

Republic of the Philippines  
**COURT OF APPEALS**  
Manila

**DE JANEIRO GLOBAL  
SOLUTIONS BPO, INC.,  
ET AL.,**

Petitioners,

- Versus -

**HON. ZALDY B. DOCENA,  
ECT., ET AL.,**

Respondents.

CA-G.R. SP No. 132860

November 14, 2014  
8:30

**NOTICE OF RESOLUTION  
WITH AMENDED WRIT OF  
PRELIMINARY INJUNCTION**

*Sir / Madam:*

Please take notice that on November 14, 2014 a resolution, copy hereto attached, was rendered by the **FORMER SPECIAL SEVENTEENTH** Division, *Court of Appeals*, in the above-entitled case, the original copy of which is on file with this office.

Respectfully Yours,

**EVANGELINE R. LLAMAS**  
Division Clerk of Court

*Copy Furnished:*

ATTY. JAMES GERARD M. BAELO - per.  
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THE PRESIDING JUDGE - per.  
RTC-Branch 170  
1470 Malabon City

NCR CRIMINAL INVESTIGATION  
AND DETECTION GROUP - per.  
Camp Crame, 1101 Quezon City

DE JANEIRO GLOBAL SOLUTIONS BPO INC. - per.  
(petitioner)  
11<sup>th</sup> Floor, Eton One Cyberpod Centris  
Quezon Avenue cor. EDSA  
1100 Quezon City

SPECTROGEN CORPORATION - per.  
(petitioner)  
22<sup>nd</sup> Floor, Enterprise Center Tower 2  
6766 Ayala Ave. cor. Paseo de Roxas Ave.  
1226 Makati City

(next page please)

- or -

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TYCHE CONSULTING LIMITED PHILIPPINES  
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(petitioner)  
15<sup>th</sup> Floor, Yuchengco Tower 2,  
RCBC Plaza, 6819 Ayala Avenue  
1200 Makati City

POLICE CHIEF INSPECTOR WILFREDO V. SY - per.  
(public respondent)  
NCR Criminal Investigation & Detection Group  
Camp Karingal, Sikatuna Village  
1101 Quezon City

SENIOR POLICE SUPERINTENDENT ROBERTO V. FAJARDO - per.  
(public respondent)  
NCR Criminal Investigation & Detection Group  
Camp Crame, 1100 Quezon City

HON. DONALD LEE - per.  
City Prosecutor  
1100 Quezon City

HON. NANETTE M. AUSTRIA - per.  
Prosecutor I  
Office of the City Prosecutor  
1100 Quezon City

HON. JORGE GALVEZ CATALAN, JR. - per.  
City Prosecutor, 1200 Makati City

HON. MARK ANTHONY ATIENZA – per.  
Prosecutor 1  
Office of the City Prosecutor  
1200 Makati City

HON. JOSELITO R. OBEJAS – per.  
Acting City Prosecutor  
1200 Makati City

HON. LEILA DE LIMA – per.  
DOJ Secretary  
1000 Dept. of Justice

/npp



Republic of the Philippines  
Court of Appeals  
Manila

**FORMER SPECIAL SEVENTEENTH DIVISION**

**DE JANEIRO GLOBAL  
SOLUTIONS BPO, INC.,  
SPECTROGEN CORP., and  
TYCHE CONSULTING  
LIMITED PHILIPPINES  
REGIONAL OPERATING  
HEADQUARTERS, and its  
officers and employees,  
namely GODOFREDO C.  
CUALTEROS, JR. ZARAH D.  
PINTOR, and EVANGELINE  
DELA CRUZ,**

*Petitioners,*

**CA G.R. SP NO. 132860**

Members:

**BATO, JR., R.M.,**  
*Chairperson,*  
**GAERLAN, S. H.<sup>1</sup> &  
DIY, M.E. S., JJ.**

*-versus-*

Promulgated:

