

Republic of the Philippines
PRESIDENTIAL ELECTORAL TRIBUNAL
Manila

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

Protestant,

-versus-

PET Case No. 005

For: Election Protest
Vice-President

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

Protestee.

X ----- X

PARTIAL MOT.
RECONSIDER



Protestant **FERDINAND "BONGBONG" R. MARCOS, JR.**
("protestant Marcos"), through the undersigned counsels, unto this
Honorable Presidential Electoral Tribunal ("PET"), most respectfully
moves for the partial reconsideration of the *Resolution* dated 7
November 2017, on the basis of the following:

1. On **24 November 2017**, protestant Marcos received a
copy of a *Resolution* promulgated by this Honorable Tribunal on **7
November 2017**, which resolved, among others, to grant
protestee's *Urgent Ex-Parte Motion to be Allowed to Secure Soft
Copies of the Ballot Images and Other Reports from the Decrypted
Secured Digital Cards* dated 23 October 2017 relative to the ongoing
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.

2. With all due respect, this Honorable Tribunal committed a
grave error when it allowed Robredo to secure soft copies of the
ballot images, election returns, audit logs and other relevant
documents which were generated during the decryption of the secure
digital (SD) images for the pilot provinces of Camarines Sur, Iloilo and
Negros Oriental during the last 2016 elections **even though she did**

not file any *Motion for Decryption of Ballot Images* relative thereto.

3. Protestee Robredo should not be allowed to circumvent the procedural rules on the decryption and printing of ballot images by wittingly asking this Honorable Tribunal for permission to secure soft copies thereof.

4. The filing of a formal motion for the decryption of ballot images cannot be dispensed with given that the soft copies requested by protestee Robredo are by-products of the decryption proceeding.

5. Moreover, it also bears emphasis that protestee Robredo did not pay for the costs 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 used during the last 9 May 2016 National and Local Elections in the amount of ***Two Million Nine Hundred SeventyFour Thousand Seventy Five Pesos (Php2,974,075.00)*** as these were shouldered and paid for solely by protestant Marcos. The same is true with respect to the supplies required by the Election Records and Statistics Department (ERSD) of the COMELEC, which were procured and delivered by protestant Marcos, for the conduct of the decryption proceeding.

6. With all due respect, since protestee Robredo did not contribute any share in the expenses and supplies for this undertaking, it is **UNFAIR, UNJUST and INEQUITABLE** that she was allowed by this Honorable Tribunal to obtain soft copies of the decrypted images of the ballots, election returns, audit logs and other relevant documents for the pilot protest.

7. The generation of the soft copies of the decrypted entails administrative costs and expenses which must be shouldered and paid for by protestee Robredo. **Free-riding should not be countenanced by this Honorable Tribunal.**

8. In view of the foregoing, it is respectfully submitted that there is an urgent need for this Honorable Tribunal to reconsider its *Resolution* dated 7 November 2017 which granted protestee's *Urgent*

Ex-Parte Motion to be Allowed to Secure Soft Copies of the Ballot Images and Other Reports from the Decrypted Secured Digital Cards
dated 23 October 2017.

PRAYER

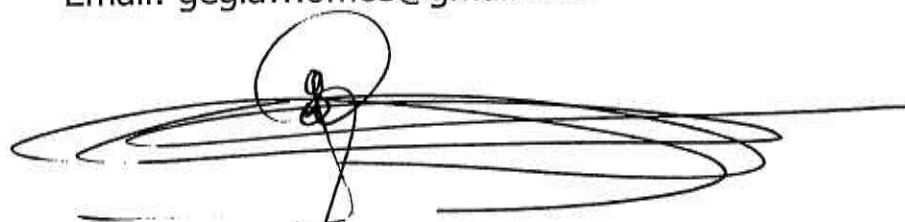
ACCORDINGLY, it is most respectfully prayed of this Honorable Tribunal to **GRANT** the partial reconsideration; **REVERSE** and **RECONSIDER** the directive in *Resolution* dated 7 November 2017 which granted protestee's *Urgent Ex-Parte Motion to be Allowed to Secure Soft Copies of the Ballot Images and Other Reports from the Decrypted Secured Digital Cards* dated 23 October 2017 relative to the ongoing 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; and to **NOTE** the foregoing submission.

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

City of Manila, Philippines, **4 December 2017.**

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By:

A handwritten signature in black ink, consisting of a large, stylized 'G' followed by a series of loops and a long horizontal stroke extending to the right.

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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

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Marcos v. Robredo

PET Case No. 005

Partial Motion for Reconsideration

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

Greetings:

Please take notice that the foregoing *Partial Motion for Reconsideration* shall be submitted for the consideration and approval of this Honorable Tribunal immediately upon receipt hereof.



GEORGE ERWIN M. GARCIA

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 *Partial Motion for Reconsideration* were filed before this Honorable Tribunal and 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 December 4, 2017, I served a copy of the following pleading/paper.

NATURE OF PLEADING/PAPER

"PARTIAL MOTION FOR RECONSIDERATION"

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

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

R. R. Nos.

RD 944 709 760 IL

RD 944 709 756 IL

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.

December 4, 2017, Manila, Philippines.

JERRY C. GUEVARRA
Affiant

DEC 04 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. 314
Page No. 64
Book No. 14
Series of 2017.

ATTY. ALYSHA GRACIE M. ZULUETA
NOTARY PUBLIC, CITY OF MANILA
COMM. NO. 2016-045 UNTIL DEC. 31, 2017
PTR NO. 5993403 1/3/2017 MLA
IBP LIFETIME-011076-6/19/12
ROLL NO. 60529
UNIT 707F, MEB CONDO. 1200
J. P. BOBO ST. ERMITA MLA
020 877-485
Manila 1200-6-15 PASIG CITY

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 **"PARTIAL MOTION FOR RECONSIDERATION"** 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: December 4, 2017

SUBSCRIBED AND SWORN to before me this **DEC 04 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

ATTY. ALYSHA GRACE M. ZULUETA
NOTARY PUBLIC, CITY OF MANILA
COMM. NO. 2016-045 UNTIL DEC. 31, 2017
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Doc. No. 717;
Page No. 64;
Book No. 14;
Series on 2017.