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**DISTRICT OF GUAM
BANKRUPTCY DIVISION**

In re:)	Chapter 11 Proceedings
)	
TITAN IMPORTS, INC.,)	Case No.: 22-00007
)	
Debtor.)	UNDER ADVISEMENT ORDER CONCERNING CLAIMED RETROACTIVE APPLICATION OF GUAM’S WHISTLEBLOWER STATUTE
)	
)	[NOT FOR PUBLICATION]
)	
)	

Before this bankruptcy case was filed, John Ryan (“Ryan”) brought a Guam Superior Court (“Superior Court”) Qui Tam action against Titan Imports, Inc. (“Debtor”) pursuant to the Territory of Guam’s (“Guam) False Claims and Whistleblower Act¹ seeking recovery of alcohol and beverage taxes (“ABC Taxes”) allegedly owed by Debtor to Guam from as far back as 2011. Guam’s Department of Revenue and Taxation (“DRT”) chose not to intervene, thereby consenting to Ryan’s pursuit of the ABC Taxes. When Debtor filed its Sub Chapter V Chapter 11 petition, Ryan filed claim #2 on account of ABC Taxes he claimed were owed by the Debtor in the amount of \$2,644,847. Trouble ensued when DRT filed claim #7 in the amount of \$2,399,537 based on the same ABC Taxes. The parties all recognize DRT is a real party in interest and that Debtor is only liable once on the ABC Taxes, but Ryan and DRT both contend they alone have standing to pursue the vast majority of the ABC Taxes against this bankruptcy estate.

¹ 5 G.C.A. § 37101 *et seq.* (“Whistleblower Statute”).

1 The sole issue for this Court to decide is whether Ryan is barred from pursuing in
2 the Bankruptcy Court ABC Taxes which are owed by the Debtor for time periods prior to
3 Guam’s enactment of the Whistleblower Statute. This Court finds Ryan is not barred from
4 prosecuting such claims and that Ryan alone has standing to press the ABC Taxes claim
5 in this bankruptcy case.

6
7 **I. BACKGROUND**

8 Guam enacted the Whistleblower Statute on August 24, 2018. In doing so, Guam
9 sought to empower individuals with the authority to pursue moneys owed to Guam where
10 Guam itself either did not know it had such claims or had chosen to not pursue those
11 claims. Under the Whistleblower Statute, the relator (whistleblower) may be entitled to
12 fees and costs in pursuing the claims plus up to 30% of the amount recovered for Guam.²
13 Guam, in turn, would receive no less than 70% of the amount recovered by the
14 whistleblower.

15 Ryan filed a complaint in the Superior Court³ on November 5, 2019, seeking to
16 recover the ABC Taxes allegedly owed by Debtor to Guam’s DRT. As required by the
17 Whistleblower Statute, Ryan filed his complaint under seal and then served it upon DRT
18 so DRT could then decide whether it wished to pursue the ABC Taxes itself or permit
19 Ryan to pursue the claims on DRT’s behalf.⁴ On January 6, 2020, DRT filed its notice
20 that it would not intervene in the Qui Tam Action.⁵ From that point forward, Ryan
21 conducted exhaustive (and presumably expensive) discovery against Debtor. Ryan’s
22 dogged pursuit of the ABC Taxes eventually drove Debtor to file its chapter 11, Sub V
23 petition on March 25, 2022,⁶ over two years after DRT consented to Ryan’s pursuit of the
24 ABC Taxes against Debtor.

25 ² See 5 G.C.A. § 37103.

26 ³ Guam Superior Court Case No. CV1278-19 (the “Qui Tam Action”). The term “Qui Tam” is a shorthand reference
27 to the Latin phrase “qui tam pro domino rege quam pro se ipso in hac parte sequitur,” which translates as “who as
28 well for the King for himself sues in the matter.” See *Black’s Law Dictionary* 1368 (9th ed. 2009).

⁴ See 5 G.C.A. § 37202.

⁵ See Exhibit A attached hereto.

⁶ “Petition Date.”