**HON. ZALDY B. DOCENA, in  
his capacity as the Presiding  
Judge of the Regional Trial  
Court of Malabon City,  
Branch 170, Police Chief  
Inspector WILFREDO V. SY  
and Police Senior  
Superintendent ROBERTO V.  
FAJARDO, both of NATIONAL  
CAPITAL REGION-CRIMINAL  
INVESTIGATION AND  
DETECTION GROUP, (NCR-  
CIDG), HON. DONALD LEE, in  
his official capacity as the  
City Prosecutor of Quezon  
City, ACP NANETTE M.  
AUSTRIA, in her official  
capacity as Prosecutor I of  
OCP of Quezon City, HON.  
JORGE GALVEZ CATALAN,  
JR., in his official capacity as**

14 NOV 2014

CERTIFIED TRUE COPY

Atty. EVANGELINE R. LLAMAS  
Division Clerk of Court

<sup>1</sup> Vice J. Zalameda per Office Order No. 242-14-ABR dated May 23, 2014.

**the City Prosecutor of Makati City, ACP MARK ANTHONY A. ATIENZA, in his official capacity as Prosecution I of OCP, Makati City, ACP JOSELITO R. OBEJAS, in his official capacity as Acting Prosecutor of Makati City (pursuant to DOJ Department Order No. 347), and HON. LEILA M. DE LIMA, in her official capacity as Secretary of Justice.**

*Respondents.*

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## **R E S O L U T I O N**

**DIY, J:**

In a Resolution<sup>2</sup> dated September 25, 2014, this Court granted petitioner's *urgent prayer for the issuance of a Writ of Preliminary Injunction (WPI)* and directed additional respondents to file *Comment and/or Opposition* to petitioners' *Omnibus Motion*, the dispositive portion<sup>3</sup> of which reads:

1. *In the interest of justice, respondents' Motion to Admit with Leave of Court is hereby **GRANTED**, and the attached Comment/Opposition to petitioners' Omnibus Motion, although filed beyond the period afforded to respondents, is **ADMITTED**.*
2. *Petitioners' Omnibus Motion is **PARTIALLY GRANTED**. The Supplemental Petition for Certiorari is likewise **ADMITTED**.*
3. *Before taking any action on the petitioners' prayer for inclusion of additional respondents in the coverage of the injunctive relief issued by this Court, additional respondents, namely, **Hon. DONALD LEE, in his official capacity as the City Prosecutor of Quezon City, Hon. NANETTE M. AUSTRIA, in her official capacity as Prosecutor I of the Office of the City***

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<sup>2</sup> Rollo, pp. 815-825.

<sup>3</sup> *Ibid.*, pp. 824-825.

**Prosecutor of Quezon City, Hon. JORGE GALVEZ CATALAN, JR., in his official capacity as the City Prosecutor of Makati City, Hon. MARK ANTHONY ATIENZA, in his official capacity as Prosecutor I of the Office of the City Prosecutor of Makati City, Hon. JOSELITO R. OBEJAS, in his official capacity as Acting City Prosecutor of Makati City, per Department Order No. 347, and Hon. LEILA DE LIMA, in her official capacity as Secretary of the Department of Justice, are hereby GIVEN** a non-extendible period of ten (10) days from notice, within which to file Comment and/or Opposition to petitioners' Supplemental Petition, and stating why injunctive relief should not issue as far as they are concerned. After the lapse of the given period, with or without the required comment and/or opposition, this Court will consider the pending incident submitted for resolution.

Accordingly, let a copy of this Resolution be served personally upon the above-mentioned additional respondents.

**SO ORDERED.**

On October 8, 2014, petitioners filed a *Motion for Leave to File and Admit Attached Motion to Expunge with Reply*.<sup>4</sup> In the instant *Motion to Expunge with Reply*,<sup>5</sup> petitioners pray unto this Court: (a) to grant their *Motion for Leave to File Reply*; (b) to admit the attached *Reply* to respondents police officers' *Comment/Opposition* to the *Omnibus Motion*; (c) to expunge said respondents' *Comment/Opposition* from the records of this case; (d) to immediately resolve petitioners' *Omnibus Motion* [1. *For Leave to File and to Admit the Attached Supplemental Petition for Certiorari*; and 2. *To Include Additional Respondents in the Coverage of the TRO Issued Pursuant to the Resolution dated June 16, 2014*] dated June 18, 2014, and admit the *Supplemental Petition*; and (e) to render judgment on petitioners' *Petition for Certiorari and Prohibition* dated November 25, 2013 and *Supplemental Petition for Certiorari and Prohibition (With Urgent Application for the Issuance of a Temporary Restraining Order and/or Writ of Preliminary Prohibitory and Mandatory Injunction)* dated June 18, 2014 by granting the relief prayed for therein.

