



Republic of the Philippines Supreme Court Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated June 14, 2023 which reads as follows:

"A.C. No. 13582 [Formerly CBD Case No. 18-5747] (Maria Claudia Belinda Candano-Lim v. Attys. Howard M. Calleja, Beatrice Aurora A. Vega, Alfredo Bentulan Jr., Jeanina Melle A. Zoreta-Bedural). — This resolves the Complaint for Disbarment (Complaint)¹ filed by Maria Claudia Belinda Candano-Lim (complainant) against Attys. Howard M. Calleja (Atty. Calleja), Beatrice Aurora A. Vega (Atty. Vega), Alfredo Bentulan Jr., (Atty. Bentulan, Jr.) Jeanina Melle A. Zoreta-Bedural (Atty. Zoreta-Bedural) (respondents, collectively) for allegedly misrepresenting the address of their client, David Dy-Lim (Dy-Lim).

Antecedents

On 24 November 2015, Dy-Lim filed a Petition² for Absolute Declaration of Absolute Nullity of his marriage to complainant (nullity of marriage case). Respondents Attys. Calleja, Vega and Bentulan, Jr., signed as Dy-Lim's counsel, and stated that their address is at Unit 1903-A, West Tower, Philippine Stock Exchange Center, Exchange Road, Ortigas Center, Pasig City (1903 address). The case was filed in the Regional Trial Court (RTC) of Pasig City, Branch 162, docketed as JRDC Case No. 11130-J.³ In his petition, Dy-Lim alleged that:

Petitioner is of legal age, Filipino, and with postal address at Unit 2904-C West Tower Philippine Stock Exchange Center, Exchange Road, Ortigas Center, Pasig City.⁴

- over – twelve (12) pages ...

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¹ *Rollo*, pp. 2-13.

² Id. at 16-37.

³ Id.

⁴ Id. at 16.

For purposes of payment of docket fees, Dy-Lim claimed that there were only two conjugal properties worth \$\mathbb{P}\$15.3 million pesos.5

Complainant filed an Answer with Counter-Petition⁶ where she disputed Dy-Lim's allegation on conjugal properties, and instead claimed that there are 15 properties in the conjugal estate, amounting to ₱186.8 million. She prayed that the petition be dismissed for failure to pay the correct amount of docket fees. Upon motion, an Amended Petition⁷ dated 27 April 2016 was filed amending the worth of the conjugal estate to ₱173,350,000.00 (first amended petition). This first amended petition was signed by Atty. Calleja.⁸

During the hearing on 14 September 2016, the parties made their respective manifestations and admissions. They both agreed that the properties not listed in the amended petition were to be considered paraphernal in character.⁹

Later on, another amended petition¹⁰ dated 21 September 2016 was filed, but signed by Atty. Zoreta-Bedural as counsel (second amended petition).

Complainant sought,¹¹ and the trial court granted,¹² permission to sell a property, Unit 15-A at Foggy Heights Subdivision in Tagaytay (Tagaytay property). This property was not one of those listed in the amended petition as part of the conjugal estate. Dy-Lim opposed the sale, and questioned the trial court's action in permitting the sale before the Court of Appeals (CA).¹³ The CA upheld the sale of the Tagaytay property.¹⁴

Meanwhile, Dy-Lim and his lawyer, Atty. Rowena Soriano-Dionisio (Atty. Soriano-Dionisio) caused the annotation of *Lis Pendens*¹⁵ on the titles of the Tagaytay Property before the Register of Deeds of Tagaytay City. 16

Arguing that the annotation of *lis pendens* contradicted the trial court's order allowing the sale of the Tagaytay property, complainant filed a petition for indirect contempt¹⁷ against Dy-Lim and Atty. Soriano-Dionisio. The complaint alleged that Dy-Lim's address is Unit 2904-C, West Tower, Philippine Stock Exchange Center, Exchange Road, Pasig City (2904)

⁵ Id.

⁶ Id. at 54-82.

⁷ Id. at 119-142.

⁸ Id.

⁹ Id. at 186.

¹⁰ Id. at 151-177.

¹¹ Id. at 189

¹² Id. at 199-200.

¹³ Id. at 213-240.

¹⁴ Id. at 272-274.

¹⁵ Id. at 277.

¹⁶ Id.