1 In Debtor’s bankruptcy, Ryan filed Claim #2 on April 14, 2022 and amended that
2 claim on June 8, 2022. DRT filed Claim #7 on May 27, 2022. Not wanting to either pay
3 the ABC Taxes twice or to wrestle with both DRT and Ryan over the ABC Taxes, Debtor
4 brought its quandary to this Court at a hearing on July 6, 2022. The Court directed Debtor
5 to file its objection to DRT’s claim, for DRT to respond, and for Ryan to reply. The Court
6 further directed Debtor to file its replies.⁷ This matter then came before this Court for oral
7 argument on July 26, 2022, after which the Court took under advisement the narrow issue
8 of who has standing to pursue the ABC Taxes in this Court or, more specifically, whether
9 Ryan is barred from pursuing that portion of the ABC Taxes from time periods prior to
10 Guam’s enactment of the Whistleblower Statute.⁸ Many other issues have been raised by
11 the parties, especially by Ryan, but this Order goes to the heart of who has standing to
12 pursue the very claims which drove Debtor to file its bankruptcy case and which the
13 Debtor’s chapter 11 plan⁹ seeks to address.

14 15 **II. JURISDICTION**

16 This Court has jurisdiction over this case and the ABC Taxes claims pursuant to
17 **28 U.S.C. §§ 1334** and **157(B)(2)**.

18 19 **III. ARGUMENTS OF THE PARTIES**

20 To very briefly summarize, DRT contends the Whistleblower Statute did not
21 explicitly provide for retroactive application of the 2018 law so Ryan cannot pursue any
22 ABC Taxes which are from time periods prior to the enactment of the Whistleblower
23 Statute. DRT argues its position is consistent with the Guam Superior Court case of
24 *Government of Guam by Guam Housing and Urban Renewal Authority (“GHURA”) v.*

25
26 _____
27 ⁷ Debtor’s objection to Claim #7 was filed on July 9, 2022 at DE 87. DRT filed its response on July 18, 2022, at DE
28 90. Ryan filed his reply on July 23, 2022, at DE 91. Debtor filed its reply on July 23, 2022, at DE 94.

⁸ Significantly, DRT claims all but \$99 of the ABC Taxes were on account of taxes prior to the effective date of the
Whistleblower Statute.

⁹ See the plan filed on June 23, 2022, at DE 77.

1 *Rodriguez*.¹⁰ Ryan contends the Whistleblower Statute is not violated by Ryan pursuing
2 all of the ABC Taxes because his complaint is a procedural matter which does not give
3 rise to any new liability or claims against Debtor. Moreover, Ryan contends that, having
4 refused to intervene in the Qui Tam Action, DRT now has no standing to interfere with
5 Ryan’s management of the Qui Tam Action or the claims now being pursued by Ryan in
6 Debtor’s bankruptcy proceedings.

7
8 **IV. ANALYSIS**

9 **A. The Rodriguez Case**

10 DRT finds support for its retroactivity argument in the *Rodriguez* Case. There,
11 Guam Superior Court Judge Dana Guitierrez thoroughly and thoughtfully reviewed the
12 question of circumstances under which a new statute may permissibly be applied
13 retroactively. Judge Guitierrez noted “1 G.C.A. provides that: ‘No part of this Code is
14 retroactive unless expressly so declared’” and that “the Whistleblower Statute . . . does
15 not contain a retroactivity clause”¹¹ Because the Whistleblower Statute does not
16 explicitly declare it is to be applied retroactively, Judge Guitierrez reviewed
17 considerations where a Guam statute may nevertheless be applied retroactively. Judge
18 Guitierrez found those

19 considerations include: 1) whether the legislature followed the
20 model of other jurisdictions which contained retroactivity
21 clause in that state’s equivalent for the statute; 2) the legislative
22 history of the statute; and 3) whether prospective application
would render the statute ineffective.¹²

23 The Court persuasively reviewed why the first and second considerations were not
24 satisfied by the Whistleblower Statute so this Court shall not review one or two here. Judge
25 Gutierrez went on to state that the third consideration “is only overcome by ‘necessary
26

27 ¹⁰ Guam Superior Court Case CV0298-21, hereinafter the “Rodriguez Case.”

28 ¹¹ See Judge Guitierrez’s March 11, 2022 Decision and Order Granting Plaintiff’s Motion ot Dismiss at page 5 (the “Guitierrez Opinion”).

¹² Guitierrez Opinion at 9.

1 implication’ of retroactivity when the statute ‘must be understood to operate retroactively
2 because a contrary reading would render it ineffective.’”¹³

3 Judge Guitierrez relied heavily on an analysis supplied by the New Jersey Court of
4 Appeals.¹⁴ In doing so, she held that a retroactive interpretation of the Guam
5 Whistleblower Statute is not necessary to make the Whistleblower Statute viable or
6 sensible. Specifically, Judge Guitierrez found that the Whistleblower Statute need not be
7 retroactively applied by “necessary implication” for the 2018 law to be effective.

