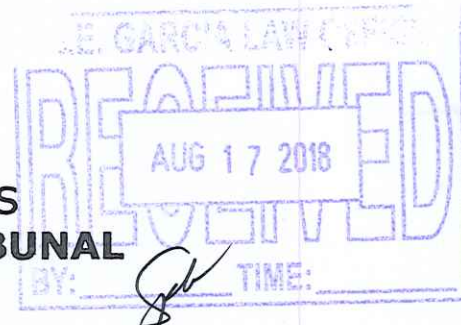


REPUBLIC OF THE PHILIPPINES
PRESIDENTIAL ELECTORAL TRIBUNAL
Manila



**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

**MANIFESTATION WITH URGENT
MOTION FOR CLARIFICATION
(OF THE RESOLUTION DATED 26 JUNE 2018)**

PROTESTEE MARIA LEONOR G. ROBREDO, by the undersigned counsel, to the Honorable Tribunal, respectfully states:

1. In the Resolution dated 26 June 2018, the Honorable Tribunal resolved to:

"b. **IMPOSE** a penalty of **FINE** of Fifty Thousand Pesos (P50,000.00) on both parties, for which the parties and their counsels are solidarily liable. Both parties are hereby **STERNLY WARNED** that a repetition of the same or similar acts will be dealt with more severely."

2. The Honorable Tribunal, in arriving at its Resolution, pronounced that:

"Inasmuch as the Protest is still pending with the Tribunal, the parties and their

representatives are necessarily charged with restraint in making statements that may rejudge the outcome of the case.

The Tribunal takes particular note of the statements to the media regarding the condition of the ballot boxes undergoing revision (e.g., recently wet ballots, missing audit logs). Clearly, such statement were circulated to insinuate fraud and anomalies attended the 2016 National and Local Elections, which could inevitably lead to the prejudgment of the Tribunal's disposition of the case. In the same vein, statements and other releases to the media regarding the merits of a pending incident with the Tribunal could, unquestionably, exert pressure on the Tribunal's judicial process with the aid of public sympathy.

The parties' continuous discourse of pending issues outside of the four walls of the Tribunal, irrespective of whether they are in fact retaliatory, tend to sway public opinion, which could ultimately destroy the public's confidence in the Tribunal's resolution of the Protest. Given the highly political nature of this case, the Tribunal must remain insulated from extraneous influence or pressure to guarantee that only the interests of justice are satisfied." [Emphasis supplied.]

3. Noteworthy is that when the Honorable Tribunal found *both parties liable for violating the sub judice rule*, it made reference to *statements to the media regarding the condition of the ballot boxes undergoing revision (e.g. recently wet ballots, missing audit logs)*.

4. These statements to the media regarding the condition of the ballot boxes undergoing revision are those referred to in page 3 of the Compliance (of the Resolution dated 10 April 2018) filed by protestee Maria Leonor G. Robredo (hereafter "Robredo" for brevity):

10. On **02 April 2018**, the revision, recount and re-appreciation of ballots in the Province of Camarines Sur commenced at 8:00 o'clock in the morning.

10.1. At around **10:15 o'clock in the morning**, Atty. Vic Rodriguez, the legal counsel/spokesperson of protestant Ferdinand R. Marcos, Jr, (hereafter "Marcos" for brevity) was interviewed by CNN Philippines¹.

10.2. This was followed by the arrival of Governor Imee Marcos in the Supreme Court to allegedly support her brother, protestant Marcos.²

10.3. A few minutes later, protestant Marcos also arrived in the Supreme Court.³

10.4. Protestant Marcos, accompanied by his wife and sister proceeded to the revision area.

10.5. For some reason, protestant Marcos, his wife and sister were all able to enter the revision area.

10.6. Thereafter, at around **11:24 o'clock in the morning**,

¹ <https://www.facebook.com/CNNPhilippines/videos/2172977989608755/>

² <https://twitter.com/InaReformina/status/980632849467432961?s=19>

³ <https://web.facebook.com/rapplerdotcom/videos/2014551915232248/>

protestant Marcos emerged and released the following information to the media:

10.6.1. There were wet ballots in the initial ballot boxes being revised, recounted and re-appreciated.

10.6.2. Protestant Marcos further maliciously made an issue on the alleged missing audit logs.⁴

5. Hence, this Motion.

6. The Honorable Tribunal took particular note of the statements made by protestant Marcos on 02 April 2018 or on the first day of the revision, recount and re-appreciation of ballots in the Province of Camarines Sur.

7. While the Honorable Tribunal specifically took note of said statements of protestant Marcos, its Resolution did not point to any specific statement made by protestee Robredo and her counsels which could be considered as a violation of the *sub judice* rule.

8. Thus, for their guidance and reference in making any media releases, protestee Robredo and her counsels respectfully seek for a clarification on the specific statements they uttered which the Honorable Tribunal considered as a violation of the *sub judice* rule. With due respect, the media releases or statements were all made in self-defense against some malicious and/or unfounded public remarks made by protestant Marcos. Hence, our respectful submittal that our statements made in self-defense could not be treated as a violation of the *sub judice* rule.

