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Republic of the Philippines
PRESIDENTIAL ELECTORAL TRIBUNAL
Manila

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

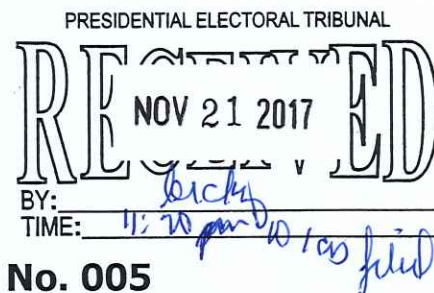
Protestant,

-versus-

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

Protestee.

X ----- X



PET Case No. 005

For: Election Protest
Vice-President

**MOTION TO TURNOVER TO THE
PROTESTANT THE OFFICIAL, PRINTED
AND AUTHENTICATED COPIES OF THE
DECRYPTED BALLOT IMAGES, ELECTION
RETURNS AND AUDIT LOGS**

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 June 01, 2017, protestant Marcos filed a Motion for the
Decryption and Printing of the ballot images from the relevant Secure
Digital (SD) cards and/or other data storage devices in **EACH** of the
thirty six thousand four hundred sixty five (36,465) protested
clustered precincts which functioned in the following protested areas:
**CEBU PROVINCE, LEYTE, NEGROS OCCIDENTAL, NEGROS
ORIENTAL, MASBATE, ZAMBOANGA DEL SUR, ZAMBOANGA
DEL NORTE, BUKIDNON, ILOILO PROVINCE, BOHOL, QUEZON
PROVINCE, BATANGAS, WESTERN SAMAR, MISAMIS
ORIENTAL, CAMARINES SUR, 2ND DISTRICT OF NORTHERN
SAMAR, PALAWAN, ALBAY, ZAMBOANGA SIBUGAY, MISAMIN
OCCIDENTAL, PANGASINAN, ISABELA, ILOILO CITY,
BACOLOD CITY, CEBU CITY, LAPU-LAPU CITY and
ZAMBOANGA CITY** during the 09 May 2016 National and Local
Elections.

2. In a *Resolution* promulgated on **29 August 2017**, the Honorable Tribunal granted protestant's Motion for Decryption in so far as the pilot provinces of Camarines Sur, Iloilo and Negros Oriental are concerned.

3. According to the Commission on Elections (COMELEC) in its *Manifestation* dated **7 October 2017**, the decryption and printing of the ballot images, election returns and audit logs for **ALL** the protested clustered precincts of the pilot provinces of Camarines Sur, Iloilo and Negros Oriental shall proceed on **23 October 2017** at **9:00 a.m.** at the Project Management Office (PMO) of the COMELEC.

4. Hence, on **18 October 2017**, protestant Marcos paid the COMELEC the amount of ***Two Million Nine Hundred Seventy Four Thousand Seventy Five Pesos (Php2,974,075.00)*** representing the costs and expenses for the conduct of the decryption and printing of the ballot images, election returns and audit logs for **ALL** the protested clustered precincts of the pilot provinces of Camarines Sur, Iloilo and Negros Oriental relative to the last 9 May 2016 National and Local elections.

5. On the other hand, the supplies required by the Election Records and Statistics Department (ERSD) of the COMELEC were delivered by protestant Marcos on **20 October 2017**.

6. On **23 October 2017**, the COMELEC-ERSD conducted an orientation and meeting relevant to the decryption proceedings. During the said meeting, Director Ester Villaflor-Roxas of the COMELEC-ERSD mentioned that the official, printed and authenticated copies of the decrypted ballot images, election returns and audit logs from the protested clustered precincts of the pilot provinces of Camarines Sur, Iloilo and Negros Oriental relative to the last 9 May 2016 National and Local elections shall be turned over to this Honorable Tribunal and that all requests to secure (printed or soft) copies thereof shall likewise be directed to this Honorable Tribunal.

7. The counsel for the protestant Marcos clarified this matter by asking Director Ester Villaflor-Roxas why the protestant will not be given the copies thereof even though the decryption proceeding was initiated by the protestant. The counsel for the protestant further explained that the official, printed and authenticated copies of the decrypted ballot images, election returns and audit logs from the protested clustered precincts of the pilot provinces of Camarines Sur, Iloilo and Negros Oriental relative to the last 9 May 2016 National and

Local elections shall be used by the protestant to prepare for the presentation of his evidence in this election protest.

8. Director Ester Villaflor-Roxas maintained her position that all requests to secure (printed or soft) copies of the decrypted ballot images, election returns and audit logs from the protested clustered precincts of the pilot provinces of Camarines Sur, Iloilo and Negros Oriental relative to the last 9 May 2016 National and Local elections shall be directed to this Honorable Tribunal.

