



Republic of the Philippines

Sandiganbayan

Quezon City

SEVENTH DIVISION

MINUTES of the proceedings held on 09 January 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. The prosecution's "FORMAL OFFER OF PROSECUTION'S DOCUMENTARY EXHIBITS WITH MOTION" dated 8 November 2023;¹
2. Accused Felix Gurrea's "COMMENT/OPPOSITION (TO PROSECUTION'S FORMAL OFFER OF DOCUMENTARY EXHIBITS)" dated 20 November 2023;²
3. Accused Isabelo Maquino, Jr., Lyndofer Beup, Noel Jaspe and Ma. Negenia Araneta's "COMMENT (on the Formal Offer of Prosecution's Documentary Exhibits with Motion dated 8 November)" dated 28 November 2023;³ and
4. Accused Raymund Tabuga's "COMMENT (on the Formal Offer of Prosecution's Documentary Exhibits with Motion dated 8 November)" dated 28 November 2023.⁴

TRESPESES, J.

Submitted for the court's consideration is the prosecution's "FORMAL OFFER OF PROSECUTION'S DOCUMENTARY EXHIBITS WITH MOTION" dated 8 November 2023, as well as the accused's respective oppositions thereto.

PROSECUTION'S MOTION

In its formal offer of exhibits, the prosecution offers the following exhibits in evidence:

¹ Record, Vol. 8, pp. 73-125.

² Id. at 148-163.

³ Id. at 172-177.

⁴ Id. at 179-187.

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Exhibit	Description	Offer
A	Complaint dated 16 August 2006 by Agustin Sonza, Jr.	<p>As part of the Judicial Affidavits of Attys. Gileo Alojado and Wenceslao Pamado Valaquio, to prove:</p> <ol style="list-style-type: none">1. Per Office of the Ombudsman (OMB) request, Commission on Audit (COA), through said lawyers, conducted an investigation on the allegation in the complaint of Agustin Sonza Jr.;2. The COA gathered relevant documentary exhibits to properly conduct said investigation;3. Based on this investigation, TMDC and FGCI are related corporations;4. TMDC withdrew bids for project which ultimately redounded to the benefit of FGCI;5. FGCI withdrew bids for project which ultimately redounded to the benefit of TMDC;6. According to the Fact-Finding Investigation Report (FFIR), the Bids and Awards Committee (BAC) members and chairperson violated Section 26 of RA 9184 and procurement laws when they allowed the verbal withdrawal of AFG Construction Inc.; and7. FFIR concluded that the actions of TDMC and FGCI are suspicious, and that BAC's action gives the impression that they participated in the conspiracy.
B	Fact Finding Investigation Report No. CPL-V-06-053 ⁵ consisting of 11 pages (original copy)	Same as Exh. A
D	Affidavit of Atty. Theodore Banderado dated 16 February 2011	As part of the Judicial Affidavit of Atty. Theodore P. Banderado), to prove:

⁵ The document reflects that its reference number is actually CPL-V-06-0538.



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	consisting of 9 pages (original copy)	<ol style="list-style-type: none">1. He is a Graft Investigation and Prosecution Officer 1 at the time relevant to the present cases;2. His task includes the conduct of investigation of cases assigned to him;3. He executed the Affidavit dated 16th February 2011 and Complaint-Affidavit dated 04 March 2013, respectively marked as Exhibits D and E;4. He made an investigation pertaining to the present case before these affidavits were executed; and5. The due execution and authenticity of these affidavits.
E	Complaint-Affidavit of Theodore Banderado consisting of 9 pages	Same as Exhibit D
H-1	Invitation to Apply for Eligibility and to Bid	<p>To prove:</p> <ol style="list-style-type: none">1. There was a bidding conducted for the following: (a) Concreting of Libertad and Arroyo (Ilawod) Streets; (b) Concreting of Sodusta Street; (c) Asphalt overlaying of Arroyo Street (front of Public Market); and (d) Construction of Fish Section Building;2. The bidders were AFG Construction & Construction Supply (AFG), Top Most Development Corporation (TDMC), and F. Gurrea Construction Inc. (FGCI);3. At the time of the opening of the bids, AFG withdrew its bid, and this was allowed by BAC through herein accused;4. At the time of the opening of the bids on 31 July 2006, TDMC withdrew its bids for the two (2) projects, which resulted to winning the bids as the latter became the lone bidder for the projects; and

