

Republic of the Philippines
PRESIDENTIAL ELECTORAL TRIBUNAL
Manila

PRESIDENTIAL ELECTORAL TRIBUNAL

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**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

STRONG REPLY with MOTION

[TO THE COUNTER-MANIFESTATION WITH MOTION
TO RELEASE CCTV FOOTAGE OF THE REVISOR
OF PROTESTANT FERDINAND R. MARCOS, JR.]

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 **18 July 2018**, protestant Marcos through his counsel
of record received a copy of protestee Robredo's Counter-
Manifestation with Motion to Release CCTV footage of the Revisor of
Protestant Marcos dated **10 July 2018**. In her submission, protestee
Robredo accused herein protestant and his revisors of the following:

i. Days prior thereto, the revisors of protestant
Marcos were well aware of the proposed outing;

ii. The revisors of protestant Marcos were also
invited to the said outing;

iii. In fact, prior thereto, no less than one of the
supervisors of protestant Marcos, Jr. Mr. Roderick Miranda,
sent some snacks for the proposed outing;

iv. A closed circuit television (CCTV) footage will confirm Mr. Miranda leaving the bag of snacks in the fourth (4th) floor of the building; and

v. An investigation has already been conducted where some of the personalities involved were already meted with penalties.

2. This Counter-Manifestation with Motion was filed on **11 July 2018**.

On the "pansol outing":

3. Protestant Marcos vehemently denies the accusations of the protestee that his supervisors and revisors knew of the planned pansol outing of the PET staff and protestee's revisor Osmundo Abuyuan. They were aware that there was an outing for the PET staff but they were not informed that the protestee's revisors are also invited to attend the said pansol outing.

4. Protestee Robredo and her counsels are being dishonest when they claimed that the revisors of the protestant were also invited to the said outing. That activity, according to protestant's supervisors and revisors, is supposedly **EXCLUSIVE** for the PET staff. That is why, they were very surprised when they found out that the pansol outing was attended by Abuyuan, as party revisor for the protestee.

5. The supervisors and revisors of the protestant discovered the attendance of protestee revisor Abuyuan in the said pansol outing were **publicly posted by PET Head Revisor Maria Katrina Rosales ("Rosales") on her Facebook account on the morning of Tuesday, 24 June 2018.**

On the bag of snacks:

6. Mr. Roderick Miranda strongly denies that he went to the fourth (4th) floor of the Supreme Court Building to leave a bag of snacks for the proposed outing. The CCTV footage of this Honorable Tribunal will confirm that he never went to the 4th floor.

7. Protestee Robredo should be more specific with her accusations in order to lend a semblance of truth to her claims. She should, at the very least, identify the person who received the snacks supposedly sent by Mr. Miranda. Also, she should clarify if this person who received the snacks is a staff of this Honorable Tribunal.

8. For the record, the supervisors and revisors of the protestant are being given snacks on a daily basis while the revision proceeding is ongoing. Now, assuming without admitting that these snacks were shared to the other participants of the revision proceeding, can this simple act of sharing their snacks be considered as unethical much less illegal?

9. Under **Section 15, Canon 4** of the **New Code of Judicial Conduct** for the Philippine Judiciary, judges may receive token gift, award or benefit as appropriate to the occasion on which it is made, provided that such gift, award or benefit might not reasonably be perceived as intended to influence the judge in the performance of judicial duties or otherwise give rise to an appearance of partiality.

10. Based on the foregoing provision, if it is true that Mr. Miranda sent snacks to the proposed outing by leaving a bag of snacks in the 4th floor of the building then his act is **PERMISSIBLE** under **Section 15, Canon 4** of the **New Code of Judicial Conduct**.

11. Now, the act of sharing snacks cannot be equated with the attendance of protestee revisor Abuyuan in the pansol outing of the PET staff as this was obviously intended to **fraternize with the PET personnel for the purpose of manipulating, influencing and/or controlling** the ongoing revision proceedings and maneuver the revision results in Robredo's favor.

12. As discussed in his Manifestation of Grave Concern with Motion to Investigate, fraternizing with the party revisor for the protestee is obviously **PROHIBITED** for **ALL** the PET personnel since this act is **PROSCRIBED** by the **Code of Conduct for Court Personnel** and the **Canon of Judicial Ethics**.

