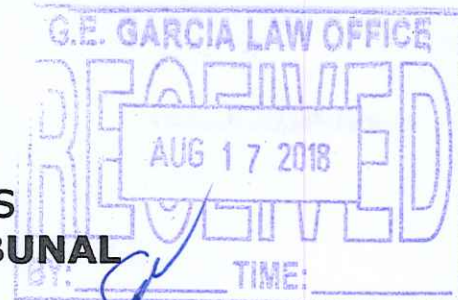


REPUBLIC OF THE PHILIPPINES
PRESIDENTIAL ELECTORAL TRIBUNAL
Manila



**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

**URGENT MOTION FOR LEAVE TO FILE AND ADMIT
ATTACHED COMMENT AND OPPOSITION
(TO THE STRONG MANIFESTATION WITH MOTION
[RE: USE OF DECRYPTED BALLOT IMAGES FOR
REVISION] DATED 05 JULY 2018)**

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

1. On 01 August 2018, protestee Maria Leonor G. Robredo (hereafter "Robredo" for brevity) received a copy of the Strong Manifestation with Motion [RE: Use of Decrypted Ballot Images for Revision] dated 05 July 2018 filed by protestant Ferdinand R. Marcos, Jr. (hereafter "Marcos" for brevity).

2. Further, on even date, protestee Robredo received a copy of the Strong Opposition [On the Use of Decrypted Ballot Images for the Judicial Revision and Recount of Ballots for the Pilot Protested Precincts Subject of this Election Protest] dated 16 July 2018.

3. Meanwhile, on 09 August 2018, protestee Robredo received a copy of the Resolution dated 24 July 2018 by the Honorable Tribunal.

4. In its Resolution, the Honorable Tribunal directed the Commission on Elections to file its Comment on the said Strong Manifestation with Motion filed by protestant Marcos.

5. While protestee Robredo is not being asked to file a Comment on the said Strong Manifestation with Motion, protestee sincerely believes in presenting arguments to aid the Honorable Tribunal in its resolution.

6. Hence, protestee Robredo seeks leave from the Honorable Tribunal to be allowed to file the attached Comment and Opposition to the Strong Manifestation with Motion [RE: Use of Decrypted Ballot Images for Revision] dated 05 July 2018 and Strong Opposition [On the Use of Decrypted Ballot Images for the Judicial Revision and Recount of Ballots for the Pilot Protested Precincts Subject of this Election Protest] dated 16 July 2018.

7. Thereafter, protestee Robredo asks that the Honorable Tribunal admit the attached Comment and Opposition.

8. 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:

1. Protestee Robredo be given leave to file the attached Comment and Opposition; and

2. Thereafter, the attached Comment and Opposition be ADMITTED to form part of the records.

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

Pasig City for Manila. 10 August 2018.

ATTY. ROMULO B. MACALINTAL

Lead Counsel for Protestee

Maria Leonor G. Robredo

13 Cagayan Valley Street,

Philamlife Village, Las Pinas City

Telephone No. 0918-9107454

Roll No. 29040

PTR No. 11437242J/10 January 2018/Las Pinas City

IBP Lifetime No. 0724

MCLE Compliance No. V-0018139/13 April 2016

rbmacalintal@gmail.com

SARDILLO SARDILLO SALOM LAW OFFICE

Collaborating Counsel for Protestee

Maria Leonor G. Robredo

Unit 802, Taipan Place, F. Ortigas Avenue,

Ortigas Center, Pasig City

02.706.4272/02.706.4273

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 Leave to File and Admit Attached Comment and Opposition (Strong*

Manifestation with Motion [RE: Use of Decrypted Ballot Images for Revision] dated 05 July 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 Leave to File and Admit Attached Comment and Opposition (Strong Manifestation with Motion [RE: Use of Decrypted Ballot Images for Revision] dated 05 July 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:

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

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
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

**COUNTER-MANIFESTATION WITH COMMENT AND
OPPOSITION (TO THE STRONG MANIFESTATION
WITH MOTION [RE: USE OF DECRYPTED BALLOT
IMAGES FOR REVISION] DATED 05 JULY 2018)**

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

1. On 01 August 2018, protestee Maria Leonor G. Robredo (hereafter "Robredo" for brevity) received a copy of the Strong Manifestation with Motion [RE: Use of Decrypted Ballot Images for Revision] dated 05 July 2018.

2. Further, on even date, protestee Robredo received a copy of the Strong Opposition [On the Use of Decrypted Ballot Images for the Judicial Revision and Recount of Ballots for the Pilot Protested Precincts Subject of this Election Protest] dated 16 July 2018.

