



REPUBLIC OF THE PHILIPPINES

**Sandiganbayan**

QUEZON CITY

**THIRD DIVISION**

**PEOPLE  
OF THE  
PHILIPPINES**

**OF THE**

**Criminal Cases Nos. SB-17-  
CRM-0498 to 0524**

*Plaintiff,*

*For: Violation of Section 7 of  
Republic Act No. 3019;  
Violation of Section 8 of  
Republic Act No. 6713;  
and Perjury under Article  
183 of the Revised Penal  
Code*

**- versus -**

**EDWARD SOLON HAGEDORN**

*Accused.*

*Present:*

**CABOTAJE-TANG, P.J.,**  
Chairperson,  
**FERNANDEZ, B., J.** and  
**MORENO, J.**

*Promulgated:*

*November 17, 2022*

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**RESOLUTION**

**CABOTAJE-TANG, PJ:**

For resolution is accused Edward Solon Hagedorn's  
"Manifestation with Request for Stipulations" dated October 19,  
2022.<sup>1</sup>

<sup>1</sup> pp. 580-591, Vol. VI, Record

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Therein, accused-movant Hagedorn requests for a stipulations of fact regarding the mathematical computations of the alleged values of his real properties in Palawan, to wit:

. . . .

- 4. That for the year 2004, the total value of the Accused’s real properties situated in Palawan identified by the Prosecution in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-series, DD-series, EE-series, FF, GG-series, HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series* is **PHP41,658,766.49.**
- 5. That for the year 2004, the Accused declared in his SALN, marked as *Exhibit PPP*, that the total fair market value of his real properties situated in Palawan is **PHP63,000,000.00.**
- 6. That for the year 2004, the summarized total values of the Accused Hagedorn’s real properties situated in Palawan based on the Prosecution’s evidence *vis-à-vis* the declaration in the SALN is:

<b>FOR 2004</b>	
<b>Total value of the real properties in Puerto Princesa for the year based on the Prosecution’s Evidence</b>	<b>Declared total fair market value of the real properties in Puerto Princesa for the year in the SALN of Accused Hagedorn</b>
PHP41,658,766.49	PHP63,000,000.00

- 7. That for the year 2004, the total value of the real properties as identified in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-*

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series, DD-series, EE-series, FF, GG-series, HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series is less than the total fair market value of the properties declared in the 2004 SALN of Accused Hagedorn marked as *Exhibit PPP*.

8. That for the year 2005, the total value of the Accused's real properties situated in Palawan identified by the Prosecution in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-series, DD-series, EE-series, FF, GG-series, HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series* for the Prosecution is **PHP41,658,766.49**.

9. That for the year 2005, the Accused declared in his SALN, marked as *Exhibit OOO*, that the total fair market value of his real properties situated in Palawan is **PHP63,000,000.00**.

10. That for the year 2005, the summarized total values of the Accused Hagedorn's real properties situated in Palawan based on the Prosecution's evidence *vis-à-vis* the declaration in the SALN is:

<b>FOR 2005</b>	
<b>Total value of the real properties in Puerto Princesa for the year based on the Prosecution's Evidence</b>	<b>Declared total fair market value of the real properties in Puerto Princesa for the year in the SALN of Accused Hagedorn</b>
PHP41,658,766.49	PHP63,000,000.00

11. That for the year 2005, the total value of the real properties as identified in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-series, DD-series, EE-series, FF, GG-series,*

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*HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series* is less than the total fair market value of the properties declared in the 2005 SALN of Accused Hagedorn marked as *Exhibit OOO*.

