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29

Plaintiffs,

Civil Case CRN-1084
For: Injunction & Damages

Defendants.

$$X \text{-----} X$$

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

2. Although the Province practically adopted the Plaintiff's Complaint and witnesses, undersigned will need more time to confer

¹ This *Motion* is being filed without prejudice to PRA's "Motion for Partial Reconsideration (of the 21 September 2023 Order)" filed via registered mail last 6 October 2023 and is still pending resolution of the Honorable Court.

x-----x

with PRA and determine if there is a need to present additional evidence/witnesses.

3. Under the 2019 Amendments to the Rules of Civil Court, the judicial affidavits of the witnesses intended to be presented shall be attached to the Answer. Section 6, Rule 7 states:

Section 6. Contents. – Every pleading stating a party's claims or defenses shall, in addition to those mandated by Section 2, Rule 7, state the following:

(a) Names of witnesses who will be presented to prove a party's claim or defense;

(b) **Summary of the witnesses' intended testimonies, provided that the judicial affidavits of said witnesses shall be attached to the pleading and form an integral part thereof.** Only witnesses whose judicial affidavits are attached to the pleading shall be presented by the parties during trial. Except if a party presents meritorious reasons as basis for the admission of additional witnesses, no other witness or affidavit shall be heard or admitted by the court; and

(c) Documentary and object evidence in support of the allegations contained in the pleading. (Emphasis supplied)

4. Section 11, Rule 11 of the same amended rules allows for an extension of the Answer:

Section 11. Extension of time to file an answer. – A defendant may, for meritorious reasons, be granted an additional period of not more than thirty (30) calendar days to file an answer. A defendant is only allowed to file one (1) motion for extension of time to file an answer.

A motion for extension to file any pleading, other than an answer, is prohibited and considered a mere scrap of paper. The court, however, may allow any other pleading to be filed after the time fixed by these Rules.

5. Hence, PRA respectfully prays that it be given an additional period of 30 days from 12 October 2023, or until 11 November 2023, within which to file its Answer.

X-----X

6. This *Motion* is prompted solely by the foregoing reasons and is not intended to delay the proceedings in the above-captioned case.

PRAYER

WHEREFORE, premises considered, PRA respectfully prays that it be given a period of 30 days from 12 October 2023, or until 11 November 2023, within which to file its Answer.

Other equitable reliefs are likewise prayed for.

Quezon City for Coron, Palawan, 10 October 2023.

OFFICE OF THE GOVERNMENT CORPORATE COUNSEL

Counsel for PRA

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Phone: +63(2)-7587-9803; Mobile: +63(917)-873-5522

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MCLE Compliance VIII-OGCC003120, 09/05/2023

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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

Roll of Attorneys 36023

IBP Life Member Roll 06385; 11/08/08; Quezon City

MCLE Exemption VII-OGCC002860, 2/16/21

X-----X


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Government Corporate Attorney

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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:

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Counsel for the Plaintiffs

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Rufino and Leviste Sts., Salcedo Village, Makati City

alampaytamase@gmail.com

RE 700 758 761 - 22

ROBERTO B. MAGALLANES

JOSE B. MAGALLANES

Defendants

Nueva Street, Brgy. Poblacion IV,

Coron, Palawan

775 22

**DEPARTMENT OF ENVIRONMENT &
NATURAL RESOURCES-MIMAROPA**

Defendant

1515 Roxas Blvd.,

Ermita, Manila

mimaroparegion@denr.gov.ph

789 22
UPPO-OC
10-10-2023

X-----X

**DEPARTMENT OF PUBLIC WORKS & HIGHWAYS-
MIMAROPA**

Defendant

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

792 77

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

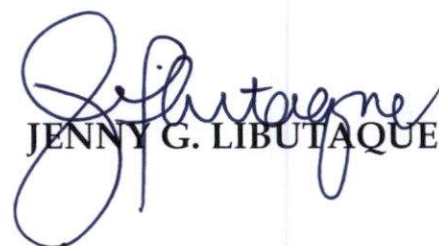
Defendant

Municipal Hall of Coron, Palawan

801 77
UPPO-OC
10-10-2023

EXPLANATION

Due to constraints in time, distance and manpower, copies of the foregoing *Motion* shall be filed and served to the other parties by REGISTERED MAIL, personal service not being practicable under the circumstances. A copy of this *Motion* is being filed and served electronically via EMAIL in accordance with A.M. No. 10-3-7-SC/A.M. No. 11-9-4-SC April 11, 2023 - RE: GUIDELINES ON SUBMISSION OF ELECTRONIC COPIES OF PLEADINGS AND OTHER COURT SUBMISSIONS BEING FILED BEFORE THE LOWER COURTS PURSUANT TO THE EFFICIENT USE OF PAPER RULE.