9. On this score, due process requires that protestee Robredo and her counsels be given or accorded their rights

⁴ <https://web.facebook.com/rapplerdotcom/videos/2014595895227850/>

to be informed of the basis of the contempt charge against them.

10. This way, protestee Robredo and her counsels will be guided accordingly.

11. Recently or in **RE: Show Cause Order in the Decision dated May 11, 2018 in G.R. No. 237428 (Republic of the Philippines, represented by Solicitor General Jose C. Calida v. Maria Lourdes P. A. Sereno)**⁵ the Supreme Court painstakingly enumerated ten (10) instances where respondent therein violated the *sub judice* rule.

12. By way of explanation, the Supreme Court went further to state that the statements made by respondent therein were meant to ***influence the public and the Members of the Court, and to attack the dignity and authority of the institution.***⁶

13. Thus, if only to be guided accordingly, protestee Robredo and her counsels are constrained to seek a clarification on the Resolution dated 16 June 2018.

14. Finally, simultaneous with the filing of this motion, protestee Robredo and her counsels are paying the amount of Fifty Thousand Pesos (PhP50,000.00) to the Honorable Tribunal.

15. This motion is not intended for delay but dictated solely by the foregoing exigencies.

PRAYER

WHEREFORE, PREMISES CONSIDERED, it is respectfully prayed to the Honorable Tribunal that a Resolution be issued CLARIFYING and SPECIFYING the statements made in violation of the *sub judice* rule.

⁵ A.M. No. 18-06-01-SC, July 17, 2018.

⁶ Emphasis supplied.

Protestee Robredo prays for such other reliefs as may be just and equitable under the premises.

Pasig City for Manila. 08 August 2018.

ATTY. ROMULO B. MACALINTAL

Lead Counsel for Protestee

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MCLE Compliance No. V-0018139/13 April 2016

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By

MARIA BERNADETTE V. SARDILLO

Roll No. 45897

PTR No. 3474221/03 January 2018/Pasig City

IBP Lifetime No. 07133

MCLE Compliance No. V-0010907/30 September 2015

beng.sardillo@s3law.com

REQUEST

**THE SECRETARY OF THE TRIBUNAL
PRESIDENTIAL ELECTORAL TRIBUNAL
MANILA**

Please submit the foregoing "*Urgent Motion for Clarification (of the Resolution dated 26 June 2018)*" for the consideration and approval of the Honorable Tribunal

immediately upon receipt hereof without need for oral arguments.


MARIA BERNADETTE V. SARDILLO

NOTICE OF HEARING

ATTY. GEORGE ERWIN M. GARCIA
ATTY. JOAN M. PADILLA
G. E GARCIA LAW OFFICE
Lead Counsel for Protestant
Ground Floor Laiko Building
372 Cabildo Street, Intramuros,
1002 Manila

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

Please take note that undersigned counsel will submit the foregoing "*Urgent Motion for Clarification (of the Resolution dated 26 June 2018)*" for the consideration and approval of the Honorable Tribunal immediately upon receipt thereof without need for further oral arguments.


MARIA BERNADETTE V. SARDILLO

Copy furnished:

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EXPLANATION

Due to unavailability of messengers and the distance of the parties, a copy of the herein "Motion" were sent to the above-named parties by registered mail.


MARIA BERNADETTE V. SARDILLO

Republic of the Philippines)
MANDALUYONG CITY)

**VERIFIED DECLARATION OF COMPLIANCE WITH THE
EFFICIENT USE OF PAPER RULE**

I, **LAILA T. ENDIC**, hereby declare that the Manifestation With Urgent Motion For Clarification (Of The Resolution Dated 26 June 2018) submitted electronically by use of compact disc in accordance with the Efficient Use of Paper Rule are complete and are true copies of the Manifestation With Urgent Motion For Clarification (Of The Resolution Dated 26 June 2018) filed with the Presidential Electoral Tribunal.

Pasig City. 08 August 2018.


LAILA T. ENDIC

Secretary

Sardillo Sardillo Salom Law Office

SUBSCRIBED AND SWORN TO BEFORE ME, a notary public in and for Pasig City, this 8th day of August 2018 by affiant **LAILA T. ENDIC** who is personally known to me, and appeared with her Unified Multi-Purpose ID CRN-0111-3021584-5 issued by Social Security System Office, known to me as the same person who personally signed the foregoing attestation before me and acknowledged that she executed the same.

Doc. No. 88 ;
Page No. 89 ;
Book No. 100 ;
Series of 2018.


ATTY. JAMES K. ABUGAN
NOTARY PUBLIC
Until Dec. 31, 2018
IBP No. 021498/ 1-5-2018
Rical Chapter
Roll No. 26890
MCLE No. V-0004484-10/31/2014
PTR # 3369955 - 01/05/
Mandaluyong City
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