- 12. That for the year 2006, the total value of the Accused's real properties situated in Palawan identified by the Prosecution in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-series, DD-series, EE-series, FF, GG-series, HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series* is **PHP43,595,300.49**.
- 13. That for the year 2006, the Accused declared in his SALN, marked as *Exhibit NNN*, that the total fair market value of his real properties situated in Palawan is **PHP63,000,000.00**.
- 14. That for the year 2006, the summarized total values of the Accused Hagedorn's real properties situated in Palawan based on the Prosecution's evidence *vis-à-vis* the declaration in the SALN is:

<b>FOR 2006</b>	
<b>Total value of the real properties in Puerto Princesa for the year based on the Prosecution's Evidence</b>	<b>Declared total fair market value of the real properties in Puerto Princesa for the year in the SALN of Accused Hagedorn</b>
PHP43,595,300.49	PHP63,000,000.00

- 15. That for the year 2006, the total value of the real properties as identified in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-series, DD-series, EE-series, FF, GG-series,*

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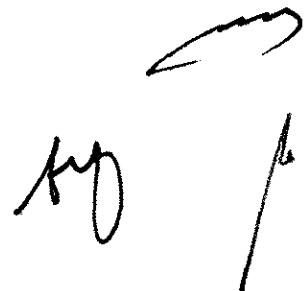
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*HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series* is less than the total fair market value of the properties declared in the 2006 SALN of Accused Hagedorn marked as *Exhibit NNN*.

- 16. That for the year 2007, the total value of the Accused's real properties situated in Palawan identified by the Prosecution in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-series, DD-series, EE-series, FF, GG-series, HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series* is **PHP48,242,481.99**.
- 17. That for the year 2007, the Accused declared in his SALN, marked as *Exhibit MMM*, that the total fair market value of his real properties situated in Palawan is **PHP63,000,000.00**.
- 18. That for the year 2007, the summarized total values of the Accused Hagedorn's real properties situated in Palawan based on the Prosecution's evidence *vis-à-vis* the declaration in the SALN is:

<b>FOR 2007</b>	
<b>Total value of the real properties in Puerto Princesa for the year based on the Prosecution's Evidence</b>	<b>Declared total fair market value of the real properties in Puerto Princesa for the year in the SALN of Accused Hagedorn</b>
PHP48,242,481.99	PHP63,000,000.00

- 19. That for the year 2007, the total value of the real properties as identified in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-series, DD-series, EE-series, FF, GG-series,*



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*HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series* is less than the total fair market value of the properties declared in the 2007 SALN of Accused Hagedorn marked as *Exhibit MMM*.

- 20. That for the year 2008, the total value of the Accused's real properties situated in Palawan identified by the Prosecution in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-series, DD-series, EE-series, FF, GG-series, HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series* is **PHP48,242,481.99**.
- 21. That for the year 2008, there was no declaration of any acquisitions or disposals in the real properties in the SALN of Accused Hagedorn for the year 2008, marked as *Exhibit LLL*.
- 22. That for the year 2008, the summarized total values of the Accused Hagedorn's real properties situated in Palawan based on the Prosecution's evidence *vis-à-vis* the declaration in the SALN is:

<b>FOR 2008</b>	
<b>Total value of the real properties in Puerto Princesa for the year based on the Prosecution's Evidence</b>	<b>Declared total fair market value of the real properties in Puerto Princesa for the year in the SALN of Accused Hagedorn</b>
PHP48,242,481.99	PHP63,000,000.00 because of the declaration of no acquisitions or disposals of real properties for 2008.

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- 23. That for the year 2009, the total value of the Accused's real properties situated in Palawan identified by the Prosecution in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-series, DD-series, EE-series, FF, GG-series, HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series* is **PHP52,528,733.11**.
- 24. That for the year 2009, the Accused declared in his SALN, marked as *Exhibit KKK*, that the total fair market value of his real properties in Palawan is **PHP11,500,000.00**.
- 25. That for the year 2009, the summarized total values of the Accused Hagedorn's real properties situated in Palawan based on the Prosecution's evidence *vis-à-vis* the declaration in the SALN is:

<b>FOR 2009</b>	
<b>Total value of the real properties in Puerto Princesa for the year based on the Prosecution's Evidence</b>	<b>Declared total fair market value of the real properties in Puerto Princesa for the year in the SALN of Accused Hagedorn</b>
PHP52,528,733.11	PHP11,500,000.00

- 26. That for the year 2009, the total value of the real properties as identified in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-series, DD-series, EE-series, FF, GG-series, HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series* is less than the total fair market value of the properties declared in the 2009 SALN of Accused Hagedorn marked as *Exhibit KKK*.