3. In his Strong Manifestation with Motion, protestant Ferdinand R. Marcos, Jr. (hereafter "Marcos" for brevity) seeks to hold in abeyance the use of decrypted

ballot images in the twenty five (25) clustered precincts from the Provinces of Camarines Sur and Iloilo.

4. Previously, in three (3) separate Resolutions, the Honorable Tribunal directed the revision, recount and re-appreciation of the decrypted ballot images in twenty five (25) clustered precincts where the original paper ballots were found to be wet or damaged.

5. Meanwhile, in his Strong Manifestation with Motion, protestant Marcos alleged that the decrypted ballot images are compromised and should no longer be used.¹

6. The same arguments were raised by protestant Marcos in his Strong Opposition.

7. With due respect, aside from his general statements that the decrypted ballot images have allegedly been compromised and its integrity are dubious and highly questionable, protestant Marcos has not presented any evidence to substantiate his claims.

8. In fact, contrary to his claims, this is the first time since the revision, recount and re-appreciation of ballots started in 02 April 2018 that protestant Marcos has raised the authenticity and reliability of the decrypted ballot images.

¹ Paragraphs 4, 5, 6 and 7 of the Strong Manifestation with Motion state:

"4. With due respect, this Honorable Tribunal cannot use the decrypted ballot images in the aforementioned precincts for purposes of the judicial recount and revision proceedings in this case because the decrypted ballot images are **COMPROMISED**.

5. In fact, even before the commencement of the revision proceedings, protestant Marcos had already expressed his reservations on the use of the decrypted ballot images from the pilot protested provinces of Iloilo, Camarines Sur and even Negros Oriental as it appears that the integrity thereof is **DUBIOUS** and **HIGHLY QUESTIONABLE**.

6. It is undisputed that the original paper ballots used during the 2016 elections **DO NOT CONTAIN SQUARES**. Interestingly, however, a review of the decrypted ballot images from the pilot protested provinces of Iloilo, Camarines Sur and Negros Oriental confirms the presence of squares on the decrypted ballot images, specifically on the oval intended for protestee Robredo.

7. The presence of these squares on the oval intended for protestee Robredo certainly proves that the decrypted ballot images are **NOT FAITHFUL IMAGES OF THE ORIGINAL PAPER BALLOTS USED DURING THE 2016 ELECTIONS**. Hence, the same cannot be relied upon for purposes of the judicial recount and revision proceedings."

9. It will be recalled that any question on the ballot images was made by protestant Marcos only in a press conference he held last 29 January 2018.²

10. Since then, protestant Marcos has not filed any pleading, motion or submitted any evidence to the Honorable Tribunal to substantiate his allegations that the decrypted ballot images have been compromised.

11. The hard truth is that the decrypted ballot images will merely confirm the results as reflected in the Election Returns, Statement of Votes by Precinct, the Municipal/Certificate of Canvass and the Provincial Certificate of Canvass.

12. For instance, in the Municipality of Ragay, Camarines Sur, based on the Statement of Votes by Precinct³, the candidates for Vice-President received the following votes:

CLUSTER NO.	ESTABLISHED PRECINCTS	BARANGAY	CAYETANO	ESCUDERO	HONASAN	MARCOS	ROBREDO	TRILLANES
1	1A, 1B, 2A, 2B	POBLACION ILAOD	19	36	11	48	454	7
2	3A, 3B, 4A, 4B	POBLACION ILAOD	17	43	5	49	469	5
3	5A, 5B, 6A	POBLACION IRAYA	26	35	7	36	359	7
4	7A, 7B, 8A	POBLACION IRAYA	20	28	4	41	370	7
5	9A, 10A	AGAO-AO	15	23	5	9	132	5
6	11A, 12A	AGRUPACION	25	31	5	39	213	5
7	11B, 12B, 13A	AGRUPACION	12	31	12	66	241	1
8	14A, 15A	AMOMOKPOK	10	47	3	17	199	7
9	16A, 17A, 18A	AMOMOKPOK	25	46	8	35	298	11
10	19A, 20A, 20B	APAD	16	40	3	64	287	9
11	21A, 21B, 22A	APAD	6	50	9	50	313	7
12	23A, 24A, 25A	APAD	23	38	3	57	245	5
13	26A, 26B, 27A	APALE	6	25	5	123	191	6

² <https://www.rappler.com/nation/194734-marcos-ballot-images-collusion-robredo-comelec-smartmatic-vp-protest>

³ A copy of the Statement of Votes by Precinct for Vice-President in the Municipality of Ragay is hereto attached as **Annex "1"** and made an integral part hereof.

