

RECEIVED

DATE: 21 DEC 2021

BY: KORYN ANN G. DESOLIVE

111 pm



Republic of the Philippines
COMMISSION ON ELECTIONS
Intramuros, Manila

FIRST DIVISION

BONIFACIO PARABUAC
ILAGAN, SATURNINO
CUNANAN OCAMPO, MARIA
CAROLINA PAGADUAN
ARAULO, TRINIDAD
GERLITA REOUNO, JOANNA
KINTANAR CARIÑO, ELISA
TITA PEREZ LUBI, LIZA
LARGOZA MAZA, DANILO
MALLARI DELA FUENTE,
CARMENCITA MENDOZA
FLORENTINO, DOROTEO
CUBACUB ABAYA, JR.,
ERLINDA NABLE SENTURIAS
SR., ARABELLA CAMMAGAY
BALINGAO, SR., CHERRY M.
IBARDALOZA, CSSJB, SR.
SUSAN SANTOS ESMILE, SFIC,
HOMAR RUBERT ROCA
DISTAJO, POLYNNE ESPINEDA
DIRA, JAMES CARWYN
CANDILA, AND JONAS
ANGELO LOPENA ABADILLA,
Petitioners,

-versus-

SPA NO. 21-212 (DC)

FERDINAND ROMUALDEZ
MARCOS, JR.,

Respondent.

x-----x

SUMMONS
WITH NOTICE OF PRELIMINARY CONFERENCE

1. HOWARD M. CALLEJA
Counsel for Petitioners
Calleja Law Office
Unit 2904-C, West Tower, PSE Centre,

Exchange Road, Ortigas Center,
Pasig City
callejalaw@callejalaw.com
callejalaw@gmail.com

2. FERDINAND ROMUALDEZ MARCOS, JR.

Respondent
G/F Sunset View Tower
2330 Roxas Boulevard
Pasay City 1300

Pursuant to COMELEC Resolution No. 9523,¹ Respondent is hereby **DIRECTED** to file a verified Answer to the verified *Petition*² dated 01 December 2021, copy of which was already furnished by Petitioner through courier (LBC) on 02 December 2021, within a non-extendible period of five (5) days from receipt hereof, copy furnished Petitioner and with proof of receipt. By virtue of Section 1, Rule 2 of COMELEC Resolution No. 10673³ "*In Re: Guidelines on Electronic Filing, Conduct of Hearings/Investigations/Inquiries via Video Conference and Service*," the verified Answer must be filed through e-mail to the Clerk of the Commission (clerkofthecommission@comelec.gov.ph). Immediately after filing through e-mail, the same document shall be sent in four (4) hard copies to the Office of the Clerk of the Commission, 8th Floor, Palacio del Gobernador Bldg., General Luna St., Intramuros, Manila, through the fastest means available, including registered mail or any courier service.⁴ Failure to file a verified Answer within the reglementary period shall bar Respondent from submitting controverting evidence or from filing a Memorandum. A motion to dismiss shall not be admitted, but the grounds thereof may be raised as affirmative defenses.

Further, the parties are hereby **NOTIFIED** that the **PRELIMINARY CONFERENCE** of this case is set on **Friday, 07 January 2022 at 9 a.m. via Video Conference**⁵ to take up the following matters:

(a) Production of a special power of attorney;

¹ Promulgated on 25 September 2012.

² Petition filed on 16 November 2021 *via* e-mail; filing fees paid on 20 November 2021.

³ Promulgated on 25 June 2020.

⁴ *Ibid.*

⁵ Section 1, Rule 3, COMELEC Resolution No. 10673 "*In Re: Guidelines on Electronic Filing, Conduct of Hearings/Investigations/Inquiries via Video Conference and Service*."

- (b) The comparison between the original/certified true copies of the documentary and physical evidence, and the electronic and physical copies of the submissions;
- (c) The simplification of issues;
- (d) The necessity or desirability of amendments to pleadings;
- (e) The possibility of obtaining stipulations or admissions of facts and of documents to avoid unnecessary proof;
- (f) Setting of the period to file the parties' respective memorandum, which shall not be later than three (03) days from the date of the conference; and
- (g) Such other matters as may aid in the prompt disposition of the action.

A summary of the documents, which includes documentary, real evidence and affidavits of witnesses as provided for in Resolution No. 9523 shall be submitted by the parties for comparison, *via* e-mail (clerkofthecommission@comelec.gov.ph), at least three (3) days before the scheduled conference. Four (4) hard copies of the same shall be immediately sent to the Office of the Clerk of the Commission after filing through e-mail.

Failure of Petitioner or his authorized counsel to appear shall be cause for the dismissal of the Petition. On the other hand, failure on the part of Respondent or his authorized counsel to appear shall render the case as deemed submitted for resolution.⁶

Issued this 20th day of December 2021, in the City of Manila, Philippines.

FOR THE DIVISION:

ATTY. GENESIS M. GATDULA
Clerk of the Commission

⁶ Section 9, Resolution No. 10722, In the Matter of the Guidelines in the Conduct of Preliminary Conference Proceedings, Clarifying Resolution Nos. 9523 and 10673, promulgated on 06 October 2021.