his comment thereto. The foregoing submission is therefore timely filed.

**3.** In her Manifestation and Comment (on the Preliminary Conference Order) dated 14 September 2017, Robredo claimed that protestant Marcos has abandoned his allegations of terrorism, violence, force, threats and intimidation in his Second Cause of Action for the Judicial Recount and Revision of Ballots. She then suggested

that with respect to the No. 1 issue in the Second and Third Causes of Action – Judicial Recount and Revision and Annulment of Election Results, it should be limited to:

“1. Whether there existed massive electoral fraud, anomalies, and irregularities, such as but not limited to, pre-shading of ballots, vote-buying, substitution of voters, flying voters, preloaded SD cards, misreading of ballots, unexplained, irregular and improper rejection of ballots containing votes for protestant, malfunctioning VCM, and abnormally high unaccounted votes/undervotes for the position of Vice-President, that compromised and corrupted the conduct of the elections and the election results for the position of Vice-President in the protested precincts;”

4. This is FALSE.

5. Protestant Marcos did **NOT ABANDON** his allegations of terrorism, violence, force, threats and intimidation with respect to his Second Cause of Action for the Judicial Recount and Revision of Ballots of the **thirty six thousand four hundred sixty five (36,465)** protested clustered precincts which functioned in the following protested areas: **CEBU PROVINCE, LEYTE, NEGROS OCCIDENTAL, NEGROS ORIENTAL, MASBATE, ZAMBOANGA DEL SUR, ZAMBOANGA DEL NORTE, BUKIDNON, ILOILO PROVINCE, BOHOL, QUEZON PROVINCE, BATANGAS, WESTERN SAMAR, MISAMIS ORIENTAL, CAMARINES SUR, 2<sup>ND</sup> DISTRICT OF NORTHERN SAMAR, PALAWAN, ALBAY, ZAMBOANGA SIBUGAY, MISAMIN OCCIDENTAL, PANGASINAN, ISABELA, ILOILO CITY, BACOLOD CITY, CEBU CITY, LAPU-LAPU CITY and ZAMBOANGA CITY** during the 09 May 2016 National and Local Elections.

6. While it is admitted that protestant Marcos will no longer present any testimonial evidence with respect to the Second Cause of Action for the Judicial Recount and Revision of Ballots, his allegations of terrorism, violence, force, threats and intimidation may be proven by other means such as by the condition of the ballot boxes and the elections documents contained therein. Also, the Minutes of Testing and Sealing; Voting and Counting may contain entries recording the incidences of terrorism, violence, force, threats and intimidation which occurred in each of the **thirty six thousand four hundred sixty five (36,465)** protested clustered precincts subject of the Judicial Recount and Revision of Ballots.

7. In view thereof, Robredo's proposed amendment to the No. 1 issue in the Second and Third Causes of Action – Judicial Recount and Revision and Annulment of Election Results should be **REJECTED** by this Honorable Tribunal for being misleading and for utter lack of merit.

### **PRAYER**

**ACCORDINGLY**, it is respectfully prayed of this Honorable Tribunal to **RETAIN** the issues as reflected in the *Preliminary Conference Order* dated 29 August 2017 and to duly **NOTE** this submission.

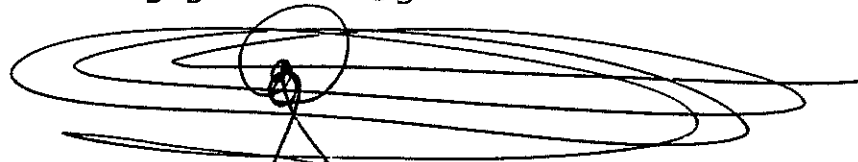
Other reliefs, just and equitable under the premises, are also prayed for.

City of Manila, Philippines, **12 October 2017.**

#### **G.E. GARCIA LAW OFFICE**

*Lead Counsel for the Protestant*  
Ground Floor, LAIKO Building  
Cabildo St., Intramuros, Manila 1002  
Tele/Fax No. (02) 527-7261  
Email: geglaw.office@gmail.com

By:



#### **GEORGE ERWIN M. GARCIA**

Roll of Attorneys No. 44950  
PTR No. 5989759; 01-04-17; Manila  
IBP Lifetime No.02652; Cavite Chapter  
MCLE Compliance No. V- 0011708; 11-09-15



#### **JOAN M. PADILLA**

Roll of Attorneys No. 54079  
PTR OR No. 2395448; 01-03-2017; Quezon City  
IBP Lifetime Membership No. 07416; Makati Chapter  
MCLE Compliance No. V-0012772; 12-15-2015

Copies furnished:

**ATTY. ROMULO B. MACALINTAL**  
*Lead Counsel for Protestee Robredo*  
c/o Sardillo Sardillo Salom Law Office  
Unit 802, Taipan Place, F. Ortigas Avenue,  
Ortigas Center, Pasig City