9. In view of the foregoing, protestant Marcos most respectfully requests this Honorable Tribunal to direct the COMELEC-ERSD to **TURNOVER** to him the official, printed and authenticated copies of the decrypted ballot images, election returns and audit logs for **ALL** the protested clustered precincts of the pilot provinces of Camarines Sur, Iloilo and Negros Oriental.

P R A Y E R

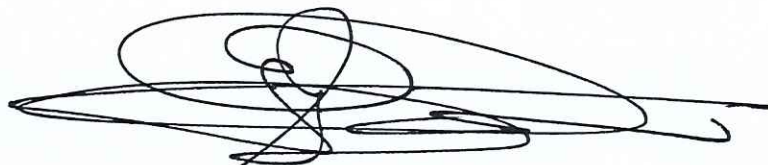
Accordingly, it is most respectfully prayed of this Honorable Tribunal to **DIRECT** the **COMELEC-ERSD** to **TURNOVER** to the protestant **ALL** the official printed and authenticated copies of the decrypted ballot images, election returns and audit logs for **ALL** the protested clustered precincts of the pilot provinces of Camarines Sur, Iloilo and Negros Oriental.

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

City of Manila, Philippines, **17 November 2017.**

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By:



GEORGE ERWIN M. GARCIA

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

REG. REC. #: 114288

THE SOLICITOR GENERAL

134 Amorsolo Street
Legaspi Village, 1229 Makati City

REG. REC. #: 114289

Greetings:

Please take notice that the foregoing *Motion to Turnover the Official, Printed and Authenticated Copies of the Decrypted Ballot Images, Election Returns and Audit Logs* shall be submitted for the consideration and approval of this Honorable Tribunal immediately upon receipt hereof.



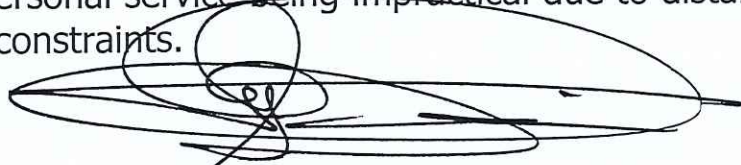
GEORGE ERWIN M. GARCIA

Marcos v. Robredo
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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 *Motion to Turnover the Official, Printed and Authenticated Copies of the Decrypted Ballot Images, Election Returns and Audit Logs* were served to the above-mentioned parties by registered mail, personal service being impractical due to distance, time and manpower constraints.

A handwritten signature in black ink, appearing to read "GEORGE ERWIN M. GARCIA", written over a horizontal line.

GEORGE ERWIN M. GARCIA

A handwritten signature in black ink, appearing to read "GEORGE ERWIN M. GARCIA", written over a horizontal line.

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 November 21, 2017, I served a copy of the following pleading/paper.

NATURE OF PLEADING/PAPER

**"MOTION TO TURNOVER TO THE PROTESTANT THE OFFICIAL,
PRINTED AND AUTHENTICATED COPIES OF THE DECRYPTED
BALLOT IMAGES, ELECTION RETURNS AND AUDIT LOGS"**

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.

114288

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

114289

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.

November 21, 2017, Manila, Philippines.

JERRY C. GUEVARRA

Affiant

SUBSCRIBED AND SWORN to before me this NOV 21 2017 at Manila, Philippines, affiant exhibiting to me his Tax Identification No. 300-192-753-000. Issued by Bureau of Internal Revenue.

Doc. No. A324
Page No. 66
Book No. 2
Series of 2017.

ATTY. RAUL A. MONTINO
Notary Public
Until December 31, 2017
PTR No. 5989114 - 2017
Pd. 12/28/16 Manila
IBP Lifetime No. 012899
SC Roll No. 57289
MCLE Comp. No. V-0019704
Rm. 210C Sitio Grande
409 A. Soriano, Jr. Ave.
Intramuros, Manila 1002

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 **"MOTION TO TURNOVER TO THE PROTESTANT THE OFFICIAL, PRINTED AND AUTHENTICATED COPIES OF THE DECRYPTED BALLOT IMAGES, ELECTION RETURNS AND AUDIT LOGS"** 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: November 21, 2017

SUBSCRIBED AND SWORN to before me this NOV 21 2017 at Manila, Philippines, affiant exhibiting to me his Tax Identification No. 300-192-753-000. Issued by Bureau of Internal Revenue.

Doc. No. 4328 ;
Page No. 66 ;
Book No. X ;
Series on 2017.

ATTY. RAUL M. MONTINO

Notary Public
Person Administering Oath

PTR No. 5989114 - 2017

Pd. 12/28/16 Manila

IBP Lifetime No. 012899

SC Roll No. 57299

MCLE Comp. No. V-0019704

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