¹⁷ Id. at 306-312.

address), while Atty. Soriano-Dionisio's address is Unit 1903-A, West Tower, Philippine Stock Exchange Center, Exchange Road, Pasig City, similar to the addresses given in the original petition.¹⁸

When the sheriff tried to serve the petition for indirect contempt at the 2904 and 1903 addresses, he was told that those were not Dy-Lim and Atty. Soriano-Dionisio's addresses.¹⁹ The Server's Return of Summons stated that:

Server's Return of Summons

UNDERSIGNED PROCESS SERVER, unto this Honorable Court most respectfully submit this Report on the Summons issued in the above-captioned matter. This is to certify that:

On March 14, 2018 in the morning, undersigned caused the service of summons dated March 12, 2018 together with the complaint and its annexes, to defendant David Dy Lim at No. 67 Polk St., North Greenhills, Greenhills, San Juan City, but failed because defendant David Lim is no longer residing at the given address. On even date, the undersigned went to defendant second address at Unit 2904-C, West Tower, Philippine Stock Exchange Center, Exchange Road, Pasig City but again failed. As per information of Atty. Howard Calleja, the owner of the said Law office, defendant David Lim is not residing or holding office thereat. Summons was not properly served. Also, the undersigned counsel caused the service of summons to respondent Rowena L. Soriano-Dionisio, c/o Calleja Law Office at Unit 1903-A, West Tower, PSE Center, Exchange Road, Pasig City, again summons was not received, as per information of Ms. Riza Bermejo, Unit 1903-A is an accounting firm, not a law firm.

Hence, Summons is hereby returned to this Honorable Court of origin, "UNSERVED" for the record and information.²⁰

Hence, the instant administrative complaint. Complainant argued that respondents deliberately used a false address in the nullity petition to vest the RTC of Pasig City with jurisdiction. By virtue of respondents' misrepresentation, they prevented the valid service of summons on Dy-Lim and Dionisio and mocked the judicial process. She alleged that such act constitutes as deceit, and is a violation of the lawyer's oath commanding lawyers not to do any falsehood. Thus, she prayed that respondents be disbarred.²¹

Meanwhile, for their part, respondents²² argued that there is no deceit or misrepresentation. They claimed that the address of Calleja Law Office is Unit 2904-C, West Tower, Philippine Stock Exchange Center, Exchange Road, Pasig City, and they never claimed that the same is Dy-Lim's address.

¹⁸ Id.

¹⁹ Id.

²⁰ Id. at 313.

²¹ Id. at 2-13.

²² See Verified Answer, copy attached to the *rollo*.

They alleged that complainant was aware that Dy-Lim's residential address since 15 September 2015 has been Unit 4005 Marco Polo Ortigas, Meralco Avenue, Ortigas Center, Brgy. San Antonio, Pasig City (Marco Polo address). This address has allegedly been indicated in the pieces of evidence submitted during the preliminary investigation of a related concubinage case between the parties. Likewise, complainant allegedly knows Dy-Lim's office address at Commodity Quest, Incorporated, Unit 2406, Unionbank Plaza, Meralco Avenue corner Onyx Road, Ortigas Center, Pasig City.²³

Report and Recommendation of the Integrated Bar of the Philippines

On 21 June 2019, the Investigating Commissioner issued a Report and Recommendation²⁴ finding that the administrative complaint be dismissed.

Meanwhile, the Integrated Bar of the Philippines-Board of Governors (IBP-BOG), in a Resolution²⁵ dated 28 August 2021, reversed the Investigating Commissioner and recommended that respondents be suspended from the practice of law. The IBP Resolution reads:

RESOLUTION NO. CBD-XXV-2021-08-35
CBD Case No. 18-5747
Maria Claudia Belinda Candano Lim vs.
Atty. Howard M. Calleja,
Atty. Beatrice Aurora A. Vega,
Atty. Alfredo Bentulan Jr.,
Atty. Jeanina Melle A. Zoreta-Bedural

RESOLVED to REVERSE, as it is hereby REVERSED, the Report and Recommendation of the Investigating Commissioner in the instant case, and to recommend instead the imposition against Respondent Atty. Howard M. Calleja, the penalty of SUSPENSION from the practice of law for one (1) year, and against respondents Atty. Beatrice Aurora A. Vega, Atty. Alfredo L. Bentulan, Jr., and Atty. Jeanina Melle A. Zoreta-Bedural, the penalty of SUSPENSION from the practice of law for Three (3) Months.²⁶

In the extended resolution, the IBP-BOG faulted respondents for failing to indicate Dy-Lim's Marco Polo address in the amended petition dated 27 April 2016 if they had knowledge of the same as early as 15 September 2015. The IBP-BOG also noted that respondents alleged in the petition and

²³ Id.

See Report and Recommendation dated 21 June 2019; penned by Michael G. Fabunan; copy attached to the rollo.

See Notice of Resolution dated 28 August 2021; signed by Assistant National Secretary Jose Angel B. Guidote Jr.; copy attached to the *rollo*.

²⁶ Id

amended petition that their address is Unit 1903-A West Tower, Philippine Stock Exchange Center, Exchange Road, Pasig City but stipulated in the mandatory conference that their office address is Unit 2904 West Tower, Philippine Stock Exchange Center, Exchange Road, Pasig. The IBP-BOG found these acts indicative of misrepresentation, and violative of Rules 1.01²⁷ of and 10.01²⁸ the Code of Professional Responsibility.