<sup>4</sup> *Ibid.*, pp. 826-828.

<sup>5</sup> *Ibid.*, pp. 830-840.

Per CMIS Verification report dated October 21, 2014, no Comment and/or Opposition to *Supplemental Petition* had been filed by the additional respondents as of this date.

### ***The Ruling of the Court***

Considering that the period afforded to the additional respondents within which to file comment and/or opposition to the *Supplemental Petition* had lapsed without said respondents having filed the required comment and/or opposition, it can be correctly construed as a waiver on their part of the right to file the same. Thus, the Court may now rule on the issue of propriety of inclusion of the additional respondents in the coverage of the injunctive relief prayed for.

At the outset, it has been shown to the satisfaction of this Court that petitioners have demonstrated a clear and unmistakable right threatened by the assailed search warrants since the seized and confiscated items from the perceived unlawful and illegal search are now being utilized by respondents in the filing of numerous criminal complaints against petitioners. Accordingly, the Court granted injunctive relief in order to preserve the status quo and prevent further injury caused upon petitioners until the merits of the main petition can be resolved.

However, despite the Temporary Restraining Order (TRO) issued by this Court on July 16, 2014 as well as the Writ of Preliminary Injunction (WPI) on August 5, 2014, the public prosecutors concerned, particularly the Prosecutors of the City of Makati and Quezon City, continued and proceeded with the conduct of preliminary investigations on the basis of the very same items seized and confiscated on the strength of Search Warrant No. 13-160-MN, Search Warrant No. 13-161-MN, Search Warrant No. 13-162-MN, and Search Warrant No. 13-163-MN, all issued by public respondent Judge Zaldy B. Docena of Branch 170, Regional Trial Court of Malabon, which are now being assailed before this Court via the instant petition for *certiorari* and prohibition.

After a careful scrutiny of the parties' positions and arguments in their respective pleadings, We find that the aforestated preliminary investigations conducted by the public prosecutors concerned in relation to the subsequent criminal complaints emanating from the assailed search warrants should be within the coverage of the Writ of Preliminary Injunction (WPI) issued by this Court on August 5, 2014, considering that it is the same preliminary investigations which were sought to be enjoined and restrained by petitioners. Thus, it is deemed proper to include the foregoing action by said public prosecutors within the coverage of the injunctive writ. A contrary ruling would render the grant of injunctive relief incomplete, if not downright futile.

Parenthetically, in consonance with Our Writ of Preliminary Injunction dated August 5, 2014, the additional respondents named in the *Supplemental Petition*, including their agents, representatives, or other persons acting for and in their behalf, should be enjoined from the further enforcement, implementation, and conduct of proceedings relative to Search Warrant No. 13-160-MN, Search Warrant No. 13-161-MN, Search Warrant No. 13-162-MN, and Search Warrant No. 13-163-MN, all issued by Branch 170, Regional Trial Court of Malabon, and all items seized pursuant thereto.

Going now to petitioners' *Motion for Leave to File and Admit Attached Motion to Expunge with Reply*, after a careful examination of petitioners' arguments raised therein, We resolve to **PARTIALLY GRANT** the same, and **ADMIT** the attached *Reply* to respondents' *Comment/Opposition to Omnibus Motion*. However, in the interest of substantial of justice, We resolve to **DENY** petitioners' *Motion to Expunge* respondents' *Opposition to Petitioners' Omnibus Motion and Comment to the Supplemental Petition* filed beyond the period afforded them considering that such prayer for expunction has already been rendered moot in view of Our Resolution dated September 25, 2014 granting respondents' *Motion to Admit with Leave of Court* and subsequently admitting their attached *Comment/Opposition*.

