

OFFICE COPY

CHUA LIM
&
ASSOCIATES

ATTORNEYS

Unit 304,
The Orient Square
Building
F. Ortigas, Jr. Road
Ortigas Center,
Pasig City, 1603

(632).87062276
(632).87062437
(632).86338076

chualimlaw
@lawyer.com

August 24, 2021

IMELDA M. DIAZ

OIC-PENR Officer

PENRO Marinduque

Department of Environment and Natural Resources

Capitol Compound, Boac, Marinduque

penromarinduque@denr.gov.ph

Re: Trespass upon and illegal takeover
of Marcopper's Property

Dear Ms. Diaz,

This is in connection with your trespass and illegal takeover together with persons equipped with assault rifles of the property of our client, Marcopper Mining Corporation, on August 09, 2021 and subsequent dates.

On August 11, 2021, persons from the DENR and your office came back together with persons equipped with assault rifles to confirm that the notices you posted on August 09, 2021 have not been touched and the guards of our client are not in our client's property or premises.

Your letter dated August 06, 2021 addressed to our client alleges that the property of 17 hectares is being taken over on the basis that a Foreshore Lease Contract (FLC) for the area had expired as of December 30, 2020.

Our client takes exception to your illegal acts and note the following:

FIRST: We are not able to find any provision in the FLC that gives the PENRO, the DENR or any government entity to take over private property and claim that it is by authority of an expired FLC.

SECOND: Plotting of the area covered by the FLC through the accurate AUTOCAD shows that the area of the FLC is just 13,216.3655 square meters or just about 1.32 hectares and not the 17 hectares claimed by your August 06, 2021 letter.

THIRD: Plotting of the FLC area shows that it has a length of 1,105.41 meters on the West side and 1,102.89 meters on the East side. The width of the area ranges from 6.3234 meters to 22.8993 meters on its widest part until the borders are joined in the Northern Point 19 and the Southern Point 26. Simple logic will show that the FLC area can only be about 23 meters from the water's edge at its widest point.

FOURTH: You trespassed and took over the private property with the use of persons armed with assault rifles without any Court Order or due process in violation of Section 1 Article III, Bill of Rights, of the 1987 Constitution.

***Section 1. No person shall be deprived of life,
liberty, or property without due process of law,***

nor shall any person be denied the equal protection of the laws.

We thus put you on notice that the appropriate charges are being prepared for filing against you and whoever provided the means to trespass, take over the property of our client by armed force and violate its constitutional right to property and due process, among others.

Very truly yours,

CHUA LIM & ASSOCIATES

By:

(Signature)
CLIFFORD E. CHUA

Post Office
Letter/Package No. **RE 517 296 904 ZZ**
Posted on **24 AUG 2021**
Preserve this receipt for reference in case of inquiry
Postmaster/Teller

LBC EXPRESS, INC.
UNIT 6-1E WYNSUM CORP. PLAZA, F. ORTIGAS
JR. AVE., ORTIGAS CENTER, PASIG CITY
Tel. No. : (63) - 86317563
VAT TIN : 008-782-148-00318



THIS SERVES AS AN OFFICIAL RECEIPT
MIN : 15000521224915597
Serial No : 8801400-SGH5355R6Y
Official Receipt No : 0750210000360559

SHIPPER:

CHUA LIM AND, ASSOCIATES ATTORNEYS
Address: UNIT 304, THE ORIENT SQUARE F. ORTIGA
S JR. RD, ORTIGAS, PASIG CITY, METRO MANILA
Contact No. (s) : 2 / 9171028075
Card Number :
Email :
TIN :

CONSIGNEE:

And or/ care of:

DIAZ, IMELDA M
Address: PENRO-MARINDUQUE- DENR, CAPITOL COMPD
BOAC, MARINDUQUE
Contact No. (s) : 9171028075

Courier N-Pouch Regular

Origin : MMA-07502-WYNSUM PLAZA
Tran. Date : 08/24/2021 02:57:24 PM
Delivery Date : 08/27/2021 - 08/28/2021
Area Dest. : South Luzon
Tran. Type : Delivery
Cut-Off : 06:00 PM
Actual Wt (Kg.) : 0.00

VATable(Freight) : 122.32
VAT-Except : 0.00
VAT Zero-Rated : 0.00
100% Pickup Fee : 0.00
Discount : 0.00
Total Sales : 122.32
12% VAT : 14.68
Amount Due : 137.00
Mode : CASH

Track your padala at:
www.lbcexpress.com
Talk to our Care Representative
www.lbcexpress.com
Tel. (632) 8858-5999
1-800-10-8585-999
*Only for PH outside NCR

Said to Contain : DOCUMENT ONLY

SUBJECT FOR DELAY

LBC Express values your privacy. For more info on our privacy policy
visit www.lbcexpress.com/privacy-policy
SHIPPER WARRANTS THAT THE SHIPMENT HAS NO CASH INSIDE CLAIMS OF CARGO ARE
LIMITED UP TO ACTUAL DECLARED VALUE ONLY
I hereby agree to be bound with the terms and conditions written at the
back set forth by LBC EXPRESS

RONALYN GONZAGA
Signature of Associate

CHUA LIM AND, ASSOCIATES ATTORNEYS
Signature of Shipper

OR Series No : 075021000000001 to 075020999999999 BIR Final PTIN: FP002015-122-0047000-00318
BIR Accreditation No: 1220007021402015060318 Date Issued: 06/26/2015 valid until 07/31/2025
*THIS INVOICE/RECEIPT SHALL BE VALID FOR FIVE(5) YEARS FROM THE DATE OF THE PERMIT TO USE. *