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 10 October 2023, I served a copy of the following pleading/paper:

NATURE OF PLEADINGS/PAPER
"MOTION FOR EXTENSION OF TIME AD CAUTELAM"

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 Ordinary Mail to/Special Delivery to:
By Registered Mail to:

REGIONAL TRIAL COURT
Fourth Judicial Region
Branch 163, Coron, Palawan

ALAMPAY AND TAMASE LAW OFFICE

ROBERTO B. MAGALLANES
JOSE B. MAGALLANES

**DEPARTMENT OF ENVIRONMENT &
NATURAL RESOURCES-MIMAROPA**

**DEPARTMENT OF PUBLIC WORKS &
HIGHWAYS-
MIMAROPA**

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

SAN DIEGO LAW OFFICE

By delivery personally a copy to the party of
his/her attorney on _____ as show up
on p. _____.

By leaving a copy of in his/her office with
his/her clerk or with a person having charge
thereof on _____ as
shown on p. _____.

By delivery a copy of the Court/Tribunal/Office
on _____ shown on p. _____.

By depositing on _____ a copy in the
post office at _____ in a sealed envelope,
plainly addressed to the party or his/her attorney
at his/her office/residence with postage fully
paid and with instruction to the postmasters to
return the mail to the sender after ten (10) days if
undelivered.


By depositing a copy on _____ in the
post office at _____ as evidences
by Registry Receipts(s) No. (s) _____ of
the addressee(s) and with instructions to the
postmaster to return the mail to sender after ten
(10) days if undelivered.

Quezon City, for Coron, Palawan, 10 October 2023.


PEDRO V. MARIANO
Affiant

SUBSCRIBED AND SWORN to before me this 10 October 2023, affiant personally appeared before me and exhibited to me his ID No. 126.

Doc. No. 97 ;
Page No. 21 ;
Book No. 1 ;
Series of 2023.


FRANCIS JULIUS ROMEO D. DEL VALLE
NOTARY PUBLIC FOR AND IN QUEZON CITY
ROLL NO. 71635 ADMINISTRATIVE MATTER NO. NP 480 (2023-2024)
3RD FLOOR MWSS BUILDING, KATIPUNAN, BALARA, Q.C.
IBP NO. MEMBER ROLL 164025 01-06-2022-QUEZON (FOR 2023)
PTR NO. 42083; 06-19-23-Q.C. MCLE COMPLIANCE NO. VII-0003451; 07-04-2021
COMMISSION IS VALID UNTIL DECEMBER 31, 2024

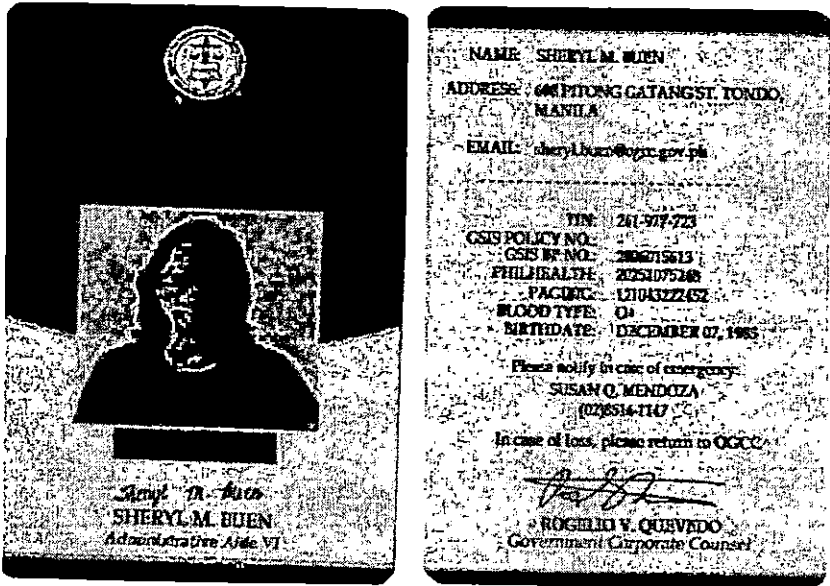
Republic of the Philippines)

Quezon City)

I, **SHERYL M. BUEN**, hereby declare that the document/s (and annexes thereof) hereto submitted electronically in accordance with the Guidelines on Submission of Electronic Copies of Pleadings and other Court Submissions Being Filed Before the Lower Courts is/are complete and true copy/ies of the document/s (and accompanying documents) filed (specify the manner of filing: personal, by registered mail, or by accredited courier) with the Regional Trial Court of Coron, Palawan.

Sheryl M. Buen
SHERYL M. BUEN
Administrative Aide VI
Date: 10 October 2023

SUBSCRIBED AND SWORN TO before me this 10th day of October 2023, affiant exhibiting his/her competent evidence of identity: OGCC ID No. 219.



[Signature]