14	28A, 28B, 29A	BANGA CAVES	18	19	0	60	199	6
15	30A, 31A, 31B	BANGA CAVES	27	42	2	70	244	4
16	32A, 33A, 33B	BANGA CAVES	23	46	5	80	272	7
17	34A, 34B, 35B	BAYA	5	62	4	4	229	16
18	35A, 36A, 36B	BAYA	8	71	5	14	333	10
19	37A, 37B, 38A	BINAHAN PROPER	11	64	9	33	308	4
20	39A, 40A	BINAHAN PROPER	9	43	4	21	188	4
21	41A, 42A, 43A	BUENASUERT E	21	48	10	32	288	9
22	44A, 45A	BUENASUERT E	11	45	3	11	162	8
23	46A, 47A	CABADISAN	32	70	8	10	141	1
24	48A, 48B, 49A	CABINITAN	12	60	2	15	184	3
25	50A, 51A, 51B, 52A	CABUGAO	60	66	6	8	305	9
26	53A, 53B, 54A	CADITAAN	29	61	7	8	326	4
27	55A, 55B, 56A, 57A	CALE	20	36	9	28	350	6
28	58A, 59A, 60A	CATABANGAN PROPER	47	46	7	29	293	8
29	61A, 62A	CATABANGAN PROPER	32	56	8	15	195	2
30	63A, 64A, 65A	F. SIMEON (PUGOD)	23	44	5	29	340	5
31	66A, 69A	F. SIMEON (PUGOD)	6	29	3	9	213	11
32	67A, 67B, 68A	F. SIMEON (PUGOD)	9	34	3	26	285	4
33	70A, 70B, 71A, 71B	GODOFREDO REYES SR. (CATABANGAN CROSSING)	17	43	12	32	434	5
34	72A, 72B, 73A, 73B	GODOFREDO REYES SR. (CATABANGAN CROSSING)	20	57	3	38	390	7
35	74A, 74B, 75A, 75B, 76A	GODOFREDO REYES SR. (CATABANGAN CROSSING)	22	62	10	41	361	3
36	77A, 78A	INANDAWA	14	35	1	4	175	3
37	79A, 79B, 80A, 81A	LAGUIO	34	41	7	25	402	5
38	82A, 82B, 83A	LANIPGA- CAWAYAN	33	49	6	13	238	2
39	84A, 84B, 85A	LIBORO	16	32	6	45	336	5
40	86A, 86B, 88A	LIBORO	24	49	2	33	328	3
41	87A, 87B, 89A	LIBORO	15	44	3	41	299	6
42	90A, 91A, 91B, 92A	LOHONG	64	62	4	52	219	5
43	93A, 94A	LOWER OMON	6	34	9	38	176	16

44	93B, 94B, 95A	LOWER OMON	18	44	3	30	194	18
45	96A, 96B	LOWER SANTA CRUZ	22	27	2	16	215	5
46	97A, 98A, 99A	LOWER SANTA CRUZ	33	39	5	20	336	9
47	100A, 100B, 101A	PANAYTAYAN	34	45	15	26	300	11
48	101B, 102A, 103A, 103B	PANAYTAYAN	31	62	9	43	355	11
49	104A, 105A, 105B	PANAYTAYAN NUEVO	21	58	9	12	221	4
50	106A, 107A	PATALUNAN	28	93	3	8	140	3
51	108A, 108B, 109A, 110A	PORT JUNCTION NORTE	39	92	6	68	270	8
52	111A, 112A, 113A	PORT JUNCTION SUR	60	71	4	29	187	6
53	114A, 114B, 115A, 116A	SALVACION	32	168	9	16	336	14
54	117A, 117B, 118A	SAMAY	23	35	9	2	239	6
55	119A, 119B, 122A	SAN RAFAEL	9	60	9	12	300	7
56	120A, 120B, 121A	SAN RAFAEL	12	64	8	14	276	11
57	123A, 123B, 124A	TAGBAC	14	44	4	16	318	7
58	125A, 126A, 126B	TAGBAC	4	35	8	32	296	6
59	127A, 128A	BINAHAN UPPER	14	34	3	21	206	0
60	127B, 129A, 129B	BINAHAN UPPER	6	34	3	34	243	6
61	130A, 130B, 131A	UPPER OMON	30	21	1	25	238	16
62	132A, 132B, 133A, 133B	UPPER SANTA CRUZ	35	59	5	90	269	9
TOTAL			1,353	3,008	358	2,012	16,923	420

