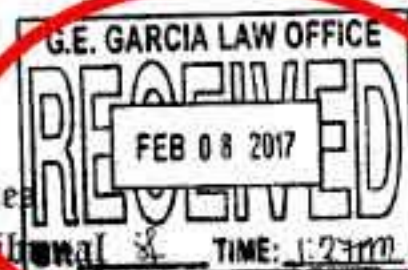




Republic of the Philippines  
Presidential Electoral Tribunal  
Manila



## NOTICE

Sirs/Mesdames:

*Please take notice that the Tribunal issued a Resolution dated JANUARY 31, 2017, which reads as follows:*

**"P.E.T. Case No. 005** (Ferdinand 'Bongbong' R. Marcos, Jr. vs. Maria Leonor 'Leni Daang Matuwid' G. Robredo).- Acting on the Manifestation and Motion dated January 16, 2017 filed by the Office of the Solicitor General for the Commission on Elections (COMELEC), the Tribunal Resolved to

(a) **NOTE** the Manifestation, stating that on December 30, 2016, the air-conditioning units inside the server room of the Memory Configuration Room (MCR) of the COMELEC Warehouse in Sta. Rosa, Laguna, stopped functioning; that the server units heated up and emitted unusual noises necessitating their immediate shutdown; that the shutdown was among the preventive and corrective measures undertaken by Rommel Sungahid, COMELEC Information Technology Department Technical Staff and was explained in detail in his report; that the shutdown was done to prevent the untoward scenario of the MCR and the entire COMELEC warehouse being razed by fire; that on January 6, 2017, the COMELEC conducted a dry-run stripping on the 127 Vote Counting Machines (VCMs) in preparation for the decryption of the Secure Digital (SD) Cards still mounted on those machines; that Francis N. Tolentino, senatorial candidate and protestant in Senate Electoral Tribunal Case No. 001-16, objected to the inclusion of 93 VCMs in the said dry-run stripping; that the COMELEC was thus prevented from retrieving all one hundred twenty-seven (127) SD Cards and conducting decryption thereon as directed by the Tribunal; and that the COMELEC, as of this submission, has been able to retrieve only twenty-six (26) SD Cards while eight (8) others are still being located by Smartmatic-TIM, Inc.; and

(b) **GRANT** the prayers for the COMELEC to (i) reboot the servers located in the MCR at the Sta. Rosa Warehouse, Laguna; (ii) conduct and undertake diagnostics thereon; and (iii) shut down the servers once diagnostics have been conducted, subject to the following conditions:

*Per [Signature]*

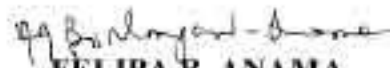
(1) the COMELEC shall give the Tribunal and the parties prior notice of the date of rebooting, conducting and undertaking of diagnostics and shutting down of the servers, and allow the Tribunal and the parties to observe and participate therein; and

(2) the COMELEC shall inform the Tribunal and the parties of the status and result of the foregoing activities.

Acting on the *Ex-Parte* Motion to Set Case for Preliminary Conference dated January 24, 2017 filed by counsel for protestant Ferdinand 'Bongbong' R. Marcos, Jr., the Tribunal Resolved to require the protestee to **COMMENT** thereon within ten (10) days from notice hereof.

The Tribunal further Resolved to order the parties and especially their counsel who are officers of the Court under pain of being cited for contempt to refrain from making any comment on or discussing in public the incident on December 30, 2016 at the COMELEC Warehouse in Sta. Rosa, Laguna." (adv1)

Very truly yours,

  
**FELIPA B. ANAMA**  
Clerk of the Tribunal

Atty. George Erwin M. Garcia and  
Atty. Juan M. Padilla (x)  
*Counsel for the Protestants*  
G.E. Garcia Law Office  
Ground Floor Laiko Building  
372 Cahildo Street  
Intramuros, 1002 Manila

The Solicitor General (x)  
134 Amorsolo Street  
Legaspi Village, 1229 Makati City

Public Information Office (x)  
Supreme Court

Atty. Romulo B. Macalintal (x)  
*Lead Counsel for the Protestee*  
Sardillo Sardillo Salom Law Office  
Unit 802, Taipan Place  
F. Ortigas Avenue  
Ortigas Center, Pasig City

Commission on Elections  
through Hon. Andres D. Bautista (x)  
Chairperson  
Atty. Jose M. Tolentino, Jr. (x)  
Executive Director  
Commissioner Robert S. Lim (x)  
Project Director, 2016-AES Project  
Information and Technology Department (x)  
Rommel Sungahid (x)  
Information and Technology Department  
Commission on Elections  
Intramuros, 1002 Manila