

Republic of the Philippines  
**PRESIDENTIAL ELECTORAL TRIBUNAL**  
Manila

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

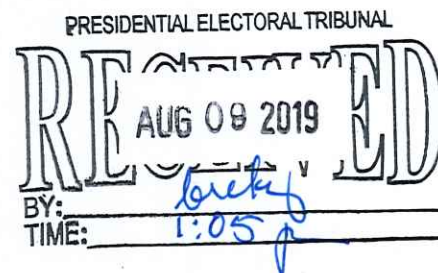
*Protestant,*

-versus-

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

*Protestee.*

X- - - - - X



**PET Case No. 005**

For: Election Protest  
Vice-President

**EXTREMELY URGENT MOTION TO SET THIS  
ELECTION PROTEST FOR PRELIMINARY  
CONFERENCE**

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 **8 February 2019**, this Honorable Tribunal completed  
the revision proceedings for the pilot provinces of Camarines Sur,  
Iloilo and Negros Oriental.

2. With the termination of the revision proceedings in the  
pilot provinces, the corresponding Revision reports relative thereto  
were likewise submitted before this Honorable Tribunal.

3. Consequently, the reception of evidence should now  
proceed in accordance with the relevant provisions of **A.M. No. 10-  
4-29-SC**, otherwise known as the "**2010 PET Rules**".

4. Relevant thereto, **Rule 55** of the **2010 PET Rules**  
provides that after the submission of all Revision Reports, this

Honorable Tribunal may delegate the reception of evidence to a Hearing Commissioner who is a member of the Bar.

5. This Honorable Tribunal previously designated Retired Justice Jose C. Vitug as the Chairperson as well as Atty. Angelito C. Imperio and Atty. Irene Ragodon-Guevarra as Members of the Hearing Commissioners in this election protest.

6. Now according to **Rule 56** of the **2010 PET Rules**, the designated Hearing Commissioners shall fix a date for the reception of evidence and the submission of the affidavits of the witnesses by setting a preliminary conference together with the parties in this case.

7. Unfortunately, despite the lapse of more than *five (5)* months since the termination of the revision proceedings for the pilot provinces in this election protest, the designated Hearing Commissioners of this Honorable Tribunal have yet to set the preliminary conference in this case for the purpose of fixing the date for the reception of evidence and the submission of the affidavits of the witnesses.

8. In view thereof, protestant Marcos is now compelled to humbly request this Honorable Tribunal to set the above-entitled case for preliminary conference in accordance with **Rule 56** of the **2010 PET Rules** so that the dates for the reception of evidence and the submission of the affidavits of the witnesses may finally be fixed.

9. The grant of protestant's latest Motion is in line with this Honorable Tribunal's mandate to ensure a prompt and expeditious resolution of this election protest.

10. Public interest demands that this electoral controversy be resolved with dispatch to determine once and for all the genuine choice of the electorate for the contested position.

11. An election case, unlike an ordinary action, is imbued with public interest since it involves not only the adjudication of the private interests of rival candidates but also the paramount need of dispelling the uncertainty which beclouds the real choice of the electorate with respect to who shall discharge the prerogatives of the



office within their gift. Moreover, it is neither fair nor just to keep in office for an uncertain period one whose right to it is under suspicion. It is imperative that his claim be immediately cleared not only for the benefit of the winner but for the sake of public interest, which can only be achieved by brushing aside technicalities of procedure which protract and delay the trial of an ordinary action.<sup>1</sup>

### **PRAYER**

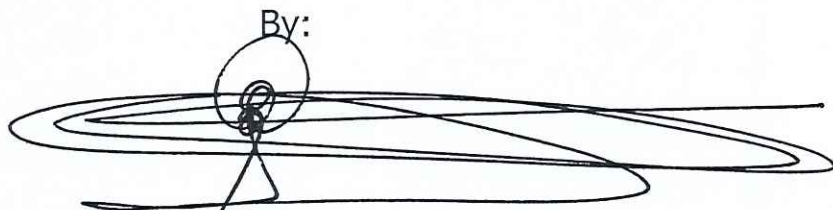
**ACCORDINGLY**, it is most respectfully prayed of this Honorable Tribunal to **GRANT** the foregoing Motion; **DIRECT** the designated Hearing Commissioners to immediately **SET** the preliminary conference in the above-entitled case; and to duly **NOTE** this submission.

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

City of Manila, Philippines, **9 August 2019.**

**G.E. GARCIA LAW OFFICE**  
*Lead Counsel for the Protestant*  
Ground Floor, LAIKO Building  
Cabildo St., Intramuros, Manila 1002  
Tele/Fax No. (02) 527-7261  
Email: geglaw.office@gmail.com

By:

A handwritten signature in black ink, consisting of a large, stylized 'G' followed by 'E. M. Garcia'. The signature is written over a horizontal line.

**GEORGE ERWIN M. GARCIA**  
Roll of Attorneys No. 44950  
PTR No. 8012975; 01-03-2019; Manila  
IBP Lifetime No. 02652; Cavite Chapter  
MCLE Compliance No. VI- 0006563; 02-19-18

<sup>1</sup> *Violago Sr. v. Commission on Elections and Alarilla*, G.R. No. 194143, 4 October 2011, citing *Pacanan v. Commission on Elections*, G.R. No. 186224, 25 August 2009, 597 SCRA 189 and *Barroso v. Ampig*, G.R. No. 138218, 17 March 2000, 328 SCRA 530, 541-542.