13. Meanwhile, the City/Municipal Certificate of Canvass⁴ for the Municipality of Ragay, Camarines Sur will confirm the votes received by the candidates for Vice-President:

Candidate	Votes Garnered
CAYETANO, ALAN PETER (IND)	1353
ESCUDERO, CHIZ (IND)	3008
HONASAN, GRINGO (UNA)	358
MARCOS, BONGBONG (IND)	2012
ROBREDO, LENI DAANG MATUWID (LP)	16923
TRILLANES, ANTONIO IV (IND)	420

14. Further, the Statement of Votes by City/Municipality for Vice-President Philippines⁵, will confirm the votes received by the parties in the Municipality of Ragay, Camarines Sur:

	MUNICIPALITY	CAYETANO	ESCUDERO	HONASAN	MARCOS	ROBREDO	TRILLANES
11701	Baao	415	1,139	204	1,296	18,555	1,116
11702	Balatan	253	984	134	717	9,472	395
11703	Bato	334	1,274	249	1,382	16,362	407
11704	Bombon	90	160	53	205	7,299	35
11705	Buhi	522	1,621	293	1,300	25,750	458
11706	Bula	373	1,326	180	1,183	21,784	938
11707	Cabusao	178	414	73	589	7,505	54
11708	Calabanga	363	634	188	1,109	31,897	285
11709	Camaligan	147	284	67	503	9,744	66
11710	Canaman	249	434	91	672	12,542	256
11711	Caramoan	363	1,022	315	757	16,257	117
11712	Del Gallego	558	1,113	142	799	7,709	207
11713	Gainza	142	180	34	258	5,418	29
11714	Garchitorina	168	528	217	400	8,247	128
11715	Goa	332	613	218	1,024	20,325	134
11716	Iriga City	838	2,202	373	3,060	38,261	1,304
11717	Lagonoy	379	1,044	290	1,066	21,801	191
11718	Libmanan	947	2,775	384	2,619	37,536	439
11719	Lupi	497	1,287	135	657	9,625	170
11720	Magarao	164	309	69	483	12,122	158
11721	Milaor	244	559	73	856	13,873	110
11722	Minalabac	282	853	136	864	18,923	179
11723	Nabua	521	1,446	208	1,563	25,579	1,387

⁴ A copy of the City/Municipal Certificate of Canvass is hereto attached as **Annex "2"** and made an integral part hereof.

⁵ A copy of the Statement of Votes by City/Municipality for Vice-President Philippines is hereto attached as **Annex "3"** and made an integral part hereof; Also attached as Annex "AAA-1" of the Election Protest.

11724	Naga City	1,414	1,563	411	3,964	60,597	306
11725	Ocampo	223	555	224	730	16,087	168
11726	Pamplona	228	589	93	553	13,147	97
11727	Pasacao	638	1,208	182	1,498	15,444	200
11728	Pili	519	1,546	234	2,319	28,746	375
11729	Presentacion	144	380	136	636	8,131	75
11730	Ragay	1,353	3,008	358	2,012	16,923	420
11731	Sagnay	155	648	209	577	10,771	128
11732	San Fernando	211	566	60	503	14,267	126
11733	San Jose	231	664	157	764	16,908	117
11734	Sipocot	766	2,374	274	1,806	19,600	361
11735	Siruna	112	414	102	430	6,702	81
11736	Tigaon	325	849	540	1,080	17,572	145
11737	Tinambac	255	557	117	985	22,709	306
TOTAL		14,933	37,122	7,223	41,219	664,190	11,468

15. Likewise, the Provincial Certificate of Canvass for the Province of Camarines Sur⁶ will confirm the votes received by the parties:

Candidate	Votes Garnered
CAYETANO, ALAN PETER (IND)	1353
ESCUDERO, CHIZ (IND)	3008
HONASAN, GRINGO (UNA)	358
MARCOS, BONGBONG (IND)	2012
ROBREDO, LENI DAANG MATUWID (LP)	16923
TRILLANES, ANTONIO IV (IND)	420

16. Now, as no less than four (4) documents consistently confirm the votes received by the parties and the results of the elections, protestant Marcos has resorted to misleading the Honorable Tribunal.

17. In opposing the use of the decrypted ballot images, protestant Marcos questions the presence of square boxes in the ovals beside the names of candidates containing shades.

18. Recently, or during the hearing of Joint Congressional Oversight Committee on Automated Election

⁶ A copy of the Provincial Certificate of Canvass is hereto attached as Annex "4" and made an integral part hereof; Also attached as Annex "AAA" of the Election Protest.

