

Suite 401 DNA Building  
238 Archbishop Flores St.  
Hagåtña, Guam 96910



## TRANSMITTAL

<b>To:</b>	<b>Ms. Adriana Quitugua</b> <b>Acting Chief Procurement Officer</b> General Services Agency Division Department of Administration 590 South Marine Corps Drive, ITC Buidling, Suite 230 Tamuning, Guam 96913 Phone: (671) 475-1705/1706 Email: <a href="mailto:andriana.u.quitugua@gsadoa.guam.gov">andriana.u.quitugua@gsadoa.guam.gov</a>	<b>From:</b>	<b>Benjamin J.F. Cruz</b> <b>Public Auditor</b> Office of Public Accountability
	<b>Mr. Graham Botha, Esq.</b> General Service Agency ITC Bldg. 2 <sup>nd</sup> floor 590 S. Marine Corps. Drive Tamuning, Guam 96913 Phone: (671) 475-1705 Fax: (671) 472-4217 Email: <a href="mailto:graham.botha@gsadoa.guam.gov">graham.botha@gsadoa.guam.gov</a>	<b>Pages:</b>	4 (including cover page)
<b>CC:</b>	<b>Mr. Michael J. Berman, Esq.</b> <b>Attorney for Appellant Far East Company, LLC</b> Berman Law Firm 111 W Chalan Santo Papa Ste 503 Hagatna GU 96910 Phone: (671) 477-2778 Fax: (671) 477-4366 Email: <a href="mailto:mjberman@pacificlawyers.law">mjberman@pacificlawyers.law</a> ; <a href="mailto:ofc.manager@pacificlawyers.law">ofc.manager@pacificlawyers.law</a>	<b>Date:</b>	June 27, 2025
		<b>Phone:</b>	(671) 475-0390 x. 204
		<b>Fax:</b>	(671) 472-7951

**Re:** OPA-PA-25-008 Scheduling Order

For Review     Please Comment     Please Reply     Please Recycle

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Thank you,

Jerrick Hernandez, Auditor

[jhernandez@guamopa.com](mailto:jhernandez@guamopa.com)



**BEFORE THE PUBLIC AUDITOR  
PROCUREMENT APPEALS  
TERRITORY OF GUAM**

In the Appeal of ) **Appeal No: OPA-PA-25-008**  
Far East Equipment Company, LLC, )  
Appellant. ) **SCHEDULING ORDER**

To: **Purchasing Agency:**  
General Services Agency  
Department of Administration  
C/O D. Graham Botha, Esq.  
General Service Agency  
ITC Bldg. 2nd floor  
590 S. Marine Corps. Drive  
Tamuning, Guam 96913  
Phone: (671) 475-1705  
Fax: (671) 472-4217  
Email: [graham.botha@gsadoa.guam.gov](mailto:graham.botha@gsadoa.guam.gov)

**Appellant:**  
Far East Equipment Company, LLC  
C/O Michael J. Berman, Esq.  
Berman Law Firm  
111 W Chalan Santo Papa Ste 503  
Hagatna GU 96910  
Phone: (671) 477-2778  
Fax: (671) 477-4366  
Email: [mjberman@pacificlawyers.law](mailto:mjberman@pacificlawyers.law); [ofc.manager@pacificlawyers.law](mailto:ofc.manager@pacificlawyers.law)

**THIS MATTER**, came before the Public Auditor for a Pre-Hearing Conference on June 27, 2025 via Zoom Meeting. The Purchasing Agency was represented by its Counsel of Record, GRAHAM BOTHA, Esq., and the Appellant was represented by its Counsel of Record, MICHAEL J. BERMAN, Esq.

After hearing the arguments of the parties and for good cause shown, the Public Auditor hereby ORDERS the following:

1	<b>Opposition to Motions</b>	
2	<b>Deadline:</b>	July 11, 2025 at 5:00 P.M.
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4	<b>Reply to Opposition</b>	
5	<b>Deadline:</b>	July 18, 2025 at 5:00 P.M.
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7	<b>Motion Hearing:</b>	July 23, 2025 at 10:00 A.M. (to be held in OPA Hearing Room, Suite 907, 9th Floor, DNA Building, 238 Archbishop Flores Street, Hagatna, Guam 96910)
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11	<b>Filing Deadline for</b>	
12	<b>Hearing Materials:</b>	August 1, 2025 at 5:00 P.M. Parties shall file and serve on the other parties, no later than this date and time, their respective Witness Lists, Exhibit Lists with four copies of all exhibits, Admissions of Fact and List of Issues which require evidence or arguments to be presented at the hearing. The Appellant's Exhibits shall be marked with corresponding and sequential numbers. The Purchasing Agency's Exhibits shall be marked with corresponding and sequential capital letters of the alphabet. The Parties may file stipulated joint witness, exhibit, and issues lists, and admissions of fact in lieu of filing such documents separately. The term "Exhibit List" as used in this paragraph refers to exhibits that any party will present to a witness for testimonial purposes during the hearing in this matter.
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22	<b>Filing Deadline for</b>	
23	<b>Hearing Briefs:</b>	August 5, 2025 at 5:00 P.M. The Parties shall file and serve on the other parties, their Hearing Briefs summarizing their arguments concerning contested issues no later than this date and time.
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26	<b>Hearing Date:</b>	August 7, 2025 at 9:00 A.M. The Hearing will proceed in the following order: (1) Opening Statements of the Parties; (2) Appellant's Case in Chief; (3) The Purchasing Agency's Case in Chief; (4) Closing Arguments of the Parties.
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2 **Filing Deadline for**  
3 **Brief RE Remedies:**

4 August 14, 2025 at 5:00 P.M.  
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The Parties may, but are not required to, file and serve on the  
other parties, additional briefs on the issue of Remedies no  
later than this date and time.

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8 **SO ORDERED** this 27<sup>th</sup> day of June, 2025 by:  
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11 Benjamin J.F. Cruz  
12 Public Auditor of Guam  
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Jerrick Hernandez &lt;jhernandez@guamopa.com&gt;

## OPA-PA-25-008 Scheduling Order

**Jerrick Hernandez** <jhernandez@guamopa.com>

Fri, Jun 27, 2025 at 2:51 PM

To: "Michael J. Berman" &lt;mjberman@pacificlawyers.law&gt;, Darlow Graham Botha &lt;graham.botha@gsadoa.guam.gov&gt;

Cc: "Andriana U. Quitugua" &lt;andriana.u.quitugua@gsadoa.guam.gov&gt;, Thyrza Bagana &lt;tbagana@guamopa.com&gt;, Janet Sardoma &lt;ofc.manager@pacificlawyers.law&gt;

Hafa Adai,

Please see attached Scheduling Order for OPA-PA-25-008. This email will serve as an official notice in lieu of a transmittal via Fax.

Please confirm receipt of this email and the attached document. Thank you.

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Best Regards,

Jerrick J.J.G. Hernandez, MA, CGFM, CFE, CICA, CGAP  
*Accountability Auditor*

**Office of Public Accountability**  
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<https://www.opaguam.org/>



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