



Republic of the Philippines

Sandiganbayan

Quezon City

SEVENTH DIVISION

MINUTES of the proceedings held on 21 February 2024.

Present:

Justice MA. THERESA DOLORES C. GOMEZ-ESTOESTA ----- Chairperson

Justice ZALDY V. TRESPESES -----Associate Justice

Justice GEORGINA HIDALGO -----Associate Justice

Crim. Case No. SB-17-CRM-2414 to 2415 - People vs. Isabelo J. Maquino, et al.,

This resolves the following:

1. Accused Felix Gurrea's "MOTION FOR RECONSIDERATION" dated 12 February 2024;¹
2. Accused Raymund Tabuga's "MOTION FOR RECONSIDERATION (Resolution dated 6 February 2024)" dated 12 February 2024;²
3. Accused Isabelo Maquino, Lyndofer Beup, Noel Jaspe and Ma. Negenia Araneta's "MOTION FOR RECONSIDERATION (on the Minute resolution dated 6 February 2024)" dated 12 February 2024;³ and
4. The prosecution's "OPPOSITION (To the Motions for Reconsideration all dated 12 February 2024)" dated 13 February 2024.⁴

TRESPESES, J.

Before the court are the motions for reconsideration of the 06 February 2024 Resolution of the court separately filed by accused Felix Gurrea (Gurrea), Felix Tabuga (Tabuga) and Isabelo Maquino, Lyndofer Beup, Noel Jaspe and Ma. Negenia Araneta (Maquino, et al.), as well as the opposition thereto filed by the prosecution.

¹ Record, Vol. 8, pp. 469-478.

² Record, Vol. 8, pp. 480-484.

³ Record, Vol. 8, pp. 486-491.

⁴ Record, Vol. 8, pp. 506-514.

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ACCUSED GURREA'S MOTION

In his motion for reconsideration, accused Gurrea cites various jurisprudence echoing that the purpose for obtaining leave of court to file a demurrer to evidence is to determine whether the defendant filed the demurrer merely to stall proceedings. He thereafter insists that the court could already have made the determination that his motion for leave to file demurrer was not dilatory considering that he already appended his actual demurrer to this motion.

After admitting that, arguably, some of his grounds may not have been specific enough, accused Gurrea nevertheless submits that some of his other assertions were specific enough to satisfy the rationale behind the rule. These assertions were that the prosecution failed to prove beyond reasonable doubt that TDMC and FGCI entered into an agreement which calls for the withdrawal of bids already submitted and the existence of the latter's alleged letters of withdrawal.

He cites various rulings of the Sandiganbayan where the court ruled that a motion for reconsideration of a resolution denying a motion for leave to file demurrer is proscribed. He also cites other resolutions where the court gave such motions due course. He particularly mentions the 06 July 2022 Resolution of the Seventh Division in *People v. Belicena* (Criminal Case Nos. SB-09-CRM-0087 to 0088) where the court allegedly exercised leniency and passed on the merits of the motion for reconsideration of the denial of a motion for leave to file demurrer.

ACCUSED TABUGA'S MOTION

In his motion for reconsideration, accused Tabuga asserts that he specifically invoked in his motion for leave to file demurrer the sole ground under Section 23, Rule 119 of the Revised Rules of Criminal Procedure, which is "insufficiency of evidence."

He argues that for him to provide in his motion for leave to file demurrer to evidence the particulars of how the prosecution failed to present sufficient evidence to prove accused's guilt beyond reasonable doubt would render his actual demurrer to evidence a surplusage.

Accused Gurrea further claims that his Motion for Leave of Court to File Demurrer to Evidence was substantially analogous to the form for the same motion which may be downloaded from the Supreme Court's website.⁵

⁵ <https://sc.judiciary.gov.ph/wp-content/uploads/2022/02/Crim-Forms.zip>

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Finally, accused Gurrea alleges that he seeks to prove in his Demurrer that the prosecution failed to provide sufficient evidence that the accused are guilty of the offense charged. He then proceeds to summarize these grounds, which are notably not found in his original motion.

ACCUSED MAQUINO, BEUP, JASPE AND ARANETA'S MOTION

In their motion for reconsideration, accused Maquino, et al. similarly allege that their motion was timely filed, citing Item III of the Revised Guidelines for Continuous Trial of Criminal Cases.

Accused Maquino, et al. likewise cite the form found on the website of the Supreme Court in trying to justify the brevity of their earlier motion for leave to file demurrer to evidence.

