Republic of the Philippines REGIONAL TRIAL COURT

Fourth Judicial Region Branch 163, Coron, Palawan

BCT TRADING AND CONSTRUCTION, AND 428 HITECH GROUP, INC.,

Plaintiffs,

- versus -

Civil Case CRN-1084 For: Injunction & Damages

ROBERTO B. MAGALLANES AND JOSE B. MAGALLANES, JR., ET AL.,

Defendants.

URGENT MOTION TO ATTEND HEARING VIA VIDEOCONFERENCE

Defendant, PHILIPPINE RECLAMATION AUTHORITY (PRA), by counsel, respectfully states:

- 1. On 5 July 2023, undersigned counsel received the 4 July 2023 Notice of Hearing of the Honorable Court, setting the hearing on the affirmative defenses for this case on 17 July 2023 at 1:30 p.m.
- 2. In the meantime, undersigned counsel received a Motion for Postponement filed by counsel for Plaintiffs in this case on 10 July 2023, praying that the 17 July 2023 hearing be reset on another date due to the unavailability of the handling counsel.
- 3. Upon telephone inquiry, undersigned handling counsel was informed that the 17 July 2023 hearing will push through as scheduled.

- 4. Considering the high probability of resetting the scheduled hearing due to the absence of plaintiff's counsel and for lack of material time in finalizing attendees' travel arrangements, undersigned handling lawyers pray that they be allowed to attend the hearing on 17 July 2023 by videoconference.
- 5. If allowed, handling lawyers of this case are technically ready to attend the videoconference. They will attend the hearing from the location stated below and can be reached at the following email address:

| Name | Email Addres | s | Location |
|---------------------------|------------------------|-----------|-------------|
| GCA Maria Susana B. | mariasusana.garcia@og | cc.gov.ph | Quezon City |
| Garcia | | | |
| | | | |
| GCA Jenny G. Libutaque | jenny.libutaque@ogcc.g | gov.ph | Quezon City |

6. This *Motion* is filed in good faith, based on the above-stated reasons, and not intended to delay the proceedings.

PRAYER

WHEREFORE, PRA respectfully prays that the Honorable Court ALLOW ITS COUNSEL TO ATTEND the <u>17 July 2023</u> hearing by way of videoconferencing.

Other equitable reliefs are likewise prayed for.

Quezon City for Coron, Palawan, 13 July 2023.

OFFICE OF THE GOVERNMENT CORPORATE COUNSEL

Counsel for PRA

3rd Floor MWSS Admin. Building, Katipunan Road, Quezon City Phone: +63(2)-7587-9803; Mobile: +63(917)-873-5522 records@ogcc.gov.ph

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MCLE Compliance VII-0023846, 10/13/2022

MARILYN G. ESTARIS

Deputy Government Corporate Counsel
Roll of Attorneys 42624
IBP Life Member Roll 6380; 1/10/07; Quezon City
MCLE Exemption VII-OGCC 002853; 2/16/21

MA. DOLORES M. RIGONAN

Assistant Government Corporate Counsel
IBP Life Member Roll 06385; 11/08/08; Quezon City
Roll of Attorneys 36023
MCLE Exemption VII-OGCC002860, 2/16/21

MARIA SUSANA BORROMEO-GARCIA

Government Corporate Attorney
Roll of Attorneys/36759

IBP Life Member Roll 703220; 1/10/07, Quezon City MCLE Compliance VII-0004719, 11/12/21

JENNY G. LIBUTAQUE

Government Corporate Attorney

Roll of Attorneys 58594

IBP Life Member Roll 09032; 4/07/10; RSM MCLE Compliance VII-0006098, 11/23/21

Copy furnished:

ALAMPAY AND TAMASE LAW OFFICE

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SAN DIEGO LAW OFFICE c/o ATTY. SHEILLA F. SAN DIEGO

Counsel for Messrs. Roberto and Jose Magallanes Suite 2301, Makati Prime Citadel, 5007 P. Burgos cor. Caceres St., Makati City sheilasandiego@gmail.com