REG. REC. # : 100360

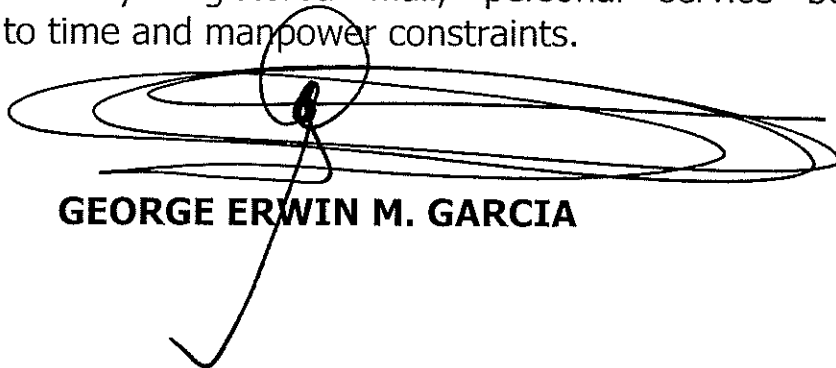
**THE SOLICITOR GENERAL**  
134 Amorsolo Street  
Legaspi Village, 1229 Makati City

REG. REC. # : 100361

**EXPLANATION**

[Pursuant to Rule 30 and 31 of the PET Rules in relation to Section 11, Rule 13 of the 1997 Rules of Civil Procedure]

Copies of the foregoing *Comment* were served to the above-mentioned parties by registered mail, personal service being impractical due to time and manpower constraints.

A handwritten signature in black ink, consisting of several overlapping loops and a long vertical stroke extending downwards.

**GEORGE ERWIN M. GARCIA**

**AFFIDAVIT OF SERVICE**

(Revised as of April 1, 1994)

I, **Jerry C. Guevarra**, a clerk of the G.E. GARCIA Law Office with office address at Ground Floor, LAIKO Bldg., Cabildo St., Intramuros, City of Manila, after being duly sworn, do hereby depose and say:

That on October 12, 2017, I served a copy of the following pleading/paper.

NATURE OF PLEADING/PAPER

**"COMMENT**

[TO ROBREDO'S MANIFESTATION & COMMENT  
(ON THE PRELIMINARY CONFERENCE ORDER) DATED 14 SEPTEMBER 2017]"

In **PET Case No. 005** entitled "**FERDINAND 'BONGBONG' R. MARCOS, JR., Protestant, -versus- MARIA LEONOR 'LENI DAANG MATUWID' G. ROBREDO, Protestee**", pursuant to Sections 3, 4, 5 and 10, Rule 13 of the Rules of Court, as follows:

***By Registered Mail:***

***R. R. Nos.***

**ATTY. ROMULO B. MACALINTAL**  
c/o SardilloSardilloSalom Law Office  
Unit 802, Taipan Place, F. Ortigas Avenue  
Ortigas Center, Pasig City

100360

**THE SOLICITOR GENERAL**  
134 Amorsolo Street  
Legaspi Village, 1229 Makati City

100361

By depositing a copy at the post office in Manila, as evidenced by Registry Receipt(s) No(s) and indicated after the name(s) of the addressee(s), and with instructions to the postmaster to return the mail to the sender after ten (10) days if undelivered.

October 12, 2017, Manila, Philippines.

**JERRY C. GUEVARRA**  
*Affiant*

**OCT 12 2017**

**SUBSCRIBED AND SWORN** to before me this \_\_\_\_\_ at Manila, Philippines, affiant exhibiting to me his Tax Identification No. 300-192-753-000. Issued by Bureau of Internal Revenue.

Doc. No. 341  
Page No. 69  
Book No. 41  
Series of 2017.

**ATTY. PEDRO D. GENATO**  
Notary Public until Dec. 31, 2017  
Notarial Commission 2016-011 Mla.  
IBP# 1009339 Pasig 09-24-15 until 2017  
PTR# 5939951 - Mla. 1-3-2017  
Roll# 12088, TIN# 132-436-687  
MCLE Compl. No. V-0005232 until 4-14-18

**VERIFIED DECLARATION**

I, **JERRY C. GUEVARRA**, a clerk of the G.E. GARCIA Law Office with office address at Ground Floor, LAIKO Bldg., Cabildo St., Intramuros, City of Manila, hereby declare that the document/s (and annexes thereof) hereto submitted electronically in accordance with the Efficient use of Paper Rule is/are complete and true copy/ies of the document/s "**COMMENT** [TO ROBREDO'S MANIFESTATION & COMMENT (ON THE PRELIMINARY CONFERENCE ORDER) DATED 14 SEPTEMBER 2017]" in **PET Case No. 005** entitled **FERDINAND 'BONGBONG' R. MARCOS, JR., Protestant, -versus- MARIA LEONOR 'LENI DAANG MATUWID' G. ROBREDO, Protestee,** filed with the Presidential Electoral Tribunal.

Signature: \_\_\_\_\_  
Printed Name: **Jerry C. Guevarra**  
Position: Staff  
Date: October 12, 2017

**SUBSCRIBED AND SWORN** to before me this OCT 12 2017 at Manila, Philippines, affiant exhibiting to me his Tax Identification No. 300-192-753-000. Issued by Bureau of Internal Revenue.

\_\_\_\_\_  
Person Administering Oath

Doc. No. 342 ;  
Page No. 09 ;  
Book No. 61 ;  
Series on 2017.

Pedro  
**ATTY. PEDRO D. GENATO**  
Notary Public until Dec. 31, 2017  
Notarial Commission 2016-011 Mla.  
IBP# 1009339 Pasig 09-24-15 until 2017  
PTR# 5939951 - Mla. 1-3-2017  
Roll# 12088, TIN# 132-436-687  
MCLE Compi. No. V-0005232 until 4-14-16