They claim that they attached a copy of their Demurrer to Evidence in their motion for leave as proof that it is not dilatory in character.

Accused Maquino, et al. further request the court to take cognizance of the findings of fact of the Supreme Court in *Jaspe, et al. v. Public Assistance and Corruption Prevention Office* docketed as G.R. No. 243411 dated 19 August 2020.

Finally, accused Maquino, et al. summarize the arguments they supposedly posited in their Demurrer to Evidence.

THE PROSECUTION'S OPPOSITION

In its opposition, the prosecution asserts that the accused's motions for reconsideration are prohibited under Section 23, Rule 119 of the Rules of Court.

To support this argument, the prosecution cites *Soriquez v. Sandiganbayan (Fifth Division)*,⁶ where the Supreme Court held that when an order denying a demurrer to evidence is rendered, the remedy is "to continue with the case in due course and when an unfavorable verdict is handed down, to take an appeal in the manner authorized by law."

Considering that the denial of a motion for leave of court to file demurrer cannot be reviewed on appeal or by certiorari, the prosecution expounds that there is no reason to file a motion for reconsideration, which is a prerequisite to filing an action for certiorari. Hence, the filing of the present motions for reconsideration is a mere dilatory tactic.

⁶ 510 Phil. 709-720 (2005) citing *Quiñon v. Sandiganbayan*, 338 Phil. 290-309 (1997).

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The prosecution also alleges that in *Bernardo v. Court of Appeals*,⁷ the accused's motion for reconsideration of the denial of her motion for leave to file demurrer was deemed as a demurrer without leave of court, to wit:

In the case at bar, petitioner admits that in the hearing of 20 May 1994 the trial court denied her motion for leave to file a demurrer to evidence. In such case, the only right petitioner has under Sec. 15, Rule 119, of the Rules of Court after having been denied leave to submit a demurrer is to adduce evidence in her defense. However, even without express leave of the trial court, nay, after her motion for leave was denied, petitioner insisted on filing a demurrer instead of presenting evidence in her defense.

Judicial action to grant prior leave to file demurrer to evidence is discretionary upon the trial court. But to allow the accused to present evidence after he was denied prior leave to file demurrer is not discretionary. Once prior leave is denied and the accused still files his demurrer to evidence or motion to dismiss, the court no longer has discretion to allow the accused to present evidence. The only recourse left for the court is to decide the case on the basis of the evidence presented by the prosecution. And, unless there is grave abuse thereof amounting to lack or excess of jurisdiction, which is not present in the instant case, the trial court's denial of prior leave to file demurrer to evidence or motion to dismiss may not be disturbed. However, any judgment of conviction by a trial court may still be elevated by the accused to the appellate court. (Footnotes omitted.)

Citing *Novateknika Land Corporation v. Philippine National Bank*,⁸ the prosecution points out that the purpose of a motion for reconsideration is to afford the court "the opportunity to correct any actual or fancied error attributed to it through a re-examination of the legal and factual aspects of the case." Contrary thereto, the accused did not raise any reversible error committed by the court in the assailed resolution, but merely insisted that their motions for leave to file demurrer to evidence stated sufficient grounds.

The prosecution claims that it is ironic that while the accused insist that their motions for leave to file demurrer stated sufficient grounds for their grant, what they ask the court to consider are their demurrers, not their motions for leave to file demurrer.

According to the prosecution, accused Tabuga's argument – that it would be surplusage for him to discuss the particular circumstances on how the prosecution failed to prove accused's guilt beyond reasonable doubt in both his motion for leave to file demurrer to evidence and his actual demurrer – only fortifies the court's ruling that he has failed to specify the grounds relied upon in his motion for leave to file demurrer.

⁷ *Bernardo v. Court of Appeals*, 344 Phil. 335-347 (1997).

⁸ 706 Phil. 414-427 (2013).

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Finally, the prosecution issues a challenge to the accused that if they are so confident that the prosecution failed to sufficiently establish the charges against them, then they should submit their demurrers without leave of court. This is especially appropriate considering that the court has already directed them to manifest if the demurrers attached to their respective motions for leave to file demurrer should be considered by the court as their demurrers filed without leave of court.

OUR RULING

A. On accused Gurrea's motion

We find nothing in accused Gurrea's motion to disturb our 06 February 2024 Resolution denying his motion for leave of court to file demurrer.