ROBERTO B. MAGALLANES JOSE B. MAGALLANES

Defendants Nueva Street, Brgy. Poblacion IV, Coron, Palawan

DEPARTMENT OF ENVIRONMENT & NATURAL RESOURCES-MIMAROPA

Defendant
1515 Roxas Blvd.,
Ermita, Manila
mimaroparegion@denr.gov.ph

DEPARTMENT OF PUBLIC WORKS & HIGHWAYS-MIMAROPA

Defendant 790 Epifanio de Los Santos Avenue, Diliman, Quezon City pacanan.gerald@dpwh.gov.ph

LOCAL GOVERNMENT OF CORON, PALAWAN c/o OFFICE OF THE MAYOR

Defendant
Municipal Hall of Coron, Palawan

EXPLANATION

Due to constraints in time, distance and manpower, copies of the foregoing *Motion* shall be filed and served on the other parties by REGISTERED MAIL, personal service not being practicable under the circumstances. In light of the physical limitations brought about by the COVID-19 pandemic and in accordance with par. 4 of Administrative Circular No. 41-2020 dated 29 May 2020, a copy of this pleading is also filed/served via EMAIL.

JENNY G. LIBUTAQUE

REPUBLIC OF THE PHILIPPINES **AFFIDAVIT OF SERVICE**

I, **PEDRO V. MARIANO**, of the Office of the Government Corporate Counsel, with office address at 3rd Floor, MWSS Administration Building, Katipunan Avenue, Old Balara, Quezon City, after being duly sworn to, depose and say:

That on 14 July 2023, I served a copy of the following pleading/paper:

NATURE OF PLEADINGS/PAPER URGENT MOTION TO ATTEND HEARING VIA VIDEOCONFERENCE

In Civil Case CRN-1084 entitled "BCT TRADING AND CONSTRUCTION AND 428 HI-TECH GROUP, INC., vs. ROBERTO B. MAGALLANES AND JOSE B. MAGALLANES, JR., ET AL." pursuant to Section 3, 4, 5 and 10, Rule 13 of the Rules of Court, as follows:

| By personal service to: | By delivery personally a copy to the party of |
|--|---|
| | his/her attorney on as show up |
| By Ordinary Mail to/Special Delivery to: By Registered Mail to: | on p |
| | By leaving a copy of in his/her office with |
| | his/her clerk or with a person having charge |
| REGIONAL TRIAL COURT | thereof onas |
| Fourth Judicial Region | shown on p |
| Branch 163, Coron, Palawan | 40 |
| | By delivery a copy of the Court/Tribunal/Office |
| ALAMPAY AND TAMASE LAW OFFICE | on shown on p |
| ROBERTO B. MAGALLANES | By depositing on a copy in the post office at in a sealed envelope, |
| JOSE B. MAGALLANES | post office at in a sealed envelope, |
| ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | plainly addressed to the party or his/her attorney |
| DEPARTMENT OF ENVIRONMENT & | at his/her office/residence with postage fully |
| NATURAL RESOURCES-MIMAROPA | paid and with instruction to the postmasters to |
| | return the mail to the sender after ten (10) days if |
| DEPARTMENT OF PUBLIC WORKS & | undelivered. |
| HIGHWAYS- | |
| MIMAROPA | By depositing a copy on in the |
| | post office at as evidences |
| LOCAL GOVERNMENT OF CORON, | by Registry Receipts(s) No. (s) of |
| PALAWAN | the addressee(s) and with instructions to the |
| c/o OFFICE OF THE MAYOR | postmaster to return the mail to sender after ten |
| CAN DIECO LAW OFFICE | (10) days if undelivered. |
| SAN DIEGO LAW OFFICE | |
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| | |
| Quezon City, for Coron, Palawan, 14 July 20 | 172 |
| Quezon City, for Coron, I alawan, 14 July 20 | 25. |
| | PEDRO V. MARIANO |
| | Affiant |
| | 11/11/11 |
| SUBSCRIBED AND SWORN to before a | me this 14 July 2023, affiant personally appeared |
| before me and exhibited to me his ID No. 126. | |
| | |
| | Rewaling |
| | / KNORU / |
| | ATTY ASSALINDA ADRIANO MONTENEGRO |
| Doc. No. 184 | NOTARY PUBLIC |
| Page No. 78; | My Commission Expires on December 2023 |
| Book No. XXVII | PTR No. 4028249 01/03/2023 - QC |
| Series of 2023. | BP OR No 263982 01/03/2023 -QC |

Roll No 68465

MCLE Compilance No VII 0021672 14 April 2023