8 The Guitierrez Opinion discussed the fact that GHURA’s complaint against
9 Rodriguez alleged that all of the violations by Rodriguez occurred before enactment of
10 the Guam Whistleblower Statute. Judge Guitierrez found GHURA’s whistleblower action
11 was entirely barred because it violated Guam law by retroactively applying that statute.

12 The Guitierrez Opinion was issued on March 11, 2022. On April 11, 2022, GHURA
13 sought reconsideration of the Guitierrez Opinion. That matter is set for hearing on
14 August 31, 2022.¹⁵ At least one other separate but factually similar Guam whistleblower
15 action (GHURA v Van Nichols¹⁶) has been put on hold until Judge Guitierrez resolves
16 GHURA’s reconsideration request in *Rodriguez*.

17 This Court discerns several crucial distinguishing features between *the Rodriguez*
18 Case and the case at bar. First, in the *Rodriguez* Case it was the target of the whistleblower
19 action (Rodriguez) who sought dismissal of the whistleblower action instituted by
20 GHURA (the relator or whistleblower) against her. Here, it is DRT who seeks to take the
21 Qui Tam Action out of the hands of the whistleblower (Ryan), presumably so DRT may
22 itself alone reap the benefits of the Qui Tam Action long pursued by Ryan. Unlike the
23 *Rodriguez* Case, much water passed under the bridge before this controversy landed in the
24 Bankruptcy Court. Second, the Gutierrez Opinion did not explicitly consider whether the
25

26 ¹³ Citing *Landgraf v USI Film Products*, 511 U.S. 244 at 286 (1994).

27 ¹⁴ *State Ex Rel. Hayling v. Correctional Medical Services, Inc.*, 28 A.3d 1246 (N.J. Super. Ct. App. Div. 2011).

28 ¹⁵ See Exhibit B attached hereto.

¹⁶ See the article by John O’Connor, *Judge: Guam False Claims Act Not Retroactive; Delegate and His Dad Await Court Decisions*, The Guam Daily Post, June 21, 2022.

1 Whistleblower Statute was not actually retroactively applied where the events in question
2 arose prior to enactment of the Whistleblower Statute, and where Guam chose not to
3 intervene. This Court addresses each of these issues in turn.

4
5 **B. DRT is Barred from Wresting the Qui Tam Action Away From Ryan.**

6 1. Circumvention of 5 G.C.A. § 37203(c)(2).

7 When Ryan filed his complaint in the Qui Tam Action, DRT knew or should have
8 known Ryan was pursuing ABC Taxes for time periods prior to August 24, 2018. DRT
9 knew as of December 2019, that it may have claims against Debtor based on falsely filed
10 tax returns of the Debtor. DRT chose to allow Ryan to pursue those claims. DRT cannot
11 now intervene in the Qui Tam Action.¹⁷ Should DRT be granted standing to now pursue
12 the ABC Taxes, DRT may be met with a successful motion from this Debtor to dismiss
13 DRT's claim as barred by 5 G.C.A. § 37203(c)(2).¹⁸ The Guam legislature could not
14 possibly have intended for a taxpayer to escape payment on false tax returns where DRT
15 reconsiders the prudence of its decision years earlier to elect to allow a whistleblower to
16 carry its water on unpaid tax claims. This Court will not help create the prospect of such
17 an unjust and unanticipated result by now permitting DRT to gain standing to pursue ABC
18 Taxes owed by Debtor. Moreover, if DRT cannot now intervene in the Superior Court's
19 Qui Tam Action, the Whistleblower Statute would effectively be circumvented or violated
20 if this Court permits DRT to pursue the ABC Taxes in the Bankruptcy Court.

21
22 2. Judicial Estoppel.

23 Judicial estoppel generally prevents a party from prevailing in one phase of a case
24 on an argument and then relying on a contradictory argument to prevail in another phase.¹⁹
25 The U.S. Supreme Court has noted that

26
27 ¹⁷ See 5 G.C.A. § 37203(c)(2).

28 ¹⁸ Additionally, DRT may also be barred by an applicable statute of limitations. This Court expresses no opinion in this regard.

¹⁹ *Pegram v. Herdrich*, 530 U.S. 211, 227, n. 8, 120 S. Ct. 2143 (2000).