System (JCOC-AES), the Commission on Elections (COMELEC) explained that the squares merely mean that the shades met or exceeded the threshold which can be confirmed by the vote summary at the end.⁷

19. Protestant Marcos conveniently omitted that as a further guide, each scanned copy of the official ballots is a vote summary.

20. This vote summary will confirm which shade were recognized by the Vote Counting Machines (VCMs) to have met the threshold requirement of twenty-five percent (25%).

21. Thus, if only to indulge protestant Marcos, a quick perusal of the alleged questionable decrypted ballot images will further confirm the votes received by the parties and all the candidates for Vice-President.

22. For instance, in Clustered Precinct No. 2⁸ (Precinct Nos. 0003A, 0003B, 0004A, 0004B) Barangay Poblacion Ilaod, Municipality of Ragay, Camarines Sur will show that:

⁷ Page 114, Transcript dated 06 August 2018; A copy of the Transcript dated 06 August 2018 is hereto attached as **Annex "5"** and made an integral part hereof.

⁸ A copy of the ballot images in Clustered Precinct No. 2, Ragay, Camarines Sur and the soft copy are hereto attached as **Annexes "6" to "6-A"**, respectively and made integral parts hereof.

OFFICIAL BALLOT

May 9, 2016 National and Local Elections

POBLACION ILAOD, RAGAY, CAMARINES SUR

Ballot ID: 17300002

Precinct in Cluster:

0003A, 0003B, 0004A, 0004B

PARAAN NG PAGBOTO

(1.) Itiman ang loob ng oval: ● sa tabi ng pangalan ng kandidatong napili.

(2.) Gumamit lamang ng "marking pen" sa pagmarka.

(3.) HUWAG bumoto ng labis sa nakatalagang bilang sa napiling posisyon.

Signature of Chalresan

PRESIDENT / Vote for 1			
1. BINAY, JOJO (UNA) ●	3. DUTERTE, RODY (PDP-LN) ●	5. ROXAS, MAR DAANG MATUWID (LP)	
2. DEFENSOR SANTIAGO, MIRIAM (PRP) ●	4. POE, GRACE (IND) ●	6. SEÑERES, ROY (WFPMM) ✓	
VICE-PRESIDENT / Vote for 1			
1. CAYETANO, ALAN PETER (IND) ●	3. HONASAN, GRINGO (UNA)	5. ROBREDO, LENI DAANG MATUWID (LP)	
2. ESCUDERO, CHIZ (IND) ●	4. MARCOS, BONGBONG (IND)	6. TRILLANES, ANTONIO IV (IND)	
PARTY LIST / Vote for 1			

17300002-17300002-100-2645-01-0.pdf

Vote Summary

Machine Id: HPM180PA01001466


Ballot Id: 17300002-100

PRESIDENT

- POE, GRACE (IND)

VICE-PRESIDENT

- ESCUDERO, CHIZ (IND)

OFFICIAL BALLOT			
May 9, 2016 National and Local Elections			
POBLACION ILAOD, RAGAY, CAMARINES SUR			
Ballot ID: 17300002		Precinct in Cluster: 0003A, 0003B, 0004A, 0004B	
PARAAN NG PAGBOTO			
(1.) Itinan ang loob ng oval: <input checked="" type="radio"/> sa tabi ng pangalan ng kandidatong napili.			
(2.) Gumamit lamang ng "marking pen" sa pagmarka.			
(3.) HUWAG bumoto ng labis sa nakatalagang bilang sa napiling posisyon.			
PRESIDENT / Vote for 1			
1. BINAY, JOJO (UNA)	<input checked="" type="radio"/> 3. DUTERTE, RODY (PDPLBN)	5. ROXAS, MAR DAANG MATUWID (LP)	
2. DEFENSOR SANTIAGO, MIRIAM (PRP)	4. POE, GRACE (IND)	6. SEÑERES, ROY (WPPMAM)	
VICE-PRESIDENT / Vote for 1			
1. CAYETANO, ALAN PETER (IND)	3. HONASAN, GRINGO (UNA)	<input checked="" type="radio"/> 5. ROBREDO, LENI DAANG MATUWID (LP)	
2. ESCUDERO, CHIZ (IND)	4. MARCOS, BONGBONG (IND)	6. TRILLANES, ANTONIO IV. (IND)	

17300002-17300002-101-1378-01-0.pdf

Vote Summary

Machine Id: HPM180PA01001466


Ballot Id: 17300002-101

PRESIDENT

- DUTERTE, RODY (PDPLBN)

