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MARY L.M. MORAN
CLERK OF COURT

ORIGINAL
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the representation of Committee to Revitalize Tourism (the "Committee"), Jodie Vida ("Vida"), John Paul Calvo ("Calvo"), Janet Gerber Calvo ("Gerber Calvo"), Debralynne Quinata ("Quinata"), and Carlo J.N. Branch ("Branch") (collectively "Intervenors"). A good faith effort has been made by counsel to advise counsel for Petitioners of the substance of Intervenors' Ex Parte Application for Order Shortening Time on the Motion to Intervene ("Ex Parte Application"). Copies of all pleadings relating to the Ex Parte Application and underlying Motion have been or will be served upon Petitioners' counsel on filing with this Court. The date and time the Court will consider the Ex Parte Application is not yet known. However, as soon as such information is made available to my office we will advise Petitioners' attorneys.

3. It is expected that counsel for Petitioners will oppose the Ex Parte Application and will desire to be present if and when the Ex Parte Application is either presented to or heard by the Court.

4. It is important and urgent that the Ex Parte Application and underlying Motion be heard as soon as possible because the Petitioners urged the Superior Court of Guam, prior to removal, that this matter proceed on an expedited basis, and it is reasonable to expect that the same request will be made in this Court. As discussed in a supporting memorandum of points and authorities, if the Intervenors are not allowed to intervene in this case their interests may not be adequately represented by the parties, and then they will not be able to sufficiently protect their rights in this matter.

5. This Declaration is made in compliance with FRCP 26(c) and Local Rule 7.1(j)(1).

Lina'la Sin Casino, et al. v. Guam Election Commission


Civil Case No. 06-00035


Declaration of Richard A. Pipes in Support of Ex Parte Application for Order Shortening Time on Motion to Intervene

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I declare under penalty of perjury under the laws of the United States and Guam that the foregoing is true and correct.

Dated this 31st day of October, 2006.



RICHARD A. PIPES


RAP/nsh