1 several factors typically inform the decision whether to apply
2 the doctrine in a particular case: First, a party's later position
3 must be clearly inconsistent with its earlier position. Second,
4 courts regularly inquire whether the party has succeeded in
5 persuading a court to accept that party's earlier position ... A
6 third consideration is whether the party seeking to assert an
inconsistent position would derive an unfair advantage or
impose an unfair detriment on the opposing party if it is not
estopped.²⁰

7 Here, DRT's claimed standing to pursue the ABC Taxes in the Bankruptcy Court
8 is clearly inconsistent with its position in the Qui Tam Action where it elected to not
9 intervene in that matter and where the Whistleblower Statute now bars it from doing so in
10 the Qui Tam Action. DRT persuaded the Superior Court (and Ryan) that Ryan was free to
11 pursue the Debtor on claimed liability for the ABC Taxes. Ryan justifiably relied upon
12 DRT's decision to not intervene in the Qui Tam Action. Ryan has presumably spent
13 considerable time, effort, and treasure to bring Debtor to the point of significant payments
14 towards the ABC Taxes for Guam's (and Ryan's) benefit. Ryan would be materially
15 harmed if DRT were now permitted to waltz into a position of standing to pursue the ABC
16 Taxes. DRT would derive an unfair advantage over Ryan (and the Debtor) and Ryan
17 would suffer an unfair detriment if DRT is recognized by this Court as now having
18 standing to pursue the ABC Taxes in this Bankruptcy proceeding. This Court finds DRT
19 is judicially estopped from arguing that DRT alone has standing to pursue in this Court
20 the ABC Taxes allegedly owed by the Debtor for time periods prior to enactment of the
21 Whistleblower Statute.

22
23 3. Waiver.

24 This Court also finds DRT has waived its standing to pursue the ABC Taxes. Waiver
25 occurs when a party intentionally relinquishes a known right.²¹ Here, DRT knew it had
26

27 ²⁰ *Zedner v. United States*, 547 U.S. 489 (2006) citing *New Hampshire v. Maine*, 532 U.S. 742, 749, 121 S. Ct. 1808
(2001). See also *United Steelworkers of America v. Retirement Income Plan For Hourly-Rated Employees of Asarco,*
28 *Inc.*, 512 F.3d 555 (9th Cir. 2008);

²¹ *Alocozy v. U.S. Citizenship & Immigration Servs.*, 704 F. 3d 795, 797 (9th Cir. 2012).

1 the right to litigate the Qui Tam Action. DRT filed its intent to relinquish its standing to
2 do so. DRT has waived its standing to now pursue the ABC Taxes in this Bankruptcy case.

3
4 4. Equitable Estoppel.

5 The 9th Circuit Court of Appeals tells us

6 [e]quitable estoppel applies if the party to be estopped knew
7 the facts and intended for his conduct to be acted on, and if the
8 party asserting estoppel was ignorant of the true facts and
relied on the other party's conduct to her injury.²²

9 DRT knew the general facts alleged in the Qui Tam Action and intended that Ryan
10 act upon DRT's decision to decline to intervene in the Qui Tam Action. Ryan relied upon
11 DRT's declination and had no knowledge that DRT would years later arrive on the scene
12 seeking to scoop the Qui Tam Action away from Ryan. Ryan would be injured should this
13 Court acknowledge DRT has standing to pursue the ABC Taxes in these Bankruptcy
14 proceedings. DRT is barred by principles of equitable estoppel from asserting standing to
15 pursue in this Bankruptcy Court the ABC Taxes allegedly owed by Debtor.

16 Principles of judicial estoppel, equitable estoppel and waiver alone constitute
17 grounds for this Court to deny DRT standing to pursue the ABC taxes. However, there are
18 additional grounds upon which the Court finds support for its Order.

19
20 5. Ryan Has Effectively Been Irrevocably Appointed as DRT's Quasi-
21 Agent.

22 Guam's Whistleblower Statute empowers a whistleblower to effectively serve as
23 Guam's quasi-agent to pursue Guam's claims. When Guam decides to not itself prosecute
24 those claims, the quasi-agent/whistleblower is granted irrevocable standing to act as
25 Guam's quasi-agent. The irrevocable nature of this quasi-agency appointment is found in
26 the fact that DRT is barred from now intervening in the Qui Tam Action. This Court
27 cannot and will not disturb that quasi-agency appointment conferred upon Ryan by the

28 ²² *Wong v. Flynn-Kerper*, 999 F. 3d 1205 (9th Cir. 2021).