In his motion for reconsideration, accused Gurrea discloses awareness that the Sandiganbayan has ruled that the motion for leave to file a demurrer to evidence is proscribed by the Rules. However, after citing two instances when the Sandiganbayan⁹ supposedly gave due course to such motion, accused Gurrea moves that this court follow suit.

Accused seems to allude to the principle of *stare decisis*, which states that when a court has laid down a principle of law as applicable to a certain

⁹ To correct accused Gurrea's misguided summary of the court's ruling in the 6 July 2022 Resolution of the Sandiganbayan Seventh Division in *People v. Belicena, et al.* (SB-09-CRM-0087 to 0088, 0107 to 0108, 0117 to 0118 and 0127 to 0128), we reproduce below the portions thereof that accurately and succinctly reflect the court's position:

It should be stressed that a perusal of the Motion for Clarification shows that what is being clarified is "when can a Motion for Reconsideration be filed on a Resolution denying a Motion for Leave to file Demurrer to Evidence."

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Verily, a perusal of the above-quoted provisions will show that the next step in case the Court denies an accused's Motion for Leave of Court to file Demurrer to Evidence is not to file a Motion for Reconsideration on the denial thereof but to proceed with the trial by presenting his/her evidence. This is implied from the provision of Section 23, Rule 119 of the Revised Rules on Criminal Procedure, and made explicit under Title III (13)(d) of the Revised Guidelines for the Continuous Trial of Criminal Cases, to wit:

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But since a Motion for Reconsideration was filed by accused Chingkoe, the Court in its Resolution dated June 13, 2022 exercised leniency and passed upon the merits of the said motion xxx. To stress, the Motion for Reconsideration could not have been entertained because it is not an available remedy under the Rules.

Xxx Here, the five (5) day period within which to file the Motion for Reconsideration of meritorious motions (w)as adopted by the Court as a guide (as it) xxx is more consistent with the prescribed period for court action and better promote the speedy disposition of the present criminal case as opposed to the suggestion of the accused to subject the motion for reconsideration to the 15-day period prescribe(d) under the normal rules. (Underscoring supplied.)

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state of facts, it will adhere to that principle and apply it to all future cases in which the facts are substantially the same, even though the parties may be different.¹⁰ However, as underscored in *Maternal v. Coca-Cola Bottlers Phils., Inc.*,¹¹ the principle of *stare decisis* requires courts to follow a rule already established by a final decision of the Supreme Court only.

Evidently, the resolutions of the Sandiganbayan cited by the accused do not qualify as final decisions of the Supreme Court as to be followed under the principle of *stare decisis*.

In contrast, the Supreme Court expressly held in *Jalandoni v. Office of the Ombudsman*,¹² that an accused's recourse upon denial of his motion for leave to file demurrer is to proceed to trial:

The denial of the Motions for Leave to File Demurrer to Evidence is not reviewable by certiorari. Resolving these Motions is best left to the trial court's sound discretion. As their Motions have been denied, petitioners' recourse is to proceed to trial and there raise their claims and contentions on the prosecution's evidence — not in these Petitions.

This is consistent with its earlier Decision in *Valencia v. Sandiganbayan*.¹³

Finally, if petitioner disagrees with the denial of his motion for leave to file demurrer to evidence, his remedy is not to file a petition for *certiorari* but to proceed with the presentation of his evidence and to appeal any adverse decision that may be rendered by the trial court. The last sentence of Section 23, Rule 119 of the Rules of Court, provides that “the order denying a motion for leave of court to file demurrer to evidence or the demurrer itself shall not be reviewable by appeal or certiorari before judgment.” (Emphasis supplied.)

To allow a motion for reconsideration from the denial of a motion for leave to file demurrer to evidence will only defeat the purpose of the rules pertaining thereto – i.e., to prevent stalling the proceedings.¹⁴

Neither does The Revised Guidelines for Continuous Trial of Criminal Cases (Guidelines) provide for the filing of a motion for reconsideration from the denial of a motion for leave to file demurrer to evidence.

While a motion for reconsideration of the resolution of a meritorious motion is allowed under Section 2 (c), paragraph 4 of Part III of the

¹⁰ *Philippine Carpet Manufacturing Corp. v. Tagyamon*, 723 Phil. 562-580 (2013).

¹¹ G.R. Nos. 218010 & 248662, 6 February 2023.

¹² G.R. Nos. 211751, 217212-80, 244467-535 & 245546-614, 10 May 2021.

