

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 OMNIBUS MOTION
(1) TO EXPUNGE FROM THE RECORDS THE COMMENT
DATED 22 OCTOBER 2018; AND, (2) TO RESOLVE
THE URGENT MOTION FOR THE IMMEDIATE
INVESTIGATION OF THE LEAKED DATA FROM THE
PROVINCE OF CAMARINES SUR
DATED 10 SEPTEMBER 2018**

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

1. The Comment dated 22 October 2018 should be expunged from the records.

2. Noteworthy is that, in the Resolution dated 18 September 2018 of the Honorable Tribunal, Atty. Glenn Chong was directed to comment within a period of ten (10) days.

3. In alleged compliance with the said Resolution, Atty. Glenn Chong purportedly filed his Comment through his counsel, Atty. Al S. Vitangcol III.

4. However, there is no evidence to show that Atty. Al S. Vitangcol III was duly authorized to submit the said Comment on behalf of Atty. Glenn Chong.

5. The Comment failed to show that Atty. Glenn Chong acquiesced to its filing on his behalf such that he is bound by the allegations contained therein.

6. Absent such proof, the Honorable Tribunal or the parties cannot simply presume that Atty. Al S. Vitangcol III was duly authorized to file the Comment on behalf of Atty. Glenn Chong.

7. This is not a trivial matter.

8. In the Comment, the facebook posts culled from the page of Atty. Glenn Chong were disowned:

"58. Atty. Chong's posts with high "engagements" in the thousands have accompanying article or explanation at the top right portion of said posts directly from his profile picture. Whereas, posts attributed to him with very minimal "engagements" of less than a hundred do not have such accompanying article or explanation.

This can only mean that the posts alluded to Atty. Chong did not actually come directly from his own Facebook page but from someone else who may have shared it in their own page from another page."

9. This merely shows the propensity of Atty. Glenn Chong to disavow things when they are not favorable to him.

10. Easily, without preempting the Honorable Tribunal, Atty. Glenn Chong can also easily disown the Comment allegedly filed on his behalf.

11. Thus, the Comment filed by Atty. Al S. Vitangcol III should be expunged from the records.

12. Meanwhile, despite his lengthy discussion on why he should not be held accountable for the data in his possession, Atty. Glenn Chong still managed not to address the issue.

13. Worse, despite being a self-proclaimed election expert and advocate for clean elections, Atty. Glenn Chong was less than candid to the Honorable Tribunal.

14. Atty. Glenn Chong erroneously claims that he was being asked to explain his presence in the revision proceedings.¹

15. This could not be farther from the truth.

16. It is undisputed that Atty. Glenn Chong was never present at the revision area of the Honorable Tribunal.

17. However, what is at issue is the possession of Atty. Glenn Chong of the audit logs from the Municipality of Ragay, Camarines Sur.

18. In an attempt to provide a futile explanation, Atty. Glenn Chong claimed that the audit logs were obtained from the camp of former Representative Luis R. Villafuerte.

19. Maybe, in his zest to prove his perceived electoral fraud, Atty. Glenn Chong has forgotten that the Municipality of Ragay, Camarines Sur is not part of the Election Protest of former Representative Luis R. Villafuerte.

¹ Paragraph 17 of the Comment states:

"17. Atty. Chong avers that while under oath, he never lied in his answers to the questions of Sen. Franklin Drilon.

Atty. Chong has never appeared, officially or unofficially, before any revision proceedings of this Honorable Tribunal as counsel or representative of Protestant Marcos. This fact can easily be verified from its records."

20. After all, former Representative Luis R. Villafuerte is contesting the results of the elections in the Third (3rd) District of Camarines Sur.

21. Meanwhile, the Municipality of Ragay, Camarines Sur is part of the First (1st) District of Camarines Sur.

22. Thus, how can the Municipality of Ragay, Camarines Sur belonging to the First (1st) be included in the Election Protest contesting the results of the elections in the Third (3rd) District?

23. On the other hand, Atty. Glenn Chong claims that the stripping and turnover activities in Sta. Rosa, Laguna were activities by the Commission on Elections.

24. However, in doing so, Atty. Glenn Chong once more conveniently has forgotten that notices were sent only to the parties of this case.

25. The parties were allowed to observe the stripping and turnover activities as the First Cause of Action has yet to be dismissed by the Honorable Tribunal.

26. Only the parties and their respective representatives were allowed by the Honorable Tribunal to observe the proceedings.

27. This was in fact part of the condition set by the Honorable Tribunal when it allowed the Commission on Elections (COMELEC) and Smartmatic to conduct these activities.

28. No other third party was allowed to observe and notified.

29. While Atty. Glenn Chong may deny this but witnesses can attest that:

29.1. He gave several interviews to the media when he was present in Sta. Rosa, Laguna; and

29.2. He was not a mere observer during the decryption of the unused Secure Digital (SD) cards conducted at the Project Management Office of the Commission on Elections.

29.2.1. During the decryption, he actively posed questions to the representatives of both COMELEC and Smartmatic.

29.2.2. For this reason, the decryption of the SD cards did not push through.

30. Finally, Atty. Glenn Chong has not addressed the real issue.

31. Instead, Atty. Glenn Chong submitted a lengthy discourse on alleged electoral fraud which are immaterial to the real issue – how was he able to get copies of the audit logs from the Municipality of Ragay, Camarines Sur?

