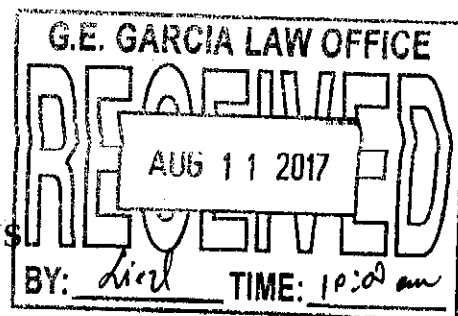




Republic of the Philippines
COMMISSION ON ELECTIONS
Manila



SECOND DIVISION

MICHAEL L. RAMA,
Protestant,

- *versus* -

EPC No. 2016-16

TOMAS R. OSMEÑA,
Protestee.

x ----- x

NOTICE

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Supreme Court of the Philippines
Padre Faura, Manila (x)

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DIR. ESTER L. VILLAFLOR-ROXAS
Director IV
ERSD, COMELEC
Intramuros, Manila (x)

DIR. ZITA BUENA-CASTILLON
Director IV - Finance Services Dept.
COMELEC, Manila (x)

MS. LOLIT ZARA
Division Chief
Voters Identification Division
ERSD, COMELEC
Intramuros, Manila (x)

MR. MARCELO T. MENDEZ
Ballot Box Custodian
JRD, ECAD
COMELEC, Manila (x)

GREETINGS:

Attached is a copy of the **ORDER** issued by the Commission (Second Division) on **August 10, 2017** with attached **MEMORANDUM** of the Acting Division Clerk dated **August 9, 2017**, in the above-entitled case.

August 10, 2017, Manila, Philippines.

FOR THE DIVISION:



MICHAEL L. GARCIA

Attorney V

Acting Division Clerk of the Commission

Encl: a/s
(y) registered mail
(x) personal delivery
/gsl



Republic of the Philippines
COMMISSION ON ELECTIONS
Intramuros, Manila

SECOND DIVISION

MICHAEL L. RAMA,
Protestant,

-versus-

EPC NO. 2016-16

TOMAS R. OSMEÑA,
Protestee.

x-----x

ORDER

Acting on the *Memorandum dated August 9, 2017 (Re: Completion of Recount on the Printed Ballot Images in EPC No. 2016-16, among others)* issued by the Acting Division Clerk of the Commission, this Commission (**Second Division**) hereby **NOTES** the same and **ADOPTS / APPROVED** *in toto* all the recommendations and directives set forth in the said *Memorandum* in relation to the instant case.

SO ORDERED.

Given this 10th day of August 2017, City of Manila,
Philippines.

FOR THE DIVISION:


AL A. PARREÑO
Presiding Commissioner



Republic of the Philippines
COMMISSION ON ELECTIONS
Manila

ELECTORAL CONTESTS ADJUDICATION DEPARTMENT
SECOND DIVISION

MEMORANDUM

FOR : HON. COMMISSIONER AL A. PARREÑO
Presiding Commissioner, Second Division

THRU : ATTY. MA. MAHARANI LIWAYA P. SORIA
Attorney VI, Legal Head

SUBJECT : Completion of Recount on the Printed Ballot
Images in EPC No. 2016-16, among others

DATE : August 9, 2017

The is to respectfully inform the Honorable Commission (**Second Division**) that pursuant to the *Order*¹ issued on July 25, 2017 in relation to the *Memorandum*² of the undersigned dated July 24, 2017, the Recount Proceeding on the Printed Ballot Images for Clustered Precinct Nos. 539, 303 and 530, Cebu City in EPC Case No. 2016-16 (Rama vs. Osmeña) was completed on August 3, 2017 and the corresponding Committee Recount Reports, Supplemental Summary Reports and Supplemental Recapitulation Reports were signed³/submitted by the Committee Chairpersons on August 9, 2017.