¹³ 510 Phil. 70-91 (2005).

¹⁴ *Bernardo v. Court of Appeals*, 344 Phil. 335-347 (1997).

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Guidelines, the motion for leave to file a demurrer to evidence cannot be considered as one of the “meritorious motions” enumerated therein.

This is because the provision on “Demurrer to Evidence” is not subsumed under “Meritorious Motions.” It stands by itself, under Section 13 (d) of Part III of the Guidelines. Notably, this provision does not mention the filing of a motion for reconsideration when the motion for leave to file demurrer is denied:

(d) Demurrer to Evidence. -After the prosecution has rested its case, the court shall inquire from the accused if he/ she desires to move for leave of court to file a demurrer to evidence, or to proceed with the presentation of his/her evidence. (See Annex 9) If the accused orally moves for leave of court to file a demurrer to evidence, the court shall orally resolve the same. If the motion for leave is denied, the court shall issue an order for the accused to present and terminate his/her evidence on the dates previously scheduled and agreed upon, and to orally offer and rest his/her case on the day his/her last witness is presented. If despite the denial of the motion for leave, the accused insists on filing the demurrer to evidence, the previously scheduled dates for the accused to present evidence shall be cancelled. The demurrer to evidence shall be filed within a non-extendible period of ten (10) calendar days from the date leave of court is granted, and the corresponding comment shall be filed within a non-extendible period of ten (10) calendar days counted from date of receipt of the demurrer to evidence. The demurrer shall be resolved by the court within a non-extendible period of thirty (30) calendar days from date of the filing of the comment or lapse of the ten (10)-day period to file the same.

If the motion for leave of court to file demurrer to evidence is granted, and the subsequent demurrer to evidence is denied, the accused shall likewise present and terminate his/her evidence (one day apart, morning and afternoon) and shall orally offer and rest his/her case on the day his/her last witness is presented. The court shall rule on the oral offer of evidence of the accused and the comment or objection of the prosecution on the same day of the offer. If the court denies the motion to present rebuttal evidence because it is no longer necessary, it shall consider the case submitted for decision. (See Annex 10). (Underscoring supplied.)

Like Section 23 of Rule 119 of the Revised Rules on Criminal Procedure, Section 13 (d), Part III of Guidelines also provides that if a motion for leave to file demurrer to evidence is denied, the next step is for the court to order the accused to present and terminate his/her evidence, offer the same and rest his/her case.¹⁵ This is in keeping with one of the objectives of the Guidelines, which is “to reinforce and give teeth to the existing rules on criminal procedure and other special rules prescribing periods for court action and those which promote speedy disposition of criminal cases.”

¹⁵ The quoted provision in the Guidelines also implies that the accused may insist on filing a demurrer to evidence without leave of court. In such a case, Section 23 of Rule 119 of the Rules provides that “the accused waives the right to present evidence and submits the case for judgment on the basis of the evidence for the prosecution.”

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We will not go so far as to rule that the filing of a motion for reconsideration from the denial of a motion for leave to file demurrer should be considered as a demurrer filed without leave of court, as suggested by the prosecution allegedly based on *Bernardo v. Court of Appeals*. Notably, the factual milieu in *Bernardo* is different from that in the case at bar.¹⁶

At any rate, we remain unconvinced by accused Gurrea's claim in his motion for reconsideration that his assertions in his original motion were specific enough to satisfy the requirement of Section 23.

As expressly held in *Quinte v. Sandiganbayan, Seventh [7th] Division*,¹⁷ the motion for leave to file demurrer to evidence must "specifically state the specific portions/parts of the prosecution's body of evidence" which it claims to be insufficient to warrant conviction:

At the outset, it bears stressing that an order denying the motion for leave of court to file a demurrer to evidence is not reviewable by appeal or by petition for certiorari before judgment. While there have been instances when certiorari was allowed to question such a denial, the circumstances therein were clearly tainted by grave abuse of discretion amounting to lack or in excess of jurisdiction which necessitated the Court's exercise of its judicial power of review, which is not the case here. Moreover, in *Bernardo v. Court of Appeals*, the Court held that the power to grant leave to the accused to file a demurrer to evidence is addressed to the sound discretion of the trial court, and wide latitude is given to it in exercising such discretion. Undoubtedly, Section 23, Rule 119 of the Rules of Court clearly provides that the order denying the motion for leave of court to file demurrer to evidence or the demurrer itself shall not be reviewable by certiorari before judgment.