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- 27. That for the year 2010, the total value of the Accused's real properties situated in Palawan identified by the Prosecution in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-series, DD-series, EE-series, FF, GG-series, HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series* is **PHP60,803,387.61**.
- 28. That for the year 2010, the Accused declared in his SALN, marked as *Exhibit MMM*, that the total fair market value of his real properties situated in Palawan is **PHP111,000,000.00**.
- 29. That for the year 2010, the summarized total values of the Accused Hagedorn's real properties situated in Palawan based on the Prosecution's evidence *vis-à-vis* the declaration in the SALN is:

<b>FOR 2010</b>	
<b>Total value of the real properties in Puerto Princesa for the year based on the Prosecution's Evidence</b>	<b>Declared total fair market value of the real properties in Puerto Princesa for the year in the SALN of Accused Hagedorn</b>
PHP60,803,387.61	PHP111,000,000.00

- 30. That for the year 2010, the total value of the real properties as identified in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-series, DD-series, EE-series, FF, GG-series, HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series* is less than the total fair market value of the properties declared in the 2010 SALN of Accused Hagedorn marked as *Exhibit JJJ*.

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- 31. That for the year 2011, the total value of the Accused's real properties situated in Palawan identified by the Prosecution in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-series, DD-series, EE-series, FF, GG-series, HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series* is **PHP60,911,667.21.**
- 32. That for the year 2011, the Accused declared in his SALN, marked as *Exhibit III*, that the total fair market value of his real properties situated in Palawan is **PHP111,500,000.00.**
- 33. That for the year 2011, the summarized total values of the Accused Hagedorn's real properties situated in Palawan based on the Prosecution's evidence *vis-à-vis* the declaration in the SALN is:

<b>FOR 2011</b>	
<b>Total value of the real properties in Puerto Princesa for the year based on the Prosecution's Evidence</b>	<b>Declared total fair market value of the real properties in Puerto Princesa for the year in the SALN of Accused Hagedorn</b>
PHP60,911,667.21	PHP111,500,000.00

- 34. That for the year 2011, the total value of the real properties as identified in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-series, DD-series, EE-series, FF, GG-series, HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series* is less than the total fair market value of the properties declared in the 2011 SALN of Accused Hagedorn marked as *Exhibit III*.

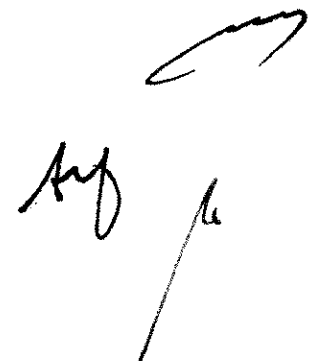
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- 35. That for the year 2012, the total value of the Accused's real properties situated in Palawan identified by the Prosecution in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-series, DD-series, EE-series, FF, GG-series, HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series* is **PHP74,970,017.21.**
- 36. That for the year 2012, the Accused declared in his SALN, marked as *Exhibit HHH*, that the total fair market value of his real properties situated in Palawan is **PHP153,534,437.21.**
- 37. That for the year 2012, the summarized total values of the Accused Hagedorn's real properties situated in Palawan based on the Prosecution's evidence *vis-à-vis* the declaration in the SALN is:

<b>FOR 2012</b>	
<b>Total value of the real properties in Puerto Princesa for the year based on the Prosecution's Evidence</b>	<b>Declared total fair market value of the real properties in Puerto Princesa for the year in the SALN of Accused Hagedorn</b>
PHP74,970,017.21	PHP153,534,437.21

- 38. That for the year 2012, the total value of the real properties as identified in *Exhibits A-series, B-series, C-series, K-series, L-series, M-series, N-series, O-series, P-series, CC-series, DD-series, EE-series, FF, GG-series, HH-series, II-series, JJ-series, OO-series, PP-series, QQ-series, RR-series, SS-series, WW-series, XX-series, YY-series, AAA-series, CCC-series, FFF-series and GGG-series* is less than the total fair market value of the



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properties declared in the 2012 SALN of Accused Hagedorn marked as *Exhibit HHH*.<sup>2</sup>

