

REPUBLIC OF THE PHILIPPINES
REGIONAL TRIAL COURT
FOURTH JUDICIAL REGION
BRANCH 163
CORON, PALAWAN
Email: rtc2cnp163@judiciary.gov.ph
Contact No.: 0926-658-3068

**BCT TRADING AND CONSTRUCTION
and 428 HI-TECH GROUP, INC.,
Plaintiffs,**

- versus -

CIVIL CASE No. CRN-1084
For: Injunction and
Damages

**ROBERTO B. MAGALLANES and
JOSE B. MAGALLANES, Jr.,
Styling themselves as
“SAGIP CORON PALAWAN”,
PHILIPPINE RECLAMATION
AUTHORITY, DEPARTMENT
OF ENVIRONMENT AND NATURAL
RESOURCES – MIMAROPA,
DEPARTMENT OF PUBLIC WORKS
AND HIGHWAYS – MIMAROPA,
AND THE LOCAL GOVERNMENT
OF CORON, PALAWAN,
Defendants.**

X=====X

COUNTER-MANIFESTATION

(Re: Manifestation dated 31 March 2023 and Motion for
Extension of Time to File Comment/Opposition
and Position Paper filed on 10 April 2023
by Defendants Roberto and Jose B. Magallanes)

PLAINTIFFS, by counsel, unto this Honorable Court
respectfully states:

1. In the Order of this Honorable Court dated 22
March 2023, defendants Magallanes brothers were given only
5 days from receipt of plaintiffs' Formal Offer of Evidence
within which to file their comment or opposition thereto.

2. Defendants Magallanes brothers, through their counsel, were personally furnished a copy of plaintiffs' Formal Offer of Evidence on **27 March 2023**. Therefore, they only had until **03 April 2023** (01 April 2023 falling on a Saturday) within which to file their comment or opposition thereto.

3. However, in their Manifestation dated 31 March 2023, the defendants Magallanes brothers merely stated that they will just be consolidating their Comment/Opposition to Plaintiffs' Formal Offer of Evidence with their Position Paper to be filed on 11 April 2023.

4. Worse, without the Honorable Court having even acknowledged their previous Manifestation, defendants Magallanes brothers filed their Motion for Extension of Time to File Comment/Opposition and Position Paper, asking for further extension of time to file their Comment/Opposition to plaintiffs' Formal Offer of Evidence, which period had actually already expired on **03 April 2023**.

5. Considering the foregoing, the defendants Magallanes brothers, having failed to file their comment or opposition to plaintiffs' Formal Offer of Evidence within the period granted to them until **03 April 2023**, have already waived their right to file the same.

Respectfully submitted.

Makati City, for Coron, Palawan, 11 April 2023.

ALAMPAY AND TAMASE LAW OFFICE

Counsel for the Plaintiffs

12th Floor, PDCP Bank Centre
Corner Rufino and Leviste Streets
Salcedo Village, Makati City

☎8819-0961 📠8813-1323

E-mail: alampaytamase@gmail.com

By:



EMMANUEL P.J. TAMASE

PTR No. 9577851 01-12-2023 Makati City
 IBP No. 249336 01-09-2023 Quezon City
 Roll No. 33677 (1985)
 MCLE Compliance No. VII-0016044 4-21-2022



GWYN GARETH T. MARIANO

PTR No. 9577847 01-12-2023 Makati City
 IBP No. 249338 01-09-2023 Makati City
 Roll No. 45292 (2000)
 MCLE Compliance No. VII-0016044 4-21-22

COPY FURNISHED:

Atty. SHEILA F. SAN DIEGO

*Counsel for Defendants Roberto B. Magallanes
 and Jose B. Magallanes, Jr.*

SAN DIEGO LAW OFFICE

Suite 2301 Makati Prime Citadel
 5007 P. Burgos corner Caceres St.
 1200 Makati City
 Email: sheilasandiego@gmail.com

OFFICE OF THE GOVERNMENT CORPORATE COUNSEL

Counsel for Philippine Reclamation Authority (PRA)
 3rd Floor MWSS Admin. Building
 Katipunan Road, Quezon City
 Email: records@ogcc.gov.ph

**DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS
 (DPWH-MIMAROPA)**

790 Epifanio de los Santos Avenue
 Diliman, 1100 Quezon City

**DEPARTMENT OF ENVIRONMENT AND NATURAL
 RESOURCES (DENR MIMAROPA)**


1515 Roxas Blvd., Ermita, 1000 Manila

LOCAL GOVERNMENT OF CORON PALAWAN

Office of the Mayor
 Municipal Hall, Coron, Palawan

EXPLANATION

This is to certify that prior to the filing of the foregoing COUNTER-MANIFESTATION with this Honorable Court through electronic mail and registered mail, copies of the same would already have been served by personal service as well as electronic mail upon counsels for defendants Roberto B. Magallanes and Jose B. Magallanes, Jr., by registered mail and electronic mail upon the counsel for PRA, and via registered mail upon the other parties. This mode of **filing and service** were resorted to in view of the distances involved and manpower limitation. It is not in any way intended to delay these proceedings.


GWYN GARETH T. MARIANO