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Upon review of petitioners' Motion for Leave to Admit Demurrer to Evidence and applying the pertinent provisions of the Rules of Court, the Court finds that the general allegations contained in petitioners' Motion do not comply with the requirement of Section 23, Rule 119 of the Rules of Court in that the said Motion for Leave to Admit Demurrer to Evidence should specifically state the specific portions/parts of the prosecution's body of evidence. (Footnotes omitted.) (Underscoring supplied.)

Thus, it was patently inadequate for accused Gurrea to simply claim that no prosecution evidence established the elements of the offenses charged. It was necessary for him to specifically state why certain pieces of evidence

¹⁶ As stated in the *Bernardo* Decision itself, the factual basis of its ruling was that "even without express leave of the trial court, nay, after her motion for leave was denied, petitioner insisted on filing a demurrer instead of presenting evidence in her defense. Xxx Once prior leave is denied and the accused still files his demurrer to evidence or motion to dismiss, the court no longer has discretion to allow the accused to present evidence. The only recourse left for the court is to decide the case on the basis of the evidence presented by the prosecution." Hence, the Supreme Court directed the lower court to decide the case on the basis of the evidence already presented by the prosecution.

¹⁷ G.R. Nos. 240021-24 (Notice), 7 December 2020.

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adduced by the prosecution failed to prove the identified elements of the crimes charged.¹⁸

We are likewise not persuaded by accused Gurrea's claim in his motion for reconsideration that the court could have already made the determination that his motion was not dilatory considering that he already appended his actual demurrer to this motion.

This argument has already been sufficiently passed upon by this court in the assailed Resolution. To recap, the court may not consider accused's demurrer attached to his motion for leave to file the same. For the court to do so would be tantamount to it taking his demurrer as one filed without leave of court, subject to the appurtenant consequences.

Moreover, accused Gurrea's mere attachment of his demurrer to his motion for leave may establish his earnestness, but not the plausible merits of his position. Again, to establish the merits of his proposed demurrer, accused must state the specific grounds therefor in his motion for leave to file a demurrer itself, as expressly stated in Section 23 of Rule 119.¹⁹

B. On accused Tabuga's Motion

Neither has accused Tabuga's motion for reconsideration convinced this court to reconsider its assailed resolution.

To reiterate, if a motion for leave to file demurrer is denied, the accused's next step is not to file a motion for reconsideration, but to present

¹⁸ For instance, it was sorely insufficient for the purposes of a motion for leave to file demurrer for accused Gurrea to simply allege that there was *no* evidence to prove that FGCI and TDMC withdrew some of their bids. The prosecution offered the Minutes of Opening of Bids (Exhibit "H-3") for this purpose. Sections 14, 29 and 56 of R.A. No. 9184 in relation to Section 46, Rule 130 of the Rules of Court indicate that the Minutes of Opening of Bids (which the court admitted in evidence) is a public document and as such, is *prima facie* evidence of the facts stated therein.

¹⁹ Section 23. Demurrer to evidence. — After the prosecution rests its case, the court may dismiss the action on the ground of insufficiency of evidence (1) on its own initiative after giving the prosecution the opportunity to be heard or (2) upon demurrer to evidence filed by the accused with or without leave of court.

If the court denies the demurrer to evidence filed with leave of court, the accused may adduce evidence in his defense. When the demurrer to evidence is filed without leave of court, the accused waives the right to present evidence and submits the case for judgment on the basis of the evidence for the prosecution.

The motion for leave of court to file demurrer to evidence shall specifically state its grounds and shall be filed within a non-extendible period of five (5) days after the prosecution rests its case. The prosecution may oppose the motion within a non-extendible period of five (5) days from its receipt.

If leave of court is granted, the accused shall file the demurrer to evidence within a non-extendible period of ten (10) days from notice. The prosecution may oppose the demurrer to evidence within a similar period from its receipt.

The order denying the motion for leave of court to file demurrer to evidence or the demurrer itself shall not be reviewable by appeal or by certiorari before judgment. (Underscoring supplied.)

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his/her evidence or to file a demurrer to evidence without leave of court, subject to the consequence under Section 23 of Rule 119 of the Rules that “the accused waives the right to present evidence and submits the case for judgment on the basis of the evidence for the prosecution.”

