



REPUBLIC OF THE PHILIPPINES  
**PRESIDENTIAL ELECTORAL TRIBUNAL**  
Manila

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

*Protestant,*

- versus -

PET Case No. 005  
FOR: Election Protest  
Vice President

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

*Protestee.*

X - - - - -X

**COMPLIANCE AND URGENT MOTION TO DEFER  
PAYMENT OF SECOND INSTALLMENT OF ADDITIONAL  
CASH DEPOSIT**

PROTESTEE **MARIA LEONOR G. ROBREDO**, by the undersigned counsel, to the Honorable Tribunal, respectfully states:

1. In the Resolution dated 21 March 2017, the Honorable Tribunal directed the parties to pay the cash deposit in two installments:

"Based on the foregoing, the cash deposit for Protestant is P500.00 for each of the 132,446 precincts, which amounts to P66,223,000.00. For the Counter-Protestant, the cash deposit is P500.00 for each of the 31,278 precincts, which totals P15,639,000.00. Deducting the initial deposit of P200,000.00 paid by each, the cash deposits due from Protestant and Counter-Protestant are as follows:

- a. For Protestant: P66,023,000.00; and
- b. For Counter-Protestant:  
P15,439,000.00.

Since under Section 33 (c) of the Tribunal's 2010 Rules of the Tribunal may require the payment in installment, the Tribunal requires Protestant to pay the cash deposit in two installments, as follows: P36,023,000.00 on or before April 14, 2017, and P30,000,000.00 on or before July 14, 2017. Counter-Protestant is also required to pay the cash deposit in two installments, as follows: P8,000,000.00 on or before April 14, 2017, and P7,439,000.00 on or before July 14, 2017.

**IN VIEW OF THE FOREGOING**, the Tribunal resolves to **REQUIRE** the Protestant to pay the cash deposit in two installments, as follows: P36,023,000.00 on or before April 14, 2017, and P30,000,000.00 on or before July 14, 2017. Counter-Protestant is also required to pay the cash deposit in two installments, as follows: P8,000,000.00 on or before April 14, 2017, and P7,439,000.00 on or before July 14, 2017."

2. On 12 April 2017, or immediately upon receipt thereof, protestee Maria Leonor G. Robredo (hereafter "Robredo" for brevity) filed a Manifestation with Urgent Ex-Parte Omnibus Motion (1) For Clarification; and (2) Reconsideration of the Resolution dated 21 March 2017.

3. Thereafter, in the Resolution dated 25 April 2017, the Honorable Tribunal directed protestee Robredo to pay the first installment within a non-extendible period of five (5) days from receipt thereof.

4. Thus, on 02 May 2017, protestee Robredo paid the first installment in the amount of Eight Million Pesos (PhP 8,000,000.00) as evidenced by Official Receipt No. 7424404.

5. **Rule 29 (b) of the 2010 Rules of the Presidential Electoral Tribunal** provides:

*"Preliminary Conference. –*

X X X

*(b) Preliminary Conference Brief. –* The parties shall file with the Tribunal and serve on the adverse party a preliminary conference brief at least five days before the date of the preliminary conference, which shall contain:

- (1) stipulations or admissions of facts and documents;
- (2) the issues to be resolved;
- (3) the numbers and names of witnesses, and the nature and substance of their respective testimonies;
- (4) **the list of not more than three provinces which the parties may designate pursuant to Rule 65; and**
- (5) the proposal on the prompt disposition of the case."  
[Emphasis supplied.]

6. Thus, in the Preliminary Conference Brief of protestant Ferdinand R. Marcos, Jr. (hereafter "Marcos" for brevity), he designated the following as his pilot provinces:

**"V. LIST OF PROVINCES FOR THE  
PILOT PROTEST PURSUANT TO RULE  
65 OF THE 2010 PET RULES**

Protestant Marcos is hereby designating the provinces of **CAMARINES SUR, ILOILO** and **NEGROS ORIENTAL** as his pilot areas for the **MANUAL RECOUNT** and **JUDICIAL REVISION** of the paper ballots and/or the ballot images as well as the **TECHNICAL EXAMINATION, FORENSIC INVESTIGATION, VERIFICATION** and **ANALYSIS** of the voter's receipts, election returns, audit logs, transmission logs, the lists of voters, particularly the Election Day Computerized Voter's List (EDCVL), and voter's registration records (VRRs), the books of voters and other pertinent election documents and/or paraphernalia used in the elections, as well as the automated election equipment and records such as the Vote Counting Machines (VCM), Consolidation and Canvass System (CCS) units, Secure Digital (SD) cards (main and back up), and the other data storage devices containing electronic data and ballot images used during the 09 May 2016 National and Local Elections, pursuant to **Rule 65** of the **2010 PET Rules.**"

