

Republic of the Philippines
PRESIDENTIAL ELECTORAL TRIBUNAL
Manila

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

PRESIDENTIAL ELECTORAL TRIBUNAL
RECEIVED
SEP 15 2017
BY: *[Signature]*
TIME: *3:45 PM*

-versus-

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

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

X ----- X

COMMENT / OPPOSITION

[TO THE MOTION FOR RECONSIDERATION
DATED 22 AUGUST 2017]

Protestant **FERDINAND "BONGBONG" R. MARCOS, JR.** ("protestant Marcos"), through the undersigned counsels, unto this Honorable Presidential Electoral Tribunal ("PET"), most respectfully alleges the following:

1. On **5 September 2017**, protestant Marcos received a copy of a *Resolution* promulgated by this Honorable Tribunal on **29 August 2017** which directed him, among others, to file his Comment on the Motion for Reconsideration of the Resolution dated 11 July 2017) dated 22 August 2017 within a non-extendible period of ten (10) days from notice.

2. The Motion for Reconsideration was filed by Zorayda Amelia Alonzo, Maria Karina A. Bolasco, Marie Celeste Legaspi Gallardo, Paulynn Paredes Sicam, Corazon Juliano-Soliman and Maria Cristina Lim Yuson (collectively the "movants") to question the denial of their Urgent Motion for Leave to File and Admit Petition-In-Intervention dated 20 June 2017.

3. Protestant Marcos concurs with the resolution of this Honorable Tribunal denying the Urgent Motion for Leave to File and Admit Petition-In-Intervention dated 20 June 2017.

4. It is very clear from the provisions of the **2010 Rules of the Presidential Electoral Tribunal**,¹ particularly **Rule 15** thereof, that an election protest is between the proclaimed winner and the candidate/s for the position of President or Vice-President of the Philippines who received the second or third highest number of votes during the elections. Thus:

Rule 15. *Election Protest*. - **The registered candidate for President or Vice-President of the Philippines who received the second or third highest number of votes may contest the election of the President or Vice-President**, as the case may be, by filing a verified election protest with the Clerk of the Presidential Electoral Tribunal within thirty days after the proclamation of the winner. (R14)

5. Moreover, in the case of **Torres-Gomez v. Codilla**,² the Honorable Supreme Court emphasized that an "**election protest** proposes to oust the winning candidate from office" hence "it is **strictly a contest between the defeated and the winning candidates**, based on the grounds of electoral frauds or irregularities." It aims to determine who between them has actually obtained the majority of the legal votes cast and, therefore, entitled to hold the office.³

6. That being the case, it is respectfully submitted that it would be **HIGHLY UNPROCEDURAL** to allow the movants to intervene in this election protest.

7. Besides, it would appear that the only purpose of the movants in intervening in this case is to provide financial assistance to the protestee in defraying the cash deposit required for the counter-protest. However, this objective may be achieved by the movants without intervening in this protest. Movants may simply donate the fund they have accumulated directly to the protestee, should they see fit. Clearly there is no legal and factual bases to justify their intervention in this case.

¹A.M. No. 10-4-29-SC.

²684 Phil. 632, 646 (2011).

³*Id.*

PRAYER

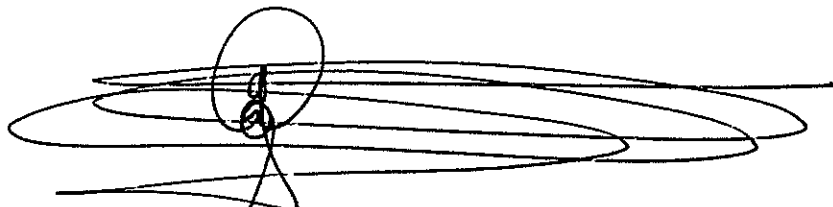
ACCORDINGLY, it is most respectfully prayed of this Honorable Tribunal to **DENY** the Motion for Reconsideration dated 22 August 2017; **AFFIRM** the denial of the Urgent Motion for Leave to File and Admit Petition-In-Intervention dated 20 June 2017; and to **NOTE** the foregoing submission.

OTHER RELIEFS, just and equitable under the premises, are likewise prayed for.

City of Manila, Philippines, **15 September 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

MOST LAW

(Formerly: Marcos Ochoa Serapio & Tan Law Firm)

Collaborating Counsel for the Protestants

30th Floor, Tycoon Centre, Pearl Drive

Ortigas Center, Pasig City 1605

Tel No. (02) 634-6678

(02) 638-20130 to 32

Fax No. (02) 638-4255

(02) 638-9151

Email: inquiry@mostlawfirm.net

By:



JOSE AMOR M. AMORADO

Roll of Attorney's No. 33887

PTR No. 2495152; 01-10-17; Pasig City

IBP Lifetime Member No. 00054; Batangas

MCLE Compliance No. V-0012314; 12-08-15

Copies furnished:

ATTY. ROMULO B. MACALINTAL

Lead Counsel for Protestee Robredo

c/o SardilloSardilloSalom Law Office

Unit 802, Taipan Place, F. Ortigas Avenue,

Ortigas Center, Pasig City

: 106904

THE SOLICITOR GENERAL

134 Amorsolo Street

Legaspi Village, 1229 Makati City

: 106909

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/Opposition* were served to the above-mentioned parties by registered mail, personal service being impractical due to time and manpower constraints.



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 September 15, 2017, I served a copy of the following pleading/paper.

NATURE OF PLEADING/PAPER

"COMMENT/OPOSITION"

[TO THE MOTION FOR RECONSIDERATION DATED 22 AUGUST 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:

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

R. R. Nos.

106904

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

106909

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.

September 15, 2017, Manila, Philippines.

JERRY C. GUEVARRA
Affiant

SEP 15 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. 811
Page No. 163
Book No. 55
Series of 2017.

ATTY. PEDRO D. GENATO
Notary Public until Dec. 31, 2017
Notarial Commission 2016-011 Mla.
IJP# 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 4-14-19

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/OPPOSITION** [TO THE MOTION FOR RECONSIDERATION DATED 22 AUGUST 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: September 15, 2017

SUBSCRIBED AND SWORN to before me this SEP 15 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. 812 ;
Page No. 163 ;
Book No. 55 ;
Series on 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