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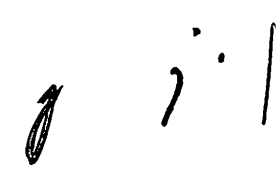
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		5. At the time of the opening of the bids on 31 July 2006, FGCI was allowed by the BAC to withdraw its bids for the three (3) projects, which resulted to TDMC winning the bids as the latter became the lone bidder for the projects.
H-2 and H-2-A	Minutes of Pre-Bid Conference dated July 17, 2006	Same as Exhibit H-1
H-3, H-3-A and H-3-B	Minutes of Opening of Bids dated July 31, 2006	Same as Exhibit H-1
H-4	Attendance Sheet for the Opening of Bids on July 31, 2006	Same as Exhibit H-1
H-5	Abstract of Bids for Road Concreting of Sodusta St. Sta. Barbara, Iloilo	Same as Exhibit H-1
H-6	Abstract of Bids for Road Concreting of Libertad & Arroyo Streets, Sta. Barbara, Iloilo	Same as Exhibit H-1
H-7	Abstract of Bids for Asphalt Overlaying of Castilla St. Sta. Barbara, Iloilo	Same as Exhibit H-1
H-9	Certification from BAC dated July 31, 2006 that TDMC is qualified to bid for any project of the municipality of Sta. Barbara, Iloilo ⁶	Same as Exhibit H-1

⁶ The date on the document is 7 July 2006, and not 31 July 2006.



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H-10	Certification from BAC dated July 31, 2006 that FGCI is qualified to bid for any project of the municipality of Sta. Barbara, Iloilo ⁷	Same as Exhibit H-1
H-11	Certification from BAC dated July 31, 2006 that AFG is qualified to bid for any project of the municipality of Sta. Barbara, Iloilo ⁸	Same as Exhibit H-1
H-12	Notice of Award for the Concreting of Sodusta St.	Same as Exhibit H-1
H-12-A	Notice to Proceed for the Concreting of Sodusta St.	Same as Exhibit H-1
H-27	Notice to proceed to construct Fish Section Building	Same as Exhibit H-1
H-28	Notice of Award Asphalt overlaying of Castilla Street	Same as Exhibit H-1
H-29	Notice to Proceed Asphalt overlaying of Castilla Street	Same as Exhibit H-1
H-30	Notice of Award Concreting of Libertad and Arroyo Streets	Same as Exhibit H-1
H-31	Notice to Proceed Concreting of Libertad and Arroyo Streets	Same as Exhibit H-1
H-32	Notice of Award Asphaltting of Arroyo	Same as Exhibit H-1

⁷ The date on the document is 7 July 2006, and not 31 July 2006.⁸ The date on the document is 7 July 2006, and not 31 July 2006.

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	St. (in front of Public Market)	
H-33	Notice to proceed Asphaltting of Arroyo St. (in front of Public Market)	Same as Exhibit H-1
H-34	Inspection and Acceptance Report for Concreting of Sodusta St., Sta. Barbara, Iloilo	Same as Exhibit H-1
H-35	Inspection and Acceptance Report for Asphaltting Overlaying of Castilla St., Sta. Barbara, Iloilo	Same as Exhibit H-1
H-36	Inspection and Acceptance Report for Asphaltting of Arroyo St. in front of Public Market Sta. Barbara, Iloilo	Same as Exhibit H-1
H-37	Inspection and Acceptance Report for Concreting of Libertad St. and Arroyo (Ilawod) St., Sta. Barbara, Iloilo	Same as Exhibit H-1
H-38	Inspection and Acceptance Report for the Construction of Fish Section Building	Same as Exhibit H-1
J	Articles of Incorporation and By-Laws of TOPMOST DEVELOPMENT AND MARKETING CORP., with Certificate of Registration issued by SEC on 20 January 1989	To prove: a) These documents were gathered by the COA in their investigation, and were made a basis of their conclusions in the Fact-Finding Investigation Report No. CPL-V-06-053 consisting of 11 Pages; b) Corporate existence of TDMC; c) Corporate existence of FGCI;