In the interest of justice and fairness, We hold and opine that the inclusion of respondents' *Comment* and *Opposition* in

the record is necessary for the full ventilation of their case on the merits, considering that its admission will not in any way prejudice the interest and defeat the substantive rights of petitioners. This is in line with the principle that cases should be decided only after giving all parties the chance to argue their causes and defenses.<sup>6</sup>

Further, it is the aim of the Court to come up with judgment after a careful and intelligent consideration of the facts. Hence, matters which aid in the better, if not total, evaluation of the antecedents are given due respect.

In the final analysis, We observe that the parties have already made extensive discussions concerning the merits of the case in all their pleadings filed before Us, which is an indication that they have already amplified their respective positions to the main petition. Thus, We deem it wise to consider the instant case submitted for decision.

**WHEREFORE**, the Court resolves as follows:

1. Petitioners' *Motion for Leave to File and Admit Attached Motion to Expunge with Reply* is hereby **GRANTED**, and the attached *Reply* to respondents' *Comment/Opposition to Omnibus Motion* is **ADMITTED**.

2. In the interest of substantial justice, petitioners' *Motion to Expunge* respondents' *Opposition to Petitioners' Omnibus Motion and Comment to the Supplemental Petition* is **DENIED**.

3. The CMIS Verification report dated October 21, 2014 stating that no *Comment and/or Opposition to Supplemental Petition* had been filed by additional respondents as of said date is hereby **NOTED**. This is construed as a waiver on their part of the right to file said *Comment and/or Opposition*.

Accordingly, let an Amended Writ of Preliminary Injunction be issued enjoining original respondents, namely,

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<sup>6</sup> *Benedicto v. Lacson*, G.R. No. 141508, May 5, 2010.



Hon. ZALDY B. DOCENA, in his capacity as the Presiding Judge of the Regional Trial Court of Malabon City, Branch 170, Police Chief Inspector WILFREDO V. SY and Police Senior Superintendent ROBERTO V. FAJARDO, both of NATIONAL CAPITAL REGION-CRIMINAL INVESTIGATION AND DETECTION GROUP (NCR-CIDG), and the additional respondents, namely, Hon. DONALD LEE, in his official capacity as the City Prosecutor of Quezon City, Hon. NANETTE M. AUSTRIA, in her official capacity as Prosecutor I of the Office of the City Prosecutor of Quezon City, Hon. JORGE GALVEZ CATALAN, JR., in his official capacity as the City Prosecutor of Makati City, Hon. MARK ANTHONY ATIENZA, in his official capacity as Prosecutor I of the Office of the City Prosecutor of Makati City, Hon. JOSELITO R. OBEJAS, in his official capacity as Acting City Prosecutor of Makati City, per Department Order No. 347, and Hon. LEILA DE LIMA, in her official capacity as Secretary of the Department of Justice, and/or agents, representatives, or other persons acting for and in their behalf, or under their command and authority, from the further enforcement, implementation, and conduct of **all proceedings** relative to Search Warrant No. 13-160-MN, Search Warrant No. 13-161-MN, Search Warrant No. 13-162-MN, and Search Warrant No. 13-163-MN, all issued by Branch 170, Regional Trial Court of Malabon, and all items seized pursuant thereto, pending the final resolution of this petition. The surety bond previously filed by petitioners for the issuance of the TRO shall continue to serve as the bond for the Amended WPI.

