

Leonardo M. Rapadas
Attorney General



Phillip J. Tydingco
Chief Deputy Attorney General

OFFICE OF THE ATTORNEY GENERAL

February 8, 2013

HAND DELIVER

Honorable Ray Tenorio
Lieutenant Governor of Guam
Office of the Lieutenant Governor
Ricardo J. Bordallo Gov.'s Complex
Adelup, Guam

Re: *Government of Guam v. 1,382,428 Square Meters, More or Less, Situated in the Municipality of Inarajan, Guam, et. al.*, Superior Court of Guam, Case No. CV0084-08

Dear Lieutenant Governor Tenorio:

Since this matter involves a District Court case in which the Attorney General and the Chief Deputy Attorney General have a conflict of interest, I am responding to your February 4, 2013 letter. In your letter you request approval as to form and legal sufficiency a Draft Joint Requisition to the Series 2009 Construction Depository relating to payments to satisfy the judgment entered by the Guam Superior Court against the Government of Guam in *Government of Guam v. 1,348,474 Square Meters, More or Less, Situated in the Municipality of Inarajan, Guam, et. al.* A copy of the proposed Joint Requisition is included as Attachment 1.

Section 14.04 of the Supplemental Bond Indenture relating to the Government of Guam Limited Obligation (Section 30) Bonds addresses joint requisitions, but to date, we are not aware of a joint requisition being used in connection with the Series 2009 Construction Account Depository. Rather, all requisitions have been made by the procedures outlined by the Government of Guam's bond counsel ("Bond Counsel") and approved by the District Court of Guam in the form of a "Requisition of the Receiver". A copy of the approved procedures is included as Attachment 2.

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Ltr. Addressed to Lt. Gov. Ray Tenorio

Re: GovGuam v.1,382,428, Municipality of Inarajan,
Superior Court, Case No. CV0084-08

All relevant bond documents were drafted by Bond Counsel. Therefore we must defer to Bond Counsel for approval of your proposed Joint Requisition. By copy of this letter to Bond Counsel, we are requesting their assistance to approve your proposed Joint Requisition for form and legal sufficiency. We will keep you advised of Bond Counsel's determination.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Patrick Mason", with a long horizontal flourish extending to the right.

J. Patrick Mason
Deputy Attorney General

Attachments 1, 2 A-C

cc: Sandra Cruz Miller
Brooke Abola
David Manning