Anent thereto, forwarded herewith are the subject reports and undersigned respectfully request the Honorable Commission (**Second Division**) to NOTE the same and recommends the following directives:

1. The Clerk of the Division to prepare the necessary payroll for the payment of the honoraria of the COMELEC personnel who participated in the decryption and recount

¹ Records, page 708

² Records, page 709-710

³ Representatives of the parties signed the subject reports on August 9, 2017.

proceedings in EPC No. 2016-16 in accordance with COMELEC Resolution No. 9720⁴;

2. The Overall Recount Chairperson to furnish the parties with copies of the Supplemental Summary Reports and Supplemental Recapitulation Reports;
3. In addition, the Finance Service Department to **deduct** from the cash deposit of the Protestant the following amount:
 - a. **One Thousand Two Hundred Ninety Nine Pesos (PhP 1,299.00)** as payment for the expenses incurred relative to the photocopying of ballots⁵ and other documents during the recount proceedings;
 - b. **Three Hundred Pesos (PhP 300.00)** for electricity consumption⁶ during the decryption Secure Digital (SD) Cards and printing of ballot;
 - c. **One Hundred Fifty Pesos (PhP 150.00)** for the use of computers⁷ during the decryption Secure Digital (SD) Cards and printing of ballot;
 - d. **Five Thousand Pesos (PhP 5,000.00)** as one-time system fee⁸ for the decryption Secure Digital (SD) Cards; and
 - e. **Two Hundred Fifty Five Pesos (PhP 255.00)** as ballot box storage fee⁹ for the ballot boxes of the printed ballot images.
4. The Finance Services Department to **deduct** from the cash deposit of the Protestee the amount of **Eighty Two Pesos (PhP 82.00)** as payment for the expenses incurred relative to the photocopying of ballots¹⁰ and other documents during the recount proceedings pursuant to COMELEC Minute Resolution No. 02-130¹¹ and COMELEC Resolution No. 8804; and

⁴ In the Matter of Amending Rules 2,6, 8, 13 and 15 of COMELEC Resolution No. 8804 as amended by COMELEC Resolution No. 9164

⁵ No. of documents photocopied = 1,299 / PhP 1.00 per page; Minute Resolution No. 02-130

⁶ No. of SD Cards decrypted = 3 / PhP 100.00 per clustered precinct or SD Cards; Section 3, Rule 15 of COMELEC Resolution No. 8804 as amended by COMELEC Resolution No. 9720

⁷ No. of SD Cards decrypted = 3 / PhP 50.00 per clustered precinct or SD Cards; Section 3, Rule 15 of COMELEC Resolution No. 8804 as amended by COMELEC Resolution No. 9720

⁸ Section 2 of COMELEC Resolution No. 9226

⁹ PhP 85.00 per ballot box X 3 ballot boxes

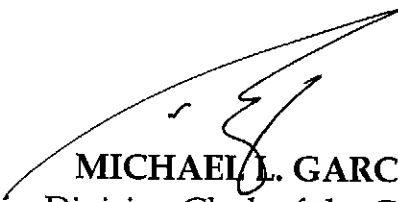
¹⁰ No. of documents photocopied = 82 / PhP 1.00 per page; Minute Resolution No. 02-130

¹¹ Amended Schedule of Fees and Charges per Rule 40 of the COMELEC Rules of Procedure and Other Non-Legal Fees and Charges

5. The Clerk of the Division to coordinate with the Voters Identification Division - Election Records and Statistics Department (VID-ERSD) as to the scheduling of technical examination of the Protestant's 20% pilot contested precincts and notify all concerned parties as to the actual date of the said activity including the Senate Electoral Tribunal (SET) and Presidential Electoral Tribunal (PET).

Respectfully submitted for your consideration and/or approval.

Thank you.


MICHAEL L. GARCIA
Acting Division Clerk of the Commission
Attorney V - ECAD

cc:

*Hon. Commissioner Arthur D. Lim
Member-Commissioner, Second Division*

*Hon. Commissioner Sheriff M. Abas
Member-Commissioner, Second Division*