32. That question remains unanswered.

33. Thus, the urgency by which the Honorable Tribunal must resolve the Urgent Motion for the Immediate Investigation of the Leaked Data from the Province of Camarines Sur.

34. 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. The Comment (on Protestee's Fourth Manifestation of Grave Concern with Urgent Motion for the Immediate Investigation of the Leaked Data from the Province of

Camarines Sur dated September 10, 2018) dated October 22, 2018 be EXPUNGED from the records; and,

2. The Urgent Motion for the Immediate Investigation of the Leaked Data from the Province of Camarines Sur dated 10 September 2018 be IMMEDIATELY RESOLVED.

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

Pasig City for Manila. 27 November 2018.



ATTY. ROMULO B. MACALINTAL

Lead Counsel for Protestee

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Collaborating Counsel for Protestee

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By



MARIA BERNADETTE V. SARDILLO

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REQUEST

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

Please submit the foregoing "*Urgent Omnibus Motion*" 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
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1226 Acacia Street,
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ATTY. AL S. VITANGCOL III
14th Floor, 88 Corporate Center
Valero cor. Sedenos Sts.,
Salcedo Village, Makati City

Please take note that undersigned counsel will submit the foregoing "*Urgent Omnibus Motion*" 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 "*Urgent Omnibus Motion*" were sent to the above-named parties by registered mail.


MARIA BERNADETTE V. SARDILLO

Republic of the Philippines)
Pasig City)

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

I, **LAILA T. ENDIC**, hereby declare that the Urgent Omnibus Motion (1) To Expunge From The Records The Comment Dated 22 October 2018; And, (2) To Resolve The Urgent Motion For The Immediate Investigation Of The Leaked Data From The Province Of Camarines Sur Dated 10 September 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 Omnibus Motion (1) To Expunge From The Records The Comment Dated 22 October 2018; And, (2) To Resolve The Urgent Motion For The Immediate Investigation Of The Leaked Data From The Province Of Camarines Sur Dated 10 September 2018 filed with the Presidential Electoral Tribunal.


Pasig City. 27 November 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 28th day of November 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. 97 ;
Page No. 21 ;
Book No. 1 ;
Series of 2018.


R. JOHN CHRISTOPHER J. SALOM
NOTARY PUBLIC FOR PASIG CITY,
PATEROS AND SAN JUAN CITY
Until December 31, 2019
Appointment No. 205 (2018-2019)
Roll No. 53545
IBP Lifetime No. 6703
PTR No. 6619862/08 January 2018/ Makati City
MCLE Compliance No. V-0021220015/15 April 2016
Unit 802, The Taipan Place, F. Ortigas Jr. Road,
Ortigas Center Pasig City
Tel. 706-4272 - 73

Republic of the Philippines)
Pasig City)S.S.

AFFIDAVIT OF SERVICE

I, **TEODERICO A. MESA**, as Liaison Officer of **SARDILLO SARDILLO SALOM LAW OFFICE**, with postal address at Unit 802 The Taipan Place, F. Ortigas Junior Road, Ortigas Center, Pasig City after being duly sworn depose and say:

That on 28th day of November 2018, I served a copy of the following pleading/paper.

**URGENT OMNIBUS MOTION
(1) TO EXPUNGE FROM THE RECORDS THE COMMENT
DATED 22 OCTOBER 2018; AND, (2) TO RESOLVE
THE URGENT MOTION FOR THE IMMEDIATE
INVESTIGATION OF THE LEAKED DATA FROM THE
PROVINCE OF CAMARINES SUR
DATED 10 SEPTEMBER 2018**

In PET CASE No. 005 For Election Protest, entitled, **FERDINAND "BONGBONG R. MARCOS, JR., Protestant vs 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. GEORGE ERWIN M. GARCIA
ATTY. JOAN M. PADILLA
G. E GARCIA LAW OFFICE
Counsel for Protestant
Ground Floor Laiko Building
372 Cabildo Street, Intramuros,
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1226 Acacia Street,
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AL S. VITANGCOL III
14th Floor, 88 Corporate Center
Valero cor. Sedeno Sts.,
Salcedo Village, Makati City


By depositing copies on 28th day of November 2018 in the Post Office at Pasig as evidenced by Registry Receipt Nos. _____ and _____ are hereto attached and indicated after the name of the addressees and with instructions to the postmaster to return the mail to the sender after ten (10) days if undelivered.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of November 2018 at Pasig City.


TEODERICO A. MESA
Affiant

SUBSCRIBED AND SWORN to before me this 28th day of November 2018, at Pasig City, by **TEODERICO A. MESA**, who has satisfactorily proven to me his identity through his valid **SSS No. 33-5698806-4**, who personally signed before me the foregoing Affidavit of Service and acknowledged that he executed the same.

Doc. No. 98 ;
Page No. 21 ;
Book No. 1 ;
Series of 2018.


R. JOHN CHRISTOPHER J. SALOM
NOTARY PUBLIC FOR PASIG CITY,
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