*Joan M. Padilla*

**JOAN M. PADILLA**

Roll of Attorneys No. 54079

PTR OR No. 7150285; 01-03-2019 (Quezon City)

IBP Lifetime Membership No. 07416; Makati Chapter

MCLE Compliance No. VI-0005694; 01-10-2018

**NOTICE OF SUBMISSION**

**THE CLERK OF THE TRIBUNAL**

Presidential Electoral Tribunal  
Padre Faura, Manila

**ATTY. ROMULO B. MACALINTAL**

*Lead Counsel for Protestee Robredo*  
c/o Sardillo Sardillo Salom Law Office  
Unit 802, Taipan Place, F. Ortigas Aven  
Ortigas Center, Pasig City

**THE SOLICITOR GENERAL**

134 Amorsolo Street  
Legaspi Village, 1229 Makati City

**THE COMMISSION ON ELECTIONS**

Palacio Del Gobernador Building  
General Luna St., Intramuros  
Manila

*Greetings:*

Please take notice that the foregoing *Extremely Urgent Motion to Set this Election Protest for Preliminary Conference* shall be submitted for the consideration and approval of this Honorable Tribunal immediately upon receipt hereof.

  
**GEORGE ERWIN M. GARCIA**

RE 105 856 588 ZZ  
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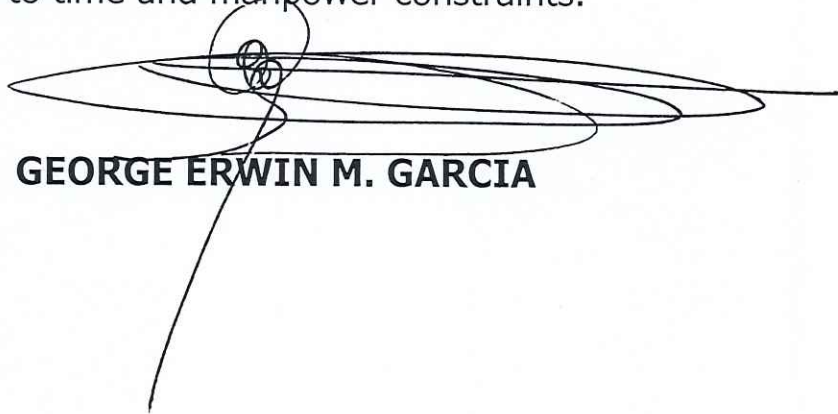
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Preserve this receipt for reference in case of inquiry  
Postmaster/Teller \_\_\_\_\_



### **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 *Extremely Urgent Motion to Set this Election Protest for Preliminary Conference* were served to the above-mentioned parties by registered mail, personal service being impractical due to time and manpower constraints.

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right, positioned above the printed name.

**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 August 9, 2019, I served a copy of the following pleading/paper.

## **NATURE OF PLEADING/PAPER**

### **"EXTREMELY URGENT MOTION TO SET THIS ELECTION PROTEST FOR PRELIMINARY CONFERENCE"**

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

RE 105 856 588 77

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

RE 105 856 591 77

**THE COMMISSION ON ELECTIONS**  
Palacio Del Gobernador Building  
General Luna St., Intramuros  
Manila

RE 069 439 725 77

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.

**AUG 09 2019**

August \_\_\_\_, 2019, Manila, Philippines.

**JERRY C. GUEVARRA**  
*Affiant*

**SUBSCRIBED AND SWORN** to before me this **AUG 09 2019** at Manila, Philippines, affiant exhibiting to me his Tax Identification No. 300-192-753-000. Issued by Bureau of Internal Revenue.

Doc. No. 43  
Page No. 09  
Book No. ✓  
Series of 2019.

**ATTY. LLOYD ALLAIN A. CUDAL**  
NOTARY PUBLIC  
UNTIL DECEMBER 31, 2020  
PTR NO. 7930983 MLA. 11-15-2018  
IBP NO. 025208 PASIG 1-10-18  
NOTARIAL COMMISSION NO. 2019-011  
ROLL NO. 52809  
MCLE NO. VI-0014175 10-10-2018  
RM 310 NPC BLDG., INTRAMUROS, MANILA

## 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 "**EXTREMELY URGENT MOTION TO SET THIS ELECTION PROTEST FOR PRELIMINARY CONFERENCE**" 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: August 9, 2019

**SUBSCRIBED AND SWORN** to before me this AUG 09 2019 at Manila, Philippines, affiant exhibiting to me his Tax Identification No. 300-192-753-000. Issued by Bureau of Internal Revenue.

Doc. No. 44 \_\_\_\_\_;  
Page No. 09 \_\_\_\_\_;  
Book No. ✓ \_\_\_\_\_;  
Series on 2019.

Person Administering Oath  
**ATTY. LLOYD ALLAIN A. CUDAL**  
NOTARY PUBLIC  
UNTIL DECEMBER 31, 2020  
PTR NO. 7930983 MLA. 11-15-2018  
IBP NO. 025208 PASIG 1-10-18  
NOTARIAL COMMISSION NO. 2019-011  
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RM 310 NPC BLDG., INTRAMUROS, MANILA