7. **Rule 65 of the 2010 Rules of the Presidential Electoral Tribunal** provides that an initial determination of the grounds for protest shall be made:

*"Dismissal when proper.* – The Tribunal may require the protestant or counter-protestant to indicate, within a fixed period, the province or provinces numbering not more than three, best exemplifying the frauds or irregularities alleged in his petition; and the revision of ballots and reception of evidence will begin with such provinces. **If upon examination of such ballots and**

**proof, and after making reasonable allowances, the Tribunal is convinced that, taking all circumstances into account, the protestant or counter-protestant will most probably fail to make out his case, the protest may forthwith be dismissed, without further consideration of the other provinces mentioned in the protest.**

The preceding paragraph shall also apply when the election protest involves correction of manifest errors." [Emphasis supplied.]

8. On 11 July 2017 or during the Preliminary Conference, protestee Robredo asked the Honorable Tribunal to allow her to defer payment of the second installment of her cash deposit in the amount of Seven Million Four Hundred Thirty Nine Thousand Pesos (PhP 7,439,000.00).

9. Protestee Robredo was directed to reduce into writing her verbal motion to defer the payment of the second installment.

10. Hence, this motion.

11. During the Preliminary Conference, the parties agreed that the First Cause of Action of protestant Marcos will be resolved first.

12. Further, should the revision, recount and re-appreciation of ballots be allowed to proceed, the Honorable Tribunal candidly informed the parties that it is still on the "exploratory stage" on how to proceed with the collection and retrieval of the ballot boxes from the designated pilot provinces of protestant Marcos.

13. In the event that the revision, recount and re-appreciation of the ballots from the pilot provinces be allowed to proceed, the Honorable Tribunal, consistent with

Rule 65 of the 2010 Rules of the Presidential Electoral Tribunal will need to first make an initial determination.

14. In its initial determination, the Honorable Tribunal may dismiss the Election Protest if it finds that *taking all circumstances into account, the protestant or counter-protestant will most probably fail to make out his case.*

15. Alternatively, in the event that the initial determination of the Honorable Tribunal will be favorable to protestant Marcos, then, the collection and retrieval of the remaining Twenty Two (22) provinces and Five (5) Highly Urbanized cities will commence.

16. Thereafter, the revision, recount and re-appreciation of the ballots from these remaining protested clustered precincts will commence.

17. With respect to the Counter-Protest subject of the assessed cash deposit, the collection and retrieval of the ballot boxes will only commence after protestant Marcos has shown that he has managed to overcome the winning margin of protestee Robredo.

18. Thus, in the interim and in the interest of justice, protestee Robredo asks that she be allowed to pay the second installment of her cash deposit in the amount of Seven Million Four Hundred Thirty Nine Thousand Pesos (PhP 7,439,000.00) after a determination has been made that protestant Marcos has made a substantial recovery from his three (3) designated pilot provinces.

19. Finally, this motion is without prejudice to the pending Motion for Reconsideration *Pro Tanto* on whether the recount, revision and re-appreciation of the ballots should be limited to the specific areas with allegations of fraud, anomalies and irregularities in the Election Protest.

20. This motion is not intended for delay but dictated solely by the foregoing exigencies.

## **PRAYER**

WHEREFORE, PREMISES CONSIDERED, it is respectfully prayed to the Honorable Tribunal that protestee Maria Leonor G. Robredo be directed to pay the second installment of her cash deposit in the amount of Seven Million Four Hundred Thirty Nine Thousand Pesos (PhP 7,439,000.00) only after an initial determination has been made that protestant Ferdinand R. Marcos, Jr., has made a substantial recovery in his designated three (3) pilot provinces.

Protestee Robredo prays for such other reliefs as may be just and equitable under the premises.

Pasig City for Manila. 13 July 2017.