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		<p>d) As basis for the Investigation of the COA, as reflected in the corporate documents of both TDMC and FGCI, Ivy Logno/Ivy Logno Gurrea is an incorporator of TDMC is a board member of FGCI at one point;</p> <p>e) As basis for the Investigation of the Commission on Audit, as reflected on the corporate documents of both TDMC and FGCI, Sally Gurrea Tamos is a Director of TDMC, and appears to have a similar signature as that of Sally Gurrea, from FGCI; and</p> <p>f) These corporations, FGCI and TDMC, are related corporations.</p> <p>These documents were stipulated by the parties.</p>
J-1	Amended Articles of Incorporation and By-Laws of TOPMOST DEVELOPMENT AND MARKETING CORP., with Certificate of Filing of Amended Articles of Incorporation issued by SEC on 09 June 2004	Same as Exhibit J
J-2	Amended Articles of Incorporation and By-Laws of TOPMOST DEVELOPMENT AND MARKETING CORP., with Certificate of Filing of Amended Articles of Incorporation issued by SEC on 25 November 2011	Same as Exhibit J
J-3	General Information Sheet of TOPMOST DEVELOPMENT AND MARKETING	Same as Exhibit J

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	CORP. as of 11 January 2005	
J-4	General Information Sheet of TOPMOST DEVELOPMENT AND MARKETING CORP. as of 10 January 2006	Same as Exhibit J
J-5	General Information Sheet of TOPMOST DEVELOPMENT AND MARKETING CORP. for the year 2007	Same as Exhibit J
J-6	Articles of Incorporation and By-Laws of F. GURREA CONSTRUCTION, INCORPORATED with Certificate of Registration issued by SEC on 22 June 1992	Same as Exhibit J
J-7	Amended Articles of Incorporation of F. GURREA CONSTRUCTION, INCORPORATED, with Certificate of Filing of Amended Articles of Incorporation issued by SEC on 10 April 2008	Same as Exhibit J
J-8	Amended Articles of Incorporation of F. GURREA CONSTRUCTION, INCORPORATED, with Certificate of Filing of Amended Articles of Incorporation issued by SEC on 09 October 2008	Same as Exhibit J

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J-9	Amended Articles of Incorporation of F. GURREA CONSTRUCTION, INCORPORATED, with Certificate of Filing of Amended Articles of Incorporation issued by SEC on 20 April 2009	Same as Exhibit J
J-10	General Information Sheet of F. GURREA CONSTRUCTION, INCORPORATED, as of 30 January 2005	Same as Exhibit J
J-11	General Information Sheet of F. GURREA CONSTRUCTION, INCORPORATED, as of 28 February 2005	Same as Exhibit J
J-12	General Information Sheet of F. GURREA CONSTRUCTION, INCORPORATED, as of 29 January 2006	Same as Exhibit J
J-13	General Information Sheet of F. GURREA CONSTRUCTION, INCORPORATED, with cover letter dated 05 March 2007	Same as Exhibit J

COMMENT/OPPOSITION BY ACCUSED GURREA

In his Comment/Opposition, accused Felix Gurrea avers:

Exhibit	Comment/Opposition
A	- Objected for being inadmissible under the original document rule, as the document is a mere photocopy

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	<ul style="list-style-type: none">- Objected for being hearsay under Rule 130, Section 37 of the Rules of Court, considering that Agustin Sonza, Jr. was never presented to testify on the truth of the matters asserted therein, and considering further that the witnesses (Alojado and Valaquio) who referred thereto had no personal knowledge of the facts and events stated therein
B	<ul style="list-style-type: none">- Objected to the contents of the documents for being hearsay, as Atty. Alojado and Mr. Valaquio stated that they had no personal knowledge of the contents of documents from which they based their findings and conclusions- Objected for being irrelevant and immaterial to the second, third, fourth, fifth and sixth purposes for which it is offered
D	<ul style="list-style-type: none">- No objection to the purposes for which it is offered
E	<ul style="list-style-type: none">- No objection to the purposes for which it is offered
H series	<ul style="list-style-type: none">- Objected for being inadmissible owing to the inability of the prosecution to establish the documents' authenticity, genuineness and due execution, considering that there was neither proof that the chain of custody of the documents was unbroken, nor that the documents were secured to make contamination or alteration difficult until presentation in court- Objected for not having been properly identified- Objected for being immaterial and irrelevant for the purposes for which they are offered
J and series	<ul style="list-style-type: none">- Objected for being irrelevant and immaterial to purpose (d) for which the documents are offered

COMMENT BY ACCUSED MAQUINO, BEUP, ARANETA AND JASPE

In their Comment, accused Maquino, Beup, Araneta and Jaspe allege:

Exhibit	Comment/Opposition
A	<ul style="list-style-type: none">- Objected for being inadmissible, not having been identified by any competent witness- Objected due to prosecutions' failure to prove authenticity and due execution of the document- Objected for being hearsay, as the complainant is not a member of BAC, with no allegation that complainant personally attended the said opening of bids

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B	<ul style="list-style-type: none">- Objected for being hearsay, considering that witnesses Atty. Alojado and Mr. Valaquio admittedly had no personal knowledge of the BAC proceedings on 31 July 2006 and had based their report primarily on the complaint of Agustin Sonza, Jr.
D	<ul style="list-style-type: none">- Objected for being hearsay, as Atty. Banderado admitted having no personal knowledge of the proceedings on 31 July 2006 and had not even conducted validations to confirm the allegations in the COA fact-finding investigation report
E	<ul style="list-style-type: none">- Objected for being hearsay, considering that Atty. Banderado's admission that he has no personal knowledge of the proceedings on 31 July 2006 and had not even conducted validations to confirm the allegations in the COA fact-finding investigation report
H	<ul style="list-style-type: none">- Objected for being inadmissible due to the prosecution's failure to prove the authenticity and due execution of the documents, with Ana Dee Artus admitting that she had no personal knowledge of the preparation of documents and of the proceedings on 31 July 2006 and that she had not seen the original copies of the documents
J	<ul style="list-style-type: none">- Objected for being irrelevant and immaterial to purposes (d), (e) and (f) for which the documents are offered- Exhibits J-5, J-6 to J-9, J-13 and unmarked General Information Sheet of FGCI for 2007 appears to have been executed after the opening of bids on 31 July 2006

COMMENT BY ACCUSED TABUGA

In his Comment, accused Tabuga asserts:

Exhibit	Comment/Opposition
A	<ul style="list-style-type: none">- Objected for being inadmissible due to the prosecution's failure to prove the authenticity and due execution of the document- Objected for being hearsay, considering that none of the witnesses had personal knowledge of the BAC proceedings on 31 July 2006

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B	<ul style="list-style-type: none">- Objected for being hearsay, considering that neither Atty. Alojado nor Mr. Valaquio had no personal knowledge of the BAC proceedings on 31 July 2006 and the prosecution failed to present the author of the said minutes of the opening of bids on 31 July 2006
D and E	<ul style="list-style-type: none">- objected for being hearsay, as Atty. Banderado admitted in his Complaint-Affidavits that he merely re-stated the findings of the COA's fact-finding investigation report and the complaint affidavit. He had no personal knowledge thereof and had not performed any validations
H series	<ul style="list-style-type: none">- Objected due to the prosecution's failure to prove their authenticity and due execution, noting that witness Anna Dee Artus affirmed that she had no personal involvement in the preparation of the documents; that there were two BAC Secretariat Heads before she assumed the position; and that she was not unable to see the original copies of the documents and did not know who photocopied them
J and series	<ul style="list-style-type: none">- Objected for being immaterial and irrelevant to purposes (d), (e), and (f) for which they are being offered- Objected to the Amended Articles of Incorporation and the General Information Sheet for years prior to 31 July 2006 (to prove that Sally Gurrea Tamos is a director of TDMC and appears to have a similar signature as that of Sally Gurrea from FGCI) on the ground that the prosecution has not proffered any other proof as to the identity of these individuals

OUR RULING

After due consideration, the court resolves as follows:

1. Exhibit "A" –

We deny admission to Exhibit "A" for failure to follow the original document rule.

The general rule⁹ is that no evidence is admissible other than the original document itself when the subject of inquiry is the content thereof.

⁹ Rule 130 of the 2019 Amendments to the 1989 Revised Rules on Evidence provides:

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In the case at bar, the Pre-Trial Order shows that Exhibit "A" refers to the **"Complaint dated 16 August 2006 by Agustin Sonza Jr. consisting of 1 page (photocopy)."**¹⁰ It also reflects that the admission of this exhibit was unqualifiedly objected to by all the accused.

Pursuant to Section 4(c), Rule 130,¹¹ the said photocopy may *not* be considered admissible to the same extent as an original copy in view of the accused's objections on the photocopied document provisionally marked as Exhibit "A" during pre-trial.