In its “*Comment (On Accused Edward Solon Hagedorn’s ‘Manifestation with Request for Stipulations’ dated October 19, 2022)*” dated November 2, 2022,<sup>3</sup> the prosecution contends that the purpose of entering into a stipulations of fact, which is to expedite the trial in this case, no longer holds any ground because it already rested its case upon the admission of its documentary evidence.<sup>4</sup>

It further explains that the matters which the accused-movant requests the prosecution to stipulate on “*merely center on the mathematical computation of the total fair market value of the real properties alleged to not have been declared in his corresponding SALNs for the years 2004 to 2012 (Exhibits A to GGG, inclusive), and the total fair market value of those declared in the said SALNs (Exhibits HHH to PPP), which fair market values are all indicated in the documentary exhibits offered and admitted in evidence.*” Thus, the prosecution prefers that the Court decide on the values of the subject real properties rather than it enter into stipulations with the accused-movant.<sup>5</sup>

Moreover, the prosecution argues that the proposed stipulations may confuse the issues in this case because the said proposed stipulations suggest that the real properties covered by Exhibits A to GGG, are already included in the subject Statements of Assets, Liabilities and Net Worth (SALNs). It alleges that the accused-movant failed to accurately declare all his real properties in the subject SALNs.<sup>6</sup>

<sup>2</sup> *Id.*, at pp. 581-589

<sup>3</sup> *Id.*, at pp. 574-579

<sup>4</sup> *Id.*, at p. 574

<sup>5</sup> *Id.*, at pp. 574-575

<sup>6</sup> *Id.*, at p. 575

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It also notes that it is aware that in the case of *Navarro v. Office of the Ombudsman, et al.*,<sup>7</sup> the Supreme Court held that the “lumping” of properties in a SALN does not *per se* amount to making an untruthful statement, and that inaccuracies are very likely to happen in accomplishing a SALN because of the common practice of copying the entries in the immediately preceding year and adding any subsequent acquisitions. However, the prosecution points out that the petitioner in *Navarro* fully explained to the satisfaction of the Supreme Court the discrepancies in his alleged real properties *vis-à-vis* those declared in his SALNs.<sup>8</sup>

According to the prosecution, the real properties covered by the Transfer Certificates of Title (TCTs) and/or tax declarations marked as Exhibits A to GGG have not been accounted for in the real properties listed in the subject SALNs of the accused-movant; there remains no explanation as to [1] what comprises the real properties declared in the subject SALNs; and, [2] how the real properties listed in Exhibits A to GGG can deemed included and/or excluded in the subject SALNs.<sup>9</sup>

Finally, the prosecution reiterates that it does not accede to the accused-movant’s request for stipulation, and it is well within its right to refuse to enter into stipulations of facts.<sup>10</sup>

### **THE RULING OF THE COURT**

To begin with, Rule 118 of the Revised Rules of Criminal Procedure allows the parties to stipulate facts during the Pre-Trial. Section 1 thereof prescribes that a Pre-Trial Conference be conducted in order to consider, among other things, the possibility of entering into *stipulations of fact* between the parties. Also,

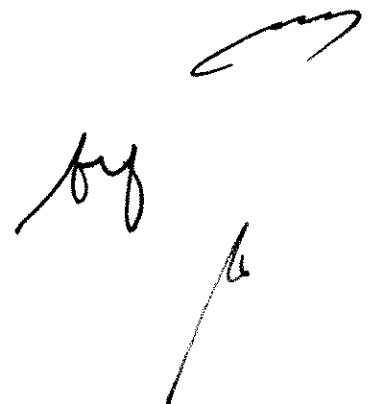
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<sup>7</sup> 801 SCRA 46 (2016)

<sup>8</sup> *Id.*, at p. 575

<sup>9</sup> *Id.*, at p. 577

<sup>10</sup> *Id.*, at p. 577

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Section 2 of the same rule provides that all agreements or admissions made or entered during the Pre-Trial Conference shall be reduced in writing and signed by the accused and counsel, otherwise, they cannot be used against the accused.