Considering that the parties have already amplified their positions to the main petition in their respective pleadings, the Court shall now consider the instant *Petition for Certiorari and Prohibition* **SUBMITTED for DECISION.**

**SO ORDERED.**

**ORIGINAL SIGNED**

**MARIA ELISA SEMPIO DIY**  
*Associate Justice*

**WE CONCUR:**

**ORIGINAL SIGNED**  
**RAMON M. BATO, JR.**  
*Associate Justice*

**ORIGINAL SIGNED**  
**SAMUEL H. GAERLAN**  
*Associate Justice*

**REPUBLIC OF THE PHILIPPINES  
COURT OF APPEALS  
Manila**

**FORMER SPECIAL SEVENTEENTH DIVISION**

**DE JANEIRO GLOBAL SOLUTIONS  
BPO INC., et. al.,**

Petitioners,

-versus-

CA-G.R. SP NO. 132860

**Hon. ZALDY B. DOCENA, in his capacity as  
PRESIDING JUDGE OF THE REGIONAL  
TRIAL COURT OF MALABON CITY,  
BRANCH 170, et. al.,**

Respondents.

X ----- X

**AMENDED WRIT OF PRELIMINARY INJUNCTION**

TO: **HON. ZALDY B. DOCENA, in his capacity as  
PRESIDING JUDGE OF THE REGIONAL  
TRIAL COURT of MALABON CITY, BR. 170,**

**POLICE CHIEF INSPECTOR WILFREDO V. SY,  
Senior Supt. ROBERTO FAJARDO,**

**NATIONAL CAPITAL REGION-CRIMINAL  
INVESTIGATION AND DETECTION GROUP,**

**Hon. DONALD LEE, City Prosecutor of Quezon City,  
Hon. NANETTE M. AUSTRIA, Prosecutor I  
Office of the City Prosecutor of Quezon City,**

**Hon. JORGE GALVEZ CATALAN, JR.,  
City Prosecutor of Makati City,  
Hon. MARK ANTHONY ATIENZA,  
Prosecutor I, Office of the City Prosecutor of Makati City,  
Hon. JOSELITO R. OBEJAS,  
Acting City Prosecutor of Makati City,**

and

**Hon. LEILA DE LIMA,  
Secretary of the Department of Justice**

**G R E E T I N G S :**

**Whereas on May 29, 2014 a Resolution was promulgated, the  
dispositive portion of which reads as follows:**

“ Accordingly, let a Temporary Restraining Order  
(TRO) be ISSUED enjoining herein respondents and/or  
agents, representatives, or other persons acting for and in  
their behalf, only from the further enforcement,  
implementation, and conduct of proceedings relative to  
Search Warrant No. 13-160-MN, Search Warrant No. 13-  
161-MN, Search Warrant No. 13-162-MN, and Search  
Warrant No. 13-163-MN, all issued by Branch 170,

Regional Trial Court of Malabon, and all items seized pursuant thereto, conditioned upon the posting of a bond by petitioners in the amount of FIVE HUNDRED THOUSAND PESOS (Php500,000.00) to compensate for all damages which the government may suffer by reason of the issuance of the injunctive relief should We finally decide that petitioners-applicants are not entitled thereto.

On the matter of the propriety of the issuance of the Writ of Preliminary Injunction (WPI), the parties are DIRECTED to file their respective memoranda within fifteen (15) days from notice.

Let the parties and respective counsel be notified accordingly.

Lastly, the parties are DIRECTED to notify this Court of the pendency of any other cases and proceedings involving the same parties and issues pending before this Court or other courts pursuant to A.M. No. CA-13-51-J dated July 2, 2013.

SO ORDERED."

**Whereas on June 16, 2014 a Temporary Restraining Order was issued after the surety bond posted by the petitioners in the amount of FIVE HUNDRED THOUSAND PESOS (Php500,000.00) was approved by the Court;**

**Whereas today, August 5, 2014, a Resolution was promulgated, the dispositive portion of which reads as follows:**

WHEREFORE, the Court resolves as follows:

1. Respondents' Motion for Extension of Time, praying for an extension of fifteen (15) days within which to file memorandum is GRANTED.
2. Petitioners' Motion for Additional Time to File Memorandum is GRANTED.
3. Petitioners' Compliance and Manifestation as well as Urgent Motion to Resolve are NOTED.
4. Petitioners' Memorandum (In support of the Application for the issuance of a Writ of Preliminary Injunction) is ADMITTED.
5. In the interest of justice, respondents' Memoranda is ADMITTED.
6. Petitioners' urgent prayer for the issuance of a writ of preliminary injunction is GRANTED.
7. Respondents are hereby DIRECTED to file Comment and/or Opposition to petitioners' Omnibus Motion (1. For Leave to File and to Admit the Attached Supplemental Petition for Certiorari; and 2. To Include Additional Respondents in the coverage of the TRO issued pursuant to the Resolution dated June 16, 2014) within ten (10) days from receipt of this Resolution. With or without the filing thereof after the lapse of the period given, the matter shall be submitted for resolution.