Considering further that the prosecution has not even alleged that Exhibit "A" falls within any of the exceptions to the original document rule, this photocopy may not be admitted in evidence.

We additionally note that Exhibit "A" has not been offered as part of the testimony of any of the prosecution witnesses.

Also, having never been identified in court by the person who executed it, Exhibit "A" must be excluded for being hearsay evidence.

2. Exhibit "B" –

We admit in evidence Exhibit "B" (original copy of the 11-page Fact Finding Investigation Report No. CPL-V-06-053).

Section 3. *Original document must be produced; exceptions.* - When the subject of inquiry is the contents of a document, writing, recording, photograph or other record, no evidence is admissible other than the original document itself, except in the following cases:

- (a) When the original is lost or destroyed, or cannot be produced in court, without bad faith on the part of the offeror;
- (b) When the original is in the custody or under the control of the party against whom the evidence is offered, and the latter fails to produce it after reasonable notice, or the original cannot be obtained by local judicial processes or procedures;
- (c) When the original consists of numerous accounts or other documents which cannot be examined in court without great loss of time and the fact sought to be established from them is only the general result of the whole;
- (d) When the original is a public record in the custody of a public officer or is recorded in a public office; and
- (e) When the original is not closely-related to a controlling issue.

¹⁰ Record, Vol. 1, p. 11.

¹¹ Section 4. Original of document. -

(a) An "original" of a document is the document itself or any counterpart intended to have the same effect by a person executing or issuing it. An "original" of a photograph includes the negative or any print therefrom. If data is stored in a computer or similar device, any printout or other output readable by sight or other means, shown to reflect the data accurately, is an "original."

(b) A "duplicate" is a counterpart produced by the same impression as the original, or from the same matrix, or by means of photography, including enlargements and miniatures, or by mechanical or electronic re-recording, or by chemical reproduction, or by other equivalent techniques which accurately reproduce the original.

(c) A duplicate is admissible to the same extent as an original unless (1) a genuine question is raised as to the authenticity of the original, or (2) in the circumstances, it is unjust or inequitable to admit the duplicate in lieu of the original.

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Contrary to the comments/oppositions raised by the defense, this document may not be considered hearsay.

In *People v. XXX*,¹² the Supreme Court reiterated:

It is well entrenched that a witness may only testify on facts derived from his own perception and not on what he has merely learned or heard from others. Hearsay evidence, or those derived outside of a witness' personal knowledge, are generally inadmissible due to serious concerns on their trustworthiness and reliability; such evidence, by their nature, are not given under oath or solemn affirmation and likewise have not undergone the benefit of cross-examination to test the reliability of the out-of-court declarant on which the relative weight of the out-of-court statement depends.

Hence, as a general rule, hearsay evidence is inadmissible in courts of law. (Footnotes omitted.)

In the present case, Atty. Alojado and Mr. Valaquio were the persons who prepared and signed Exhibit "B." They were presented in court on 27 October 2022 and 19 October 2023 respectively, to identify and testify thereon. They were likewise subjected to cross examination.

While these witnesses referred to other documents in the preparation of Exhibit B, they were the authors of Exhibit "B" itself and may therefore be considered to have personal knowledge thereof.

The weight to be accorded Exhibit "B" is an entirely another matter from the admission of the exhibits in evidence. Admitted exhibits are still subject to this court's appreciation of their probative value and the merit of the purposes for which they were offered once the case is submitted for decision.

3. Exhibits "D" and "E" –

We admit in evidence Exhibits "D" and "E."

Exhibits "D" and "E" respectively pertain to the original copy of the Affidavit of Atty. Theodore Banderado dated 16 February 2011 and the original copy of his Complaint-Affidavit dated 1 March 2013.

Notably, these documents were considered as Atty. Banderado's direct testimony when he was presented in court on 14 June 2023.

Like Exhibit "B," Exhibits "D" and "E" are not hearsay because the original author of these documents, Atty. Banderado, was duly presented in court and subjected to cross examination.

¹² G.R. No. 205888, 22 August 22, 2018.

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4. Exhibit “H” series –

Defense counsels objected to the admission of these exhibits for the following reasons: that the prosecution failed to prove the authenticity and due execution of the documents because it was unable to establish that the chain of custody of the documents was unbroken and that the documents were secured to make contamination or alteration difficult until presentation in court. Defense counsels also argue that Ms. Artus admitted that she has no personal knowledge of the preparation of documents and of the proceedings on 31 July 2006, that she had not seen the original copies of some of the documents, and that there were two BAC Secretariat Heads before she assumed the position.