Even if the motion for reconsideration of the denial of a motion for leave of court to file demurrer was proper, the court is not convinced by accused Tabuga’s contentions therein.

We find no merit in accused Tabuga’s reasoning that the general allegations in his motion for leave to file demurrer is sufficient because it is substantially analogous to the form that may be downloaded from the Supreme Court website.

Section 23, Rule 119 expressly requires the movant to “specifically state” the grounds why the court should dismiss the action for insufficiency of evidence **in his motion for leave of court to file the demurrer to evidence**, not just in his eventual demurrer to evidence. Perforce, this express requirement of the actual rule must take precedence over any downloadable “form” ostensibly derived therefrom.

As discussed in the preceding section, accused’s motion for leave to file demurrer to evidence must point out which elements of the crime have not been sufficiently established by which evidence presented by the prosecution and how.

Thus, the court maintains that the specificity required by the Rules was evidently not satisfied by accused Tabuga’s general allegation in his motion for leave to file a demurrer that “despite the admission of the above-stated pieces of evidence offered by the prosecution, the prosecution failed to present sufficient evidence to prove the allegations in the Information.”

Neither is the court swayed by accused’s excuse that stating the particulars of how the prosecution failed to present sufficient evidence to prove accused’s guilt beyond reasonable doubt in his motion for leave to file demurrer might render his actual demurrer to evidence a surplusage.

Accused’s concern is baseless. It is expected that the demurrer would be consistent with the arguments set out in the motion for leave to file the same. Moreover, between his concern of surplusage and compliance with the express mandate of the rule, the choice should have been clear to accused Tabuga.

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C. On accused Maquino, Beup, Jaspe and Araneta's motion

As the court explained in the previous discussions, the Rules do not provide the remedy of filing a motion for reconsideration from a denial of a motion for leave to file demurrer to evidence.

In any event, nothing in accused Maquino, et al.'s motion for reconsideration compels reconsideration the 06 February 2024 Resolution.

Anent the similar argument posed by accused Maquino, et al. that the general allegations in their motion for leave to file demurrer was patterned from the downloadable form found in the Supreme Court website, we reiterate that the express requirement of the actual rule must take precedence over any downloadable "form" ostensibly derived therefrom.

We emphasize that accused Maquino, et al.'s original motion for leave to file demurrer to evidence merely claims that "despite the admission of the above-stated pieces of evidence offered by the prosecution, the prosecution failed to prove the allegations in the information xxx." This allegation does not satisfy the requirement of specificity mandated by the Rules, as discussed in the previous sections.

Regarding accused Maquino, et al.'s claim that attaching a copy of their Demurrer to their motion for leave to file the same was proof that their motion is not dilatory in character, we echo our ruling on the same argument made by accused Tabuga.

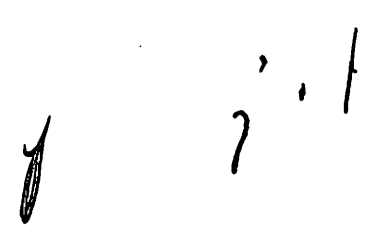
Finally, the court sees no reason to reconsider its decision based on accused Maquino, et al.'s request for the court to take cognizance of the findings of fact of the Supreme Court in *Jaspe, et al. v. Public Assistance and Corruption Prevention Office*.²⁰ Suffice it to state that the court has already ruled on this matter at length in its Resolution dated 10 November 2021.²¹

WHEREFORE, premises considered, the motions for reconsideration from the court's 06 February 2024 Resolution separately filed by accused Felix Gurrea, Raymund Tabuga and Maquino, et al. are **DENIED**.

All accused are **DIRECTED** to file within five (5) days from notice a written manifestation on whether their respective demurrers to evidence attached to their earlier motions for leave to file demurrer should be considered by the court as their demurrers filed without leave.

²⁰ G.R. No. 243411 dated 19 August 2020.

²¹ Record, Vol. 5, pp. 408-427.



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Otherwise, set the initial presentation of defense evidence on **March 21, 2024 at 8:30 in the morning** at the Fourth/Seventh Division courtroom. The order of the presentation of defense evidence shall follow the sequence as stated in the Pre-Trial Order dated August 16, 2022.

SO ORDERED.



ZALDY V. TRESPESES
Associate Justice

WE CONCUR:



MA. THERESA DOLORES C. GOMEZ-ESTOESTA
Associate Justice, Chairperson



GEORGINA D. HIDALGO
Associate Justice