Accordingly, let a Writ of Preliminary Injunction be issued enjoining respondents, and/or agents, representatives, or other

persons acting for and in their behalf, or under their command and authority, from the further enforcement, implementation, and conduct of all proceedings relative to Search Warrant No. 13-160-MN, Search Warrant No. 13-161-MN, Search Warrant No. 13-162-MN, and Search Warrant No. 13-163-MN, all issued by Branch 170, Regional Trial Court of Malabon, as well as all items seized pursuant thereto, pending the final resolution of this petition. The surety bond previously filed by the petitioners for the issuance of the TRO shall continue to serve as the bond for the WPI.  
SO ORDERED.”

**Whereas today, November 14, 2014, a Resolution was promulgated, the dispositive portion of which reads as follows:**

“WHEREFORE, the Court resolves as follows:

1. Petitioners' *Motion for Leave to File and Admit Attached Motion to Expunge with Reply* is hereby GRANTED, and the attached *Reply to respondents Comment/Opposition to Omnibus Motion* is ADMITTED.

2. In the interest of substantial justice, petitioners' *Motion to Expunge respondents' Opposition to Petitioners' Omnibus Motion and Comment to Supplemental Petition* is DENIED.

3. The CMIS Verification report dated October 21, 2014 stating that no *Comment and/or Opposition to Supplemental Petition* had been filed by additional respondents as of said date is hereby NOTED. This is construed as waiver on their part of the right to file said Comment and/or Opposition.

Accordingly, let an Amended Writ of Preliminary Injunction be issued enjoining original respondents, namely, Hon. Zaldy B. Docena, in his capacity as the Presiding Judge of the Regional Trial Court of Malabon City, Branch 170, Police Chief Inspector WILFREDO V. SY and Police Senior Superintendent ROBERTO V. FAJARDO, both of NATIONAL CAPITAL REGION-CRIMINAL INVESTIGATION AND DETECTION GROUP (NCR-CIDG), and the additional respondents, namely, Hon. DONALD LEE, in his official capacity as the City Prosecutor of Quezon City, Hon. NANETTE M. AUSTRIA, in her official capacity as Prosecutor I of the Office of the City Prosecutor of Quezon City, Hon. JORGE GALVEZ CATALAN, JR., in his official capacity as the City Prosecutor of Makati City, Hon. MARK ANTHONY ATIENZA, in his official capacity as Prosecutor I of the Office of the City Prosecutor of Makati City, Hon. JOSELITO R. OBEJAS, in his official capacity as Acting City Prosecutor of Makati City, per Department Order No. 347, and Hon. LEILA DE LIMA, in her official capacity as Secretary of the Department of Justice, and/or agents, representatives, or other persons acting for and in their behalf, or under their command and authority, from the further enforcement, implementation, and conduct of all proceedings relative to Search Warrant No. 13-160-MN, Search Warrant No. 13-161-MN, Search Warrant No. 13-162-MN, and Search Warrant No. 13-163-MN, all issued by Branch 170, Regional Trial Court of Malabon, and all items seized pursuant thereto, pending the final resolution of this petition. The surety bond previously filed by petitioners for the issuance of the TRO shall continue to serve as the bond for the Amended WPI.

Considering that the parties have already amplified their positions to the main petition in their respective pleadings, the Court shall now consider the instant Petition for Certiorari and Prohibition SUBMITTED for DECISION.

SO ORDERED.”