**ATTY. ROMULO B. MACALINTAL**

*Lead Counsel for Protestee*

*Maria Leonor G. Robredo*

13 Cagayan Valley Street,  
Philamlife Village, Las Pinas City  
Telephone No. 0918-9107454

Roll No. 29040

PTR No. 11214198J/12 January 2017/Las Pinas City  
IBP Lifetime No. 0724

MCLE Compliance No. V-0018139/13 April 2016  
[rbmacalintal@gmail.com](mailto:rbmacalintal@gmail.com)

**SARDILLO SARDILLO SALOM LAW OFFICE**

*Collaborating Counsel for Protestee*

*Maria Leonor G. Robredo*

Unit 802, Taipan Place, F. Ortigas Avenue,  
Ortigas Center, Pasig City  
02.706.4272/02.706.4273

By

  
**MARIA BERNADETTE V. SARDILLO**

Roll No. 45897

PTR No. 2362138/03 January 2017/Pasig City  
IBP Lifetime No. 07133

MCLE Compliance No. V-0010907/30 September 2015  
[beng.sardillo@s3law.com](mailto:beng.sardillo@s3law.com)

## **REQUEST**

**THE SECRETARY OF THE TRIBUNAL  
PRESIDENTIAL ELECTORAL TRIBUNAL  
MANILA**

Please submit the foregoing "*Motion to Defer Payment of Second Installment of Cash Deposit*" for the consideration and approval of the Honorable Tribunal immediately upon receipt hereof without need for oral arguments.

  
**MARIA BERNADETTE V. SARDILLO**

## **NOTICE OF HEARING**

**ATTY. GEORGE ERWIN M. GARCIA  
ATTY. JOAN M. PADILLA  
G. E GARCIA LAW OFFICE**  
*Lead Counsel for Protestant*  
Ground Floor Laiko Building  
372 Cabildo Street, Intramuros,  
1002 Manila

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

Please take note that undersigned counsel will submit the foregoing "*Motion to Defer Payment of Second Installment of Cash Deposit*" for the consideration and approval of the Honorable Tribunal immediately upon receipt thereof without need for further oral arguments.

  
**MARIA BERNADETTE V. SARDILLO**



Copy furnished:

**ATTY. GEORGE ERWIN M. GARCIA**

**ATTY. JOAN M. PADILLA**

**G. E GARCIA LAW OFFICE**

*Lead Counsel for Protestant*

Ground Floor Laiko Building

372 Cabildo Street, Intramuros,

1002 Manila

**OFFICE OF THE SOLICITOR GENERAL**

134 Amorsolo Street

Legaspi Village, 1229 Makati City

### **EXPLANATION**

Due to unavailability of messengers and the distance of the parties, a copy of the herein "Motion" were sent to the above-named parties by registered mail.

  
**MARIA BERNADETTE V. SARDILLO**

Republic of the Philippines )

PASIG)

**VERIFIED DECLARATION OF COMPLIANCE WITH THE  
EFFICIENT USE OF PAPER RULE**

I, **LINO B. MAPUTOL, JR.**, hereby declare that the Compliance and Urgent Motion to Defer Payment of Second Installment of Additional Cash Deposit submitted electronically by use of compact disc in accordance with the Efficient Use of Paper Rule are complete and true copies of Compliance and Urgent Motion to Defer Payment of Second Installment of Additional Cash Deposit filed with the Presidential Electoral Tribunal.

Pasig City. 13 July 2017.

  
**LINO B. MAPUTOL, JR.**

*Secretary*

*Sardillo Sardillo Salom Law Office*

**SUBSCRIBED AND SWORN TO BEFORE ME**, a notary public in and for Pasig City, this 13 day of July 2017 by affiant LINO B. MAPUTOL, JR. who is personally known to me, and appeared with his Driver's License ID with No. N25-11-006996 issued by Land Transportation Office, known to me as the same person who personally signed the foregoing attestation before me and acknowledged that he executed the same.

Doc. No. 226 ;  
Page No. 46 ;  
Book No. 17 ;  
Series of 2017.

  
**GAUDENCIO A. DARBOZA, JR.**  
NOTARY PUBLIC

Cities of Pasig, San Juan and  
in the Municipality of Pateros, Metro Manila  
Until December 31, 2018

PTR No. A-3247144 / 01-03-17 Taguig City

BP No. 105040 / 11-03-16 RSM

ROLL No. A2000

MCLE Comm. Y. 02-1902 / May 02, 2016

No. 13, Unit 1 Pineda Plaza Bldg.

Shaw Blvd. Ortigas Center, Pasig City

Atty. Darboza No. 15