Issue

The sole issue here is whether respondents should be held administratively liable based on the allegations in the complaint.

Ruling of the Court

Indicating one's professional information in the pleadings and papers filed before the courts serve to effectuate not only due process, but also make court processes credible, organized and efficient. A counsel's address, specifically, ensures that litigants are notified of incidents or developments in their cases. In this case, this Court is tasked to determine whether respondents use of two (2) addresses in their pleadings is a culpable error reflecting their unfitness as members of the Bar.

In this case, an examination of the record of the case reveals that there are indeed discrepancies in Dy-Lim and the respondents' addresses, *viz*.:

Pleading	Dy-Lim's stated address	Respondents' address
Petition for declaration of absolute nullity of marriage dated 23 November 2015 ²⁹	2904 address	1903 address
Reply with opposition to the counter-petition dated 11 March 2016 ³⁰		2904 address
Supplemental Reply dated 12 April 2016 ³¹		2904 address
Amended Petition dated 27 April 2016 ³²	2904 address	1903 address

²⁷ Rule 1.01 - A lawyer shall not engage in unlawful, dishonest, immoral or deceitful conduct.

Rule 10.01 - A lawyer shall not do any falsehood, nor consent to the doing of any in Court; nor shall he mislead, or allow the Court to be misled by any artifice.

²⁹ Rollo, pp. 16-36.

³⁰ Id. at 87-95. Note that in the verification and certification David's address is the 2904 address.

³¹ Id. at 102-104.

³² Id. at 119-142.

Compliance dated 21 September 2016 ³³		1903 address
Amended Petition dated 21 September 2016 ³⁴		1903 address
Opposition dated 9 February 2017 ³⁵		2904 address
Motion for Reconsideration dated 3 April 2017 ³⁶		2904 address
Petition for Certiorari with the Court of Appeals dated 7 August 2017 ³⁷	Marco Polo address	2904 address
Motion for Reconsideration with Compliance dated 18 April 2017 ³⁸		2904 address
Compliance with Motion to Set Aside Writ of Execution		2904 address

In their Verified Answer,³⁹ respondents claim that their address is Unit 2904-C West Tower, Philippine Stock Exchange, Exchange Road, Pasig City. If such allegation were believed to be true, then, as can be gleaned from the table above, the indicated address in the petition for declaration of nullity of marriage, its amended versions, and the Compliance dated 21 September 2016, were indeed not true.⁴⁰

Respondents, however, blame complainant and counsel, arguing that they erroneously caused the service of the petition and summons to their law office address. They claim that the complainant should have personally served the papers to Dy-Lim, since contempt proceedings are to be treated separately from the main case. They further argue that even substituted service would not be warranted because there is no proof that the sheriff was unable to serve the papers in person to Dy-Lim and Atty. Soriano-Dionisio. Further, respondents argue that complainant cannot claim that respondent Calleja used his own office address to conceal Dy-Lim's true address. Respondents allege that complainant knew Dy-Lim's residential and office addresses, and should have furnished him copies of the petition in those locations.

We clarify. While it is true that contempt proceedings are treated independently from the main case, it is not a distinct nor a completely unrelated case. It may arise from main case, though based from a separate cause of action, and governed by a different set of principles. Thus, this Court finds that the complainant cannot be faulted for not strictly following the same process in initiating ordinary civil or criminal proceedings. In *Silverio*, *Sr. v. Silverio*, *Jr.*, 41 the Court explained the procedure in contempt

³³ Id. at 149-150.

³⁴ Id. at 151-177.

³⁵ Id. at 195-198.

³⁶ Id. at 201-205.

Id. at 201 203.
 Id. at 213-240, note that the attached Verification and Certification states that David's address is the 2904 address.

³⁸ Id. at 248-254.

³⁹ Copy attached to the rollo.

⁴⁰ Id.

⁴¹ Silverio, Sr. v. Silverio, Jr., 739 Phil. 136, 146-147 (2014).

proceedings, viz.:

Sections 3 and 4, Rule 71 of the Rules of Court, specifically [outline] the procedural requisites before the accused may be punished for indirect contempt. First, there must be an order requiring the respondent to show cause why he should not be cited for contempt. Second, the respondent must be given the opportunity to comment on the charge against him. Third, there must be a hearing and the court must investigate the charge and consider respondent's answer. Finally, only if found guilty will respondent be punished accordingly. The law requires that there be a charge in writing, duly filed in court, and an opportunity given to the person charged to be heard by himself or counsel. What is most essential is that the alleged contemner be granted an opportunity to meet the charges against