13. Under the **Code of Conduct for Court Personnel**, "in performing their duties and responsibilities, Court personnel serve as sentinels of justice and **any act of impropriety on their part**

immeasurably affects the honor and dignity of the Judiciary and the people's confidence in it."¹

14. The Supreme Court has ruled that "in the case of public servants who are in the judiciary, **their conduct and behavior, from the presiding judge to the lowliest clerk, must not only be characterized by propriety and decorum, but above all else, must be above suspicion.**"²

15. In *Virginia E. Burgos v. Josefina R. Aquino*,³ it was further held that the "Code of Judicial Ethics mandates that **the conduct of Court personnel must be free from any whiff of impropriety, not only with respect to his duties in the judicial branch but also to his behavior outside the Court as a private individual.**"

On the conspiracy between the protestee camp and the PET staff:

16. Moreover, protestant Marcos finds it interesting that protestee Robredo seems to be well informed that an investigation on the pansol outing had already been conducted and that some of the personalities involved were already meted with penalties by this Honorable Tribunal.

17. Protestant Marcos became aware that an investigation on the pansol outing was already completed after he received the *Resolution* of this Honorable Tribunal denying his Motion to Investigate. For the record, *PET Resolution dated 10 July 2018*, which denied protestant's Motion to Investigate, **was only received by the legal counsels of protestant Marcos on 12 July 2018.**

18. This means that protestee Robredo had **ADVANCED INFORMATION** on the investigation conducted by this Honorable Tribunal on the pansol outing **at least two (2) days PRIOR to the 12 July 2018 issuance of PET Resolution dated 10 July 2018.**

¹ *Id.*, emphasis and underscoring supplied.

² *Lacuata v. Bautista*, A.M. No. P-94-1005, 12 August 1994, 235 SCRA 290, emphasis and underscoring supplied.

³ A.M. No. P-94-1081, 25 October 1995, emphasis and underscoring supplied.

19. Furthermore, it would appear that protestee Robredo and her legal counsels already knew of the imposition of penalties on the persons involved in the "pansol outing" even though the same was not even mentioned in PET Resolution dated 10 July 2018.

20. Consequently, protestant Marcos is constrained to request again this Honorable Tribunal to **INVESTIGATE** and require protestee Robredo and her legal counsels to **EXPLAIN HOW THEY OBTAINED THE ADVANCE INFORMATION THAT THE INVESTIGATION OF THE PANSOL OUTING WAS ALREADY CONCLUDED BY THIS HONORABLE TRIBUNAL.**

21. This latest discovery bolsters the theory of protestant Marcos that there is indeed a **CONSPIRACY** between the camp of protestee Robredo and these PET personnel.

PRAYER

ACCORDINGLY, it is most respectfully prayed of this Honorable Tribunal to **INVESTIGATE** and **DIRECT** protestee Robredo and her legal counsels to **EXPLAIN** how they obtained the information regarding the actions taken by this Honorable Tribunal in connection with the "pansol outing" of the **PET** personnel and protestee's revisor and take **NOTE** of the foregoing *Strong Reply*.


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

City of Manila, Philippines, **19 July 2018.**



FERDINAND "BONGBONG" R. MARCOS, JR.
Protestant

- assisted by -

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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 *Strong Reply with Motion* 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 July 20, 2018, I served a copy of the following pleading/paper.

NATURE OF PLEADING/PAPER

"STRONG REPLY with MOTION [TO THE COUNTER-MANIFESTATION WITH MOTION TO RELEASE CCTV FOOTAGE OF THE REVISOR OF PROTESTANT FERDINAND R. MARCOS, JR.]"

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
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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.

JUL 20 2018
July 20, 2018, Manila, Philippines.

JERRY C. GUEVARRA
Affiant

SUBSCRIBED AND SWORN to before me this **JUL 20 2018** at Manila, Philippines, affiant exhibiting to me his Tax Identification No. 300-192-753-000. Issued by Bureau of Internal Revenue.

Doc. No. 664
Page No. 133
Book No. 38
Series of 2018.

ATTY. PEDRO D. GENATO
Notary Public Until Dec. 31, 2019
Notarial Commission 2018-011 Mla.
IBP# 012432 Pasig 7-27-17 until 2019
PTR# Mla 6993998 - 1-4-2018
Roll# 12088, TIN# 132-436-687
MCLE Compl. No. V-0005232 until 4-14-19

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 **"STRONG REPLY with MOTION [TO THE COUNTER-MANIFESTATION WITH MOTION TO RELEASE CCTV FOOTAGE OF THE REVISOR OF PROTESTANT FERDINAND R. MARCOS, JR.]"** 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: JUL 23 2018

SUBSCRIBED AND SWORN to before me this JUL 23 2018 at Manila, Philippines, affiant exhibiting to me his Tax Identification No. 300-192-753-000. Issued by Bureau of Internal Revenue.

ATTY. RAUL R. MONTINO
NOTARY PUBLIC
UNTIL DECEMBER 31, 2019
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