1 Whistleblower Statute and by Guam’s consent to permit Ryan to continue in that capacity.

2
3 **C. The Whistleblower Statute’s Definition of “Claim” Permits Ryan’s**
4 **Pursuit of Events Which Pre-Date the Whistleblower Statute.**

5 Guam’s Whistleblower Statute permits individuals like Ryan to pursue claims on
6 behalf of DRT where DRT is not otherwise doing so. The very first thing the
7 Whistleblower Statute does is define the term “claim.” It does so as follows:

8 1(a) the term ‘claim’

9 (1) means any request or demand, whether under a
10 contract or otherwise, for money or property and whether or
11 not the government of Guam has title to the money or
property, that:

12 (A) is presented to an officer, employee, or agent
of the government of Guam; or

13 (B) is made to a contractor, grantee, or other
14 recipient, if the money or property is to be spent or used on the
15 government of Guam’s behalf or to advance a government of
Guam program or interest, and if the government of Guam:

16 (i) provides or has provided any portion
17 of the money or property requested or demanded; or

18 (ii) will reimburse such contractor,
19 grantee, or other recipient for any portion of the money or
property which is requested or demanded; and

20 (2) does not include requests or demands for money or
21 property that the government of Guam has paid to an
22 individual as compensation for employment or as an income
23 subsidy with no restrictions on that individual’s use of the
money or property;²³

24 Nowhere in the definition of “claim” does the Whistleblower Statute intimate that
25 there is a time limitation or parameter to a “claim.” This is not surprising because, in
26 enacting the Whistleblower Statute, Guam sought to increase its revenues by encouraging
27 whistleblowers to pursue monies owed to Guam where Guam itself was not otherwise

28

²³ 5 G.C.A. § 37101.

1 pursuing amounts owed to it. If a whistleblower could only pursue claims that arose after
2 the enactment of this Statute, Guam would conceivably lose out on significant recoveries
3 that whistleblowers might realize for Guam. The Whistleblower Statute’s definition of
4 “claim” and the policy behind that law supports this Court’s interpretation of that law.²⁴
5 If Guam did not wish to reach back in time to enable a whistleblower to recover claims
6 that arose prior to enactment of the Whistleblower Statute, Guam’s legislature could easily
7 have expressed this intent in the definition of “claims.” It did not and this Court will not
8 do so by re-writing the Whistleblower Statute’s definition of “claim.”
9

10 **D. Concerns of Retroactive Application of the Whistleblower Statute Are**
11 **Not Present in this Matter.**

12 Guam’s stated rule that legislation must not be applied retroactively (unless
13 explicitly stated by the legislation) is rooted in good policy. Where a new cause of action
14 or directive is created by the legislature it would be unjust to capture actions that were
15 legal, permissible and unactionable prior to enactment of the new law. For example, if a
16 new law were enacted to provide a cause of action to a basketball referee should a player,
17 coach or fan complain about the referee’s call or failure to make a call, years of unruly
18 player, coach and fan behavior would suddenly (and surprisingly) become actionable. A
19 new law may seek to modify future behavior of players, coaches, and fans but what
20 transpired before enactment could not and should not be corrected by new legislation. That
21 bell had been rung and cannot be unring. Retroactive application of that new law would
22 be unjust.

23 Here, however, it was always impermissible for the Debtor to file false tax returns
24 with DRT. No new liability was placed on the Debtor’s shoulders when Guam’s
25 legislature passed the 2018 Whistleblower Statute. The new statute enabled
26 whistleblowers to pursue those claims which Guam itself had not pursued. Guam itself

27 ²⁴ Nobody has suggested to this Court that any of the ABC Taxes cannot be pursued because of an applicable statute
28 of limitations. This Order does not suggest that there is no statute of limitations that may be pertinent to the ABC
Taxes.

1 was the beneficiary of the Whistleblower Statute but a whistleblower's target (the Debtor)
2 did not suffer a new regulation on its activity or a new harm or burden because of this new
3 law. A significant basis for applying a new law only prospectively is not present in the
4 Qui Tam Action because nothing about the Whistleblower Statute is designed to capture
5 lawful activity that occurred prior to the enactment of this statute. There is no prejudice to
6 the Debtor where Ryan is conferred standing by the Whistleblower Statute to pursue pre-
7 enactment wrongful conduct by the Debtor. The Whistleblower Statute empowered a new
8 plaintiff but not a new cause of action. This statute is a procedural device, not a new
9 substantive claim. Importantly (and unlike in the *Rodriguez Case*), the defendant in the
10 Qui Tam Action (Debtor) is not complaining about Ryan's pursuit of the ABC Taxes. The
11 Debtor presumably knows it has some liability for some portion of the ABC Taxes but
12 wants to fight (or negotiate) with only one plaintiff.