VICE-PRESIDENT

- ROBREDO, LENI DAANG MATUWID (LP)

OFFICIAL BALLOT May 9, 2016 National and Local Elections POBLACION ILAOD, RAGAY, CAMARINES SUR				Ballot ID: 17300002 Precinct in Cluster: 0003A, 0003B, 0004A, 0004B	
PARAAN NG PAGBOTO (1.) Itinan ang loob ng oval: <input checked="" type="radio"/> sa tabi ng pangalan ng kandidatong napili. (2.) Gumamit lamang ng "marking pen" sa pagmarka. (3.) HUWAG burnoto ng labis sa nakatalagang bilang sa napiling posisyon.					
PRESIDENT / Vote for 1					
1. BINAY, JOJO (UNA)	<input checked="" type="radio"/>	3. DUTERTE, RODY (PDPLBN)		5. ROXAS, MAR DAANG MATUWID (LP)	
2. DEFENSOR SANTIAGO, MIRIAM (PRP)		4. POE, GRACE (IND)		6. SEÑERES, ROY (WPPPM)	
VICE-PRESIDENT / Vote for 1					
1. CAYETANO, ALAN PETER (IND)		3. HONASAN, GRINGO (UNA)		5. ROBREDO, LENI DAANG MATUWID (LP)	<input checked="" type="radio"/>
2. ESCUDERO, CHIZ (IND)		4. MARCOS, BONGBONG (IND)		6. TRILLANES, ANTONIO IV (IND)	

17300002-17300002-102-4570-01-0.pdf

Vote Summary

Machine Id: HPM180PA01001466

Ballot Id: 17300002-102

PRESIDENT

- DUTERTE, RODY (PDPLBN)

VICE-PRESIDENT

- ROBREDO, LENI DAANG MATUWID (LP)

OFFICIAL BALLOT

May 9, 2016 National and Local Elections

POBLACION ILAOD, RAGAY, CAMARINES SUR

Ballot ID: 17300002

Precinct in Cluster:

0003A, 0003B, 0004A, 0004B

PARAAN NG PAGBOTO

(1.) Isinan ang loob ng oval: ☒ sa tabi ng pangalan ng kandidatong napili.

(2.) Gumamit lamang ng "marking pen" sa pagmarka.

(3.) HUWAG bumoto ng labis sa nakatalagang bilang sa napiling posisyon.

Signature of Chairman

PRESIDENT / Vote for 1			
1. BINAY, JOJO (UNA)	<input checked="" type="radio"/> 3. DUTERTE, RODY (PDPLBN)	5. ROXAS, MAR DAANG MATUWID (LP)	
2. DEFENSOR SANTIAGO, MIRIAM (PRP)	4. POE, GRACE (IND)	6. SEÑERES, ROY (WPPMM)	

VICE-PRESIDENT / Vote for 1			
1. CAYETANO, ALAN PETER (IND)	3. HONASAN, GRINGO (UNA)	<input checked="" type="radio"/> 5. ROBREDO, LENI DAANG MATUWID (LP)	
2. ESCUDERO, CHIZ (IND)	4. MARCOS, BONGBONG (IND)	6. TRILLANES, ANTONIO IV (IND)	

17300002-17300002-103-1986-01-0.pdf

Vote Summary

Machine Id: HPM180PA01001466

Ballot Id: 17300002-103

PRESIDENT

- DUTERTE, RODY (PDPLBN)

VICE-PRESIDENT

- ROBREDO, LENI DAANG MATUWID (LP)

23. Finally, the Election Returns for National Positions⁹ will again confirm the votes received by the parties in Clustered Precinct No. 2 (Precinct Nos. 0003A, 0003B, 0004A, 0004B) Barangay Poblacion Ilaod, Municipality of Ragay, Camarines Sur.

24. Clearly, aside from his self-serving and unsubstantiated allegations, there is no truth to the misleading assertions of protestant Marcos on the lack of integrity of the decrypted ballot images.

⁹ A copy of the Election Returns for National Positions is hereto attached as Annex "7" and made an integral part hereof.