While the subject *stipulations of fact* proposed by the accused-movant could have been best threshed out by the parties during the Pre-Trial Conference, jurisprudence teaches that the parties may stipulate facts during trial proper in pursuance of the objective of expediting trial by dispensing with the presentation of evidence on matters that the parties are willing to admit.<sup>11</sup>

However, it must be underscored that the policy of encouraging “*stipulating facts*” between the parties in criminal cases is consistent with the doctrine of waiver, which recognizes that “*everyone has a right to waive and agree to waive the advantage of a law or rule made solely for the benefit and protection of the individual in his private capacity, if it can be dispensed with and relinquished without infringing on any public right and without detriment to the community at large.*”<sup>12</sup>

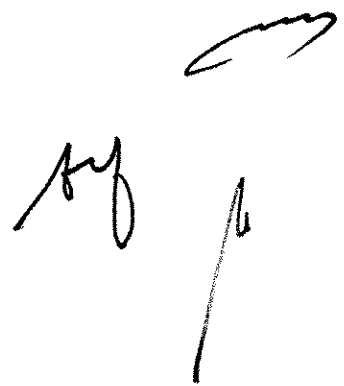
Here, the accused-movant proposes that the prosecution admit the above-mentioned mathematical computations of the alleged values of his real properties in Palawan for the years 2004 to 2012. However, it is unequivocal from the prosecution’s “*Comment*” that it does not accede to the accused-movant’s request for stipulation.<sup>13</sup> Thus, following the above-mentioned doctrine, the prosecution has every right to reject and/or refuse to admit the above-mentioned stipulations proposed by the accused-movant.

At any rate, the said issues which may have been raised by the subject *Request for Stipulations* filed by accused-movant Hagedorn can be best passed upon by the Court in its evaluation of the totality of the pieces of evidence submitted by the parties.

<sup>11</sup> See *People v. Hernandez*, 260 SCRA 25 (1996)

<sup>12</sup> See *Bayas and Matuday v. Sandiganbayan, et al.*, 391 SCRA 415 (2002)

<sup>13</sup> *Id.*, at p. 577

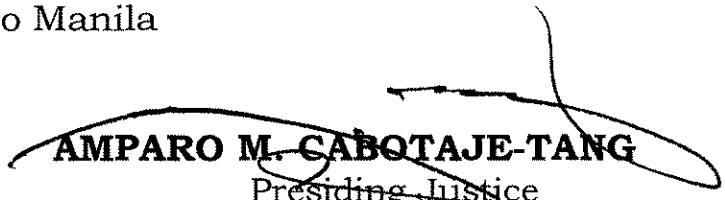
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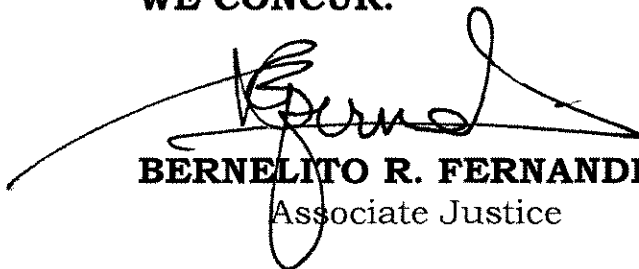
**WHEREFORE,** the Court **NOTES** accused-movant Hagedorn's "*Manifestation with Request for Stipulations*" dated October 19, 2022,<sup>14</sup> considering that the prosecution refused to enter into stipulations on the matters set forth therein.

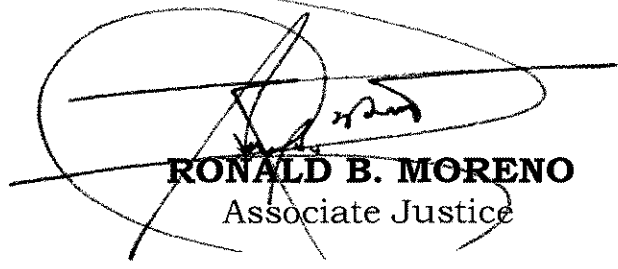
**SO ORDERED.**

Quezon City, Metro Manila

  
**AMPARO M. CABOTAJE-TANG**  
Presiding Justice  
Chairperson

**WE CONCUR:**

  
**BERNELITO R. FERNANDEZ**  
Associate Justice

  
**RONALD B. MORENO**  
Associate Justice

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<sup>14</sup> pp. 580-591, Vol. VI, Record