Ana Dee Artus, BAC Secretariat Head, appeared before the court on 25 August 2022 to identify Exhibit “H” series. In her Judicial Affidavit, which was admitted as her direct examination, Ms. Artus testified that it was her duty to “keep all the official records or other related documents of the BAC of the Municipality of Sta. Barbara, Iloilo, involving the transactions of the Municipality” in a vault, which only she and the BAC Chairperson has access to.¹³

As regards the private documents which Ms. Artus certified to be copies of originals on file, Rule 132, Section 27 of the Revised Rules on Evidence¹⁴ provides that an authorized public record of a private document may be proved “by a copy thereof attested by the legal custodian of the record, with an appropriate certificate that such officer has the custody.”

Anent the public documents which Ms. Artus certified to be copies of originals on file, Section 8, Rule 130, of the Revised Rules on Evidence¹⁵ states that “(w)hen the original of document is in the custody of public officer or is recorded in a public office, its contents may be proved by a certified copy issued by the public officer in custody thereof.”

Accordingly, we **admit** in evidence Exhibits “H-2” “H-3,” “H-4,” “H-9,” “H-10,” “H-11,” H-34,” “H-35,” “H-36,” “H-37” and “H-38,” which are certified copies of originals on file.


On the other hand, we **deny** admission in evidence the following:

Exhibits “H-1”	Invitation to Apply for Eligibility and to Bid
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¹³ Judicial Affidavits Folder, p. 3.

¹⁴ Section 27. Public record of a private document. — An authorized public record of a private document may be proved by the original record, or by a copy thereof, attested by the legal custodian of the record, with an appropriate certificate that such officer has the custody.

¹⁵ Section 8. Evidence admissible when original document is a public record. — When the original of document is in the custody of public officer or is recorded in a public office, its contents may be proved by a certified copy issued by the public officer in custody thereof.



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"H-5" to "H-8"	Abstract of Bids as Read, respectively for Concreting of Sodusta Street, Concreting of Libertad & Arroyo (Ilawod) Streets and Asphalt Overlaying of Castilla Street, and Construction of Fish Section Building
"H-12"	Notice of Award re concreting of Sodusta Street
"H-26"	Notice of Award re Construction of Fish Section
"H-28"	Notice of Award re Asphalt Overlaying of Castilla Street
"H-30"	Notice of Award re Concreting of Libertad & Arroyo (Ilawod) Streets
"H-31"	Notice to Proceed re Concreting of Libertad and Arroyo (Ilawod) Streets)
"H-32"	Notice of Award re Asphalting of Arroyo Street
"H-33"	Notice to Proceed re Asphalting of Arroyo Street ¹⁶

The above enumerated exhibits are certified copies of mere machine copies on file. Said documents do not satisfy the requirements for admissibility of a non-original document.

5. Exhibit "J" and series – We admit in evidence Exhibits "J" to "J-13."

We merely note the objections to Exhibit "J" and series for being irrelevant to the purposes for which they are offered.


We reiterate that this court's admission of the exhibits in evidence are subject to its appreciation of their probative value and the merit of the purposes for which they were offered in the final resolution of the case.

WHEREFORE, in view of the foregoing, the court **ADMITS** in evidence Exhibits "B," "D," "E," "H-2" to "H-4," "H-9" to H-11," "H-34" to "H-38," and "J" to "J-13."

The court **DENIES** admission in evidence to **Exhibit "A"** for failure to comply with the original document rule.

The court likewise **DENIES** admission in evidence to Exhibits "H-1," "H-5" to "H-8," "H-12," "H-12-A," "H-26", "H-28", "H-30", "H-31", H-31", "H-32" and "H-33."

¹⁶ Notably, Exhibits "H-8" (Abstract of Bids as Read) and "H-26" (Notice of Award for the Construction of Fish Section Building) were marked and submitted but not offered in the prosecution's formal offer of exhibits.



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Let the initial presentation of evidence by the defense proceed as scheduled on 18 January 2024 at 8:30 in the morning at the Seventh/Fourth Division courtroom, as previously set.

SO ORDERED.


ZALBY V. TRESPESES
Associate Justice

WE CONCUR:


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


GEORGINA D. HIDALGO
Associate Justice