**NOW THEREFORE, YOU, respondents Hon. ZALDY B. DOCENA, as Presiding Judge of the Regional Trial Court of Malabon City, BR. 170, Police Chief Inspector WILFREDO V. SY, Senior Supt. ROBERTO FAJARDO and the NATIONAL CAPITAL REGION - CRIMINAL INVESTIGATION AND DETECTION GROUP, and the additional respondents, namely, Hon. DONALD LEE, in his official capacity as the City Prosecutor of Quezon City, Hon. NANETTE M. AUSTRIA, in her official capacity as Prosecutor I of the Office of the City Prosecutor of Quezon City, Hon. JORGE GALVEZ CATALAN, JR., in his official capacity as the City Prosecutor of Makati City, Hon. MARK ANTHONY ATIENZA, in his official capacity as Prosecutor I of the Office of the City Prosecutor of Makati City, Hon. JOSELITO R. OBEJAS, in his official capacity as Acting City Prosecutor of Makati City, per Department Order No. 347, and Hon. LEILA DE LIMA, in her official capacity as Secretary of the Department of Justice and/or any of the officers, representatives, agents and any other person/agency assisting or acting for and in behalf of the respondents are ENJOINED from the further enforcement, implementation, and conduct of proceedings relative to Search Warrant No. 13-160-MN, Search Warrant No. 13-161-MN, Search Warrant No. 13-162-MN, and Search Warrant No. 13-163-MN, all issued by Branch 170, Regional Trial Court of Malabon, and all items seized pursuant thereto, pending the final resolution of this petition. The surety bond previously posted by the petitioners for the issuance of the TRO shall continue to serve as the bond of this WPI.**

**WITNESS, the HON. RAMON M. BATO, JR. Chairperson, the HON. SAMUEL H. GAERLAN and the HON. MARIA ELISA SEMPIO DIY, Members, Sixteenth Division, Court of Appeals, this 14<sup>th</sup> day of November, 2014, at the City of Manila, Philippines.**

  
**ATTY. EVAGELINE R. LLAMAS**  
Division Clerk of Court.

Copy furnished:

**Atty. James Gerard M. Baello – per.**  
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No. 66 West Ave., 1100 Quezon City

**Hon. Presiding Judge – per.**  
RTC, Branch 170  
1470 Malabon City

**Police Chief Insp. Wilfredo V. Sy – per.**  
**Senior Supt. Roberto Fajardo – per.**  
Public Respondent  
NCR CIDG  
Camp Karingal, Sikatuna Village  
1101 Quezon City

**NCR CIDG – per.**  
Camp Karingal, Sikatuna Village  
1101 Quezon City

**Hon. DONALD LEE -per.**  
**City Prosecutor of Quezon City,**

**Hon. NANETTE M. AUSTRIA, Prosecutor I -per.**  
**Office of the City Prosecutor of Quezon City,**

**Hon. JORGE GALVEZ CATALAN, JR., -per.**  
**City Prosecutor of Makati City**

**Hon. MARK ANTHONY ATIENZA -per.**  
**Prosecutor I, Office of the City Prosecutor of Makati City**

**Hon. JOSELITO R. OBEJAS, -per.**  
**Acting City Prosecutor of Makati City**

**Hon. LEILA DE LIMA -per.**  
**Secretary of the Department of Justice**

**De Janeiro Global Solutions BPO, Inc. - per**  
Petitioner  
11<sup>th</sup> Floor, Eton One Cyberpod Centris  
Quezon Ave. cor. EDSA  
1100 Quezon City

**Spectrogen Corporation – per**  
Petitioner  
22<sup>nd</sup> Floor, Enterprise Tower 2  
6766 Ayala Ave. cor. Paseo de Roxas Ave.  
1226 Makati City  
or  
25<sup>th</sup> Floor, Yuchengco Tower 1, RCBC Plaza  
6819 Ayala Ave., 1226 Makati City

**Tyche Consulting Limited Philippines**  
**Regional Operating Headquarters – per**  
Petitioner  
15<sup>th</sup> Floor, Yuchengco Tower 2, RCBC Plaza  
6819 Ayala Ave., 1200 Makati City