

Republic of the Philippines
PRESIDENTIAL ELECTORAL TRIBUNAL
Manila

CLIENT'S COPY

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

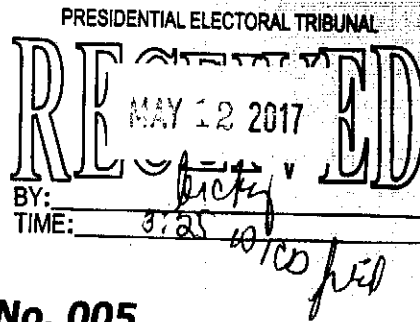
Protestant,

-versus-

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

Protestee.

X - - - - - X



PET Case No. 005

For: Election Protest
Vice-President

**URGENT EX-PARTE MOTION TO
DESIGNATE HEARING COMMISSIONERS**

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 **25 April 2017**, this Honorable Tribunal issued a *Resolution* granting protestant's motion for the immediate setting of the preliminary conference and scheduled the conduct thereof on 21 June 2017 at 2:00 o'clock in the afternoon.

2. Relative thereto, protestant Marcos would like to request the designation of at least *three (3)* hearing commissioners to assist this Honorable Tribunal during the preliminary conference and the trial proper in this case.

3. With all due respect, the designation of at least 3 hearing commissioners will better facilitate an orderly, simplified and expeditious disposition of this electoral contest considering that there are *three (3)* causes of action raised in this election protest.

4. Each commissioner should be assigned to a specific cause of action for purposes of conducting the preliminary conference and the trial proper so as not to muddle the proceedings. Protestant

Marcos intends to present a specific set of witnesses and documentary exhibits per cause of action.

5. Protestant's suggestion is actually in line with the summary nature and preferential status of election protest cases.

6. In a long line of decided cases, this Honorable Tribunal has consistently ruled that an election case, unlike an ordinary action, is imbued with public interest since it involves not only the adjudication of the private interests of rival candidates but also the paramount need of dispelling the uncertainty which beclouds the real choice of the electorate with respect to who shall discharge the prerogatives of the office within their gift. Moreover, it is neither fair nor just to keep in office for an uncertain period one whose right to it is under suspicion. It is imperative that his claim be immediately cleared not only for the benefit of the winner but for the sake of public interest, which can only be achieved by brushing aside technicalities of procedure which protract and delay the trial of an ordinary action.¹

7. Public interest demands that this electoral controversy be resolved with dispatch to determine once and for all the genuine choice of the electorate for the contested position. The designation of 3 hearing commissioners, as suggested by protestant Marcos, shall surely aid this Honorable Tribunal in achieving its mandate to ensure a prompt and expeditious resolution of this election protest.

PRAYER

ACCORDINGLY, it is most respectfully prayed of this Honorable Tribunal to **GRANT** the foregoing motion of the protestant; to **DESIGNATE** at least 3 hearing commissioners for the preliminary conference and the trial proper, and to duly **NOTE** the foregoing submission.

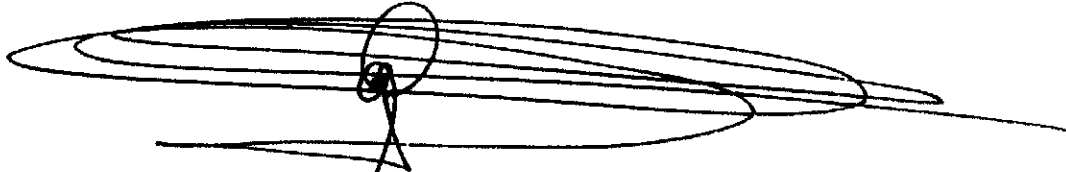
Other reliefs, just and equitable under the premises, are also prayed for.

City of Manila, Philippines, **10 May 2017.**

¹ *Violago Sr. v. Commission on Elections and Alarilla*, G.R. No. 194143, 4 October 2011, citing *Pacanan v. Commission on Elections*, G.R. No. 186224, 25 August 2009, 597 SCRA 189 and *Barroso v. Ampig*, G.R. No. 138218, 17 March 2000, 328 SCRA 530, 541-542.

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NOTICE OF SUBMISSION

THE CLERK OF THE TRIBUNAL

Presidential Electoral Tribunal

Padre Faura, Manila

ATTY. ROMULO B. MACALINTAL

Lead Counsel for Protestee Robredo

c/o Sardillo Sardillo Salom Law Office

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Ortigas Center, Pasig City

RC #: 1075060572922

THE SOLICITOR GENERAL

134 Amorsolo Street

Legaspi Village, 1229 Makati City

RC #: 1075060571522

Greetings:

Please take notice that the foregoing *Urgent Ex-Parte Motion to Designate Hearing Commissioners* shall be submitted for the consideration and approval of this Honorable Tribunal immediately upon receipt hereof.


GEORGE ERWIN M. GARCIA

Marcos v. Robredo

PET Case No. 005

Motion to Designate Hearing Commissioners

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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 *Urgent Ex-Parte Motion to Designate
Hearing Commissioners* were served to the above-mentioned parties
by registered mail, personal service being impractical due to distance,
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 May 12, 2017, I served a copy of the following pleading/paper.

NATURE OF PLEADING/PAPER

**"URGENT EX-PARTE MOTION TO
DESIGNATE HEARING COMMISSIONERS"**

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 Sardillo Sardillo Salom Law Office
Unit 802, Taipan Place, F. Ortigas Avenue,
Ortigas Center, Pasig City

14075060572922

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

14075060571522

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.

May 12, 2017, Manila, Philippines.

JERRY C. GUEVARRA
Affiant

MAY 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. 908
Page No. 182
Book No. 78
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

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 **"URGENT EX-PARTE MOTION TO DESIGNATE HEARING COMMISSIONERS"** 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: May 12, 2017

SUBSCRIBED AND SWORN to before me this MAY 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. 909 ;
Page No. 182 ;
Book No. 28 ;
Series on 2017.


ATTY. PEDRO D. GENATO
Notary Public until Dec. 31, 2017
Notarial Commission 2016-011 M
IES# 1009339 Reg'd 09-24-15 in
PTR# 5939601-3 Exp. 1-3-2017
Roll# 12071, 12072, 12073
MCLE Compl. Exp. 12-31-17