25. In fact, it will be recalled that protestant Marcos, in seeking the decryption of the SD cards, admitted that the printed ballot images will aid the Honorable Tribunal in the prompt disposition of his Election Protest.¹⁰

26. More importantly, in his Preliminary Conference Brief, protestant Marcos in designating his Pilot Provinces also sought the recount, revision and re-appreciation not only of the official ballots but the ballot images as well:

**"V. LIST OF PROVINCES FOR THE
PILOT PROTEST PURSUANT TO
RULE 65 OF THE 2010 PET RULES**

Protestant Marcos is hereby designating the provinces of **CAMARINES SUR, ILOILO** and **NEGROS ORIENTAL** as his pilot areas for the **MANUAL RECOUNT and JUDICIAL REVISION of the paper ballots and/or the ballot images** as well as the **TECHNICAL EXAMINATION, FORENSIC INVESTIGATION, VERIFICATION and ANALYSIS** of the voter's receipts, election returns, audit logs, transmission logs, the list of voters, particularly the Election Day Computerized Voter's List (EDCVL), and voters registration records (VRRs), the books of voters and other pertinent election documents and/or paraphernalia used in the elections, as well as the automated election equipment and records such as the Vote Counting Machines (VCM), Consolidation Canvass System (CCS) units, Secure Digital (SD) Cards (main and back up), and the other data storage devices containing electronic data and ballot images used during the

¹⁰ A copy of the Motion for Decryption and Printing of Ballot Images is hereto attached as Annex "8" and made an integral part hereof.

09 May 2016 National and Local Elections, pursuant to **Rule 65** of the **2010 PET Rules.**" [Emphasis and underscoring supplied.]

27. Now that the decrypted ballot images will confirm the victory of protestee Robredo and his defeat, protestant Marcos is now assailing the integrity of his own evidence.

28. This simply cannot be allowed.

29. The issue on the evidentiary value of decrypted ballot images in an automated election system (AES) has been clarified by the Supreme Court in **Vinzons-Chato v. House of Representatives Electoral Tribunal**¹¹:

"We agree, therefore, with both the HRET and Panotes that the picture images of the ballots, as scanned and recorded by the PCOS, are likewise "official ballots" that faithfully captures in electronic form the votes cast by the voter, as defined by Section 2 (3) of R.A. No. 9369. As such, the printouts thereof are the functional equivalent of the paper ballots filled out by the voters and, this, may be used for purposes of revision of votes in an electoral protest.

It bears stressing that the digital images of the ballots captured by the PCOS machine are stored in an **encrypted format** in the CF Cards. **Encryption** is the process of encoding messages (or information) in such a way that eavesdroppers or hackers cannot read it, but that authorized parties can. In an encryption algorithm, turning it into an unreadable ciphertext. This is usually done with the use of an encryption key, which specifies how the message is to be

¹¹ G.R. Nos. 199149, 201350, January 22, 2013.

encoded. Any adversary that can see the ciphertext, should not be able to determine anything about the original message. An authorized party, however, is able to decode the ciphertext using a **decryption** algorithm, that usually requires a secret decryption key, that adversaries do not have access to." [citations omitted.]

30. This was further confirmed by the Supreme Court in **Maliksi v. Commission on Elections**¹² that the *ballot images in the CF cards, as well as the printouts of such images, are the functional equivalent of the physical ballots filled up by the voters, and may be used in an election protest.*

31. Truth be told, protestant Marcos is now caught between a rock and a hard place.

32. If the Honorable Tribunal will direct the revision, recount and re-appreciation of ballot images, the result therein will merely confirm the overwhelming votes received by protestee Robredo.

33. On the other hand, should the Honorable Tribunal dispense with the revision, recount and re-appreciation of ballots, the results as reflected in the Election Returns will be used.

34. Yet again, the Election Returns in these twenty five (25) clustered precincts with wet/damaged ballots will confirm the overwhelming victory of protestee Robredo:

MUNICIPALITY OF SAGNAY, CAMARINES SUR				
CP No.	Established Precincts	Barangay	Robredo	Marcos
17	43A, 44A	Minadongsol	189	8

¹² G.R. No. 203302, March 12, 2013.

MUNICIPALITY OF CANAMAN, CAMARINES SUR				
CP No.	Established Precincts	Barangay	Robredo	Marcos
5	9A, 9B, 10A	Sta. Cruz	13	280
19	38A, 39A	Poro	25	331
15	32A, 32B	Linaga	36	222
20	39B, 40A, 41A	Poro	35	333
25	49A, 49B	San Jose West	5	239
6	10B, 11A, 11B	Sta. Cruz	18	308
34	65A, 65B, 66A, 66B	Talidtid	6	434
31	60A, 60B, 61A, 61B	Sta. Teresita	23	336
36	69A, 70A, 70B	Tibgao	16	325
14	30A, 30B, 31A	San Nicolas [should be Iquin]	12	335
27	51A, 51B, 52A	San Nicolas	6	310
MUNICIPALITY OF MILAOR, CAMARINES SUR				
CP No.	Established Precincts	Barangay	Robredo	Marcos
4	6B, 6C	Alimbuyod	23	319
MUNICIPALITY OF SIPOCOT, CAMARINES SUR				
CP No.	Established Precincts	Barangay	Robredo	Marcos
46	86A, 87A, 87B	Managle	31	280
7	17A, 18A, 19A, 19B	South Centro	43	445
17	39A, 39B, 40A, 40B	Azucena	49	234
MUNICIPALITY OF TINAMBAC, CAMARINES SUR				
CP No.	Established Precincts	Barangay	Robredo	Marcos
17	14A, 14B, 14C	Bagacay	34	332
54	46A, 46B, 46C	San Roque	7	301

MUNICIPALITY OF SAN JOSE, CAMARINES SUR				
CP No.	Established Precincts	Barangay	Robredo	Marcos
17	42A, 42B, 43A	Danlog	24	425
MUNICIPALITY OF AJUY, ILOILO				
CP No.	Established Precincts	Barangay	Robredo	Marcos
13	30A, 31A, 32A	Central	27	301
43 [51]	125A, 125B, 126A, 126B	Adcadarao [should be Tanduyan]	12	260
MUNICIPALITY OF ALIMODIAN, ILOILO				
CP No.	Established Precincts	Barangay	Robredo	Marcos
50	112A, 112B, 113A, 113B	Sulong	37	288

35. More importantly, this will belie the unsubstantiated allegations of electoral frauds, anomalies and irregularities of protestant Marcos.

36. All told, protestant Marcos is desperately grasping at straws by hurling unfounded accusations without an iota of evidence.

PRAYER

WHEREFORE, PREMISES CONSIDERED, it is respectfully prayed to the Honorable Tribunal that the Motion seeking to hold in abeyance the use of the decrypted ballot images be DENIED FOR UTTER LACK OF MERIT.

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

Pasig City for Manila. 10 August 2018.

ATTY. ROMULO B. MACALINTAL

Lead Counsel for Protestee

Maria Leonor G. Robredo

13 Cagayan Valley Street,
Philamlife Village, Las Pinas City
Telephone No. 0918-9107454

Roll No. 29040

PTR No. 11437242J/10 January 2018/Las Pinas City

IBP Lifetime No. 0724

MCLE Compliance No. V-0018139/13 April 2016

rbmacalintal@gmail.com

SARDILLO SARDILLO SALOM LAW OFFICE

Collaborating Counsel for Protestee

Maria Leonor G. Robredo

Unit 802, Taipan Place, F. Ortigas Avenue,
Ortigas Center, Pasig City
02.706.4272/02.706.4273

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

Copy furnished:

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

EXPLANATION

Due to unavailability of messengers and the distance of the parties, a copy of the herein "Counter-Manifestation with Comment and Opposition" 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 Urgent Motion For Leave To File And Admit Attached Comment And Opposition (To The Strong Manifestation With Motion [Re: Use Of Decrypted Ballot Images For Revision] Dated 05 July 2018) and Counter-Manifestation With Comment And Opposition (To The Strong Manifestation With Motion [Re: Use of Decrypted Ballot Images For Revision] Dated 05 July 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 Urgent Motion For Leave To File And Admit Attached Comment And Opposition (To The Strong Manifestation With Motion [Re: Use Of Decrypted Ballot Images For Revision] Dated 05 July 2018) and Counter-Manifestation With Comment And Opposition (To The Strong Manifestation With Motion [Re: Use of Decrypted Ballot Images For Revision] Dated 05 July 2018) filed with the Presidential Electoral Tribunal.

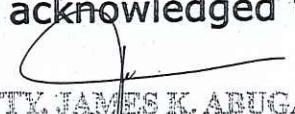
Pasig City. 13 August 2018.


LAILA T. ENDIC
Secretary

Sardillo Sardillo Salom Law Office

SUBSCRIBED AND SWORN TO BEFORE ME, a notary public in and for **Pasig City**, this 13th 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. 188 ;
Page No. 38 ;
Book No. 103 ;
Series of 2018.


ATTY. JAMES K. ARUGAN
NOTARY PUBLIC
Until Dec. 31, 2018
IBP No. 021498/1-5-2018
Rizal Chapter
Roll No. 26890

MCLE No. V-0004484-10/31/2014
PTR # 3369955 - 01/05/2015
Mandaluyong City
TIN # 116-239-956
TEL 521 43 00