13
14 **V. ORDER**

15 Based on the foregoing, the Court finds Ryan alone has standing in this Court to
16 pursue the ABC Taxes against Debtor. DRT has no standing to pursue such claims in this
17 Court. DRT's claim #7 is hereby denied.

18 DATED: August 22, 2022.

19
20 

21 _____
22 DANIEL P. COLLINS
23 U.S. Bankruptcy Judge
24
25
26
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EXHIBIT A



Office of the Attorney General
 Leevin Taitano Camacho
 Attorney General of Guam
 Litigation Division
 590 S. Marine Corps Dr.
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 (671) 475-3324 • (671) 472-2493 (Fax)
 www.oagguam.org

Attorneys for the Government of Guam

FILED
 SUPERIOR COURT
 OF GUAM

2020 JAN -6 AM 10:01
 CLERK OF COURT

By: _____

RECEIVED
 Fisher Huesman P.C.
 Core Pacific Building Suite 302
 545 Chalan San Antonio Tamuning, Guam 96913
 671-989-5050
 Date: 1/6/20 Time: 11:25 By: [Signature]

**IN THE SUPERIOR COURT OF GUAM
 TERRITORY, GUAM**

TERRITORY OF GUAM EX REL)	Civil Case No. CV1278-19
JOHN RYAN,)	
)	
Plaintiff-Relator,)	GOVERNMENT OF GUAM'S
)	NOTIFICATION OF DECLINATION
vs.)	TO INTERVENE; REQUEST FOR
)	SERVICE OF PLEADINGS
TITAN IMPORTS, INC., JOHN)	
DOES 1-4,)	
)	
Defendants.)	

COMES NOW the GOVERNMENT OF GUAM, pursuant to 5 GCA § 37202(d)(2), to notify the Court that the GOVERNMENT OF GUAM hereby declines to intervene in the above-captioned action. Further, pursuant to 5 GCA § 37203(c)(1), the GOVERNMENT OF GUAM hereby requests service of copies of all pleadings and papers filed in the above-captioned action to be perfected upon the Office of the Attorney General of Guam. Additionally per 5 GCA § 37203(c)(1), the GOVERNMENT OF GUAM hereby requests that it be notified of and afforded

the opportunity to elect to be supplied with copies of any and all deposition transcripts in the above-captioned action, to be delivered to the Office of the Attorney General of Guam at the expense of the Government of Guam if the Office of the Attorney General of Guam so elects to be supplied with said copies.

Dated this 3rd day of January, 2020.

OFFICE OF THE ATTORNEY GENERAL
Leevin Taitano Camacho, Attorney General

By:



JAMES L. CANTO II
Deputy Attorney General

EXHIBIT B

FILED
SUPERIOR COURT
OF GUAM

2022 AUG -3 PM 3: 25

CLERK OF COURT

IN THE SUPERIOR COURT OF GUAM

BY: _____

GOVERNMENT OF GUAM BY GUAM
HOUSING AND URBAN RENEWAL
AUTHORITY, A Public Body Corporate
and Politic

Superior Court Case No. CV0298-21

Plaintiff,
vs.

NOTICE OF RESCHEDULED
HEARING

ANTOINETTE S. RODRIGUEZ

RUSH

Defendant.

To: McDonald Law Office, LLC
Blair Sterling Johnson & Martinez

You are hereby notified that the above-captioned case is scheduled before the Honorable Dana A. Gutierrez, by remote appearance on:

TIME:	DATE:	PURPOSE OF HEARING:
2:00 p.m.	August 31, 2022	Motion for Reconsideration of the Court's Order Dismissing Counts Alleging False Claims

REMARKS: The August 9, 2022 Motion Hearing has been rescheduled to the above date due to an expedited Petition for Habeas Corpus.

See below for Zoom information.**

Date: August 3, 2022

DANIELLE T. ROSETE
Clerk of Court, Superior Court of Guam

SERVICE VIA ELECTRONIC MAIL
I acknowledge that an electronic copy of the original was e-mailed to:

McDonald
Blair Sterling Johnson & Martinez

By:

Pauline I. Untalan
Courtroom/Chamber Clerk

Date: _____ Time: 8/3/22
Joseph Bamba, Jr.
Deputy Clerk, Superior Court of Guam

**To appear, go to <https://guamcourts-org.zoom.us>; enter the Meeting ID: 839 7874 0380 and Passcode: 189701. For technical assistance, you may call into the courtroom at 671-475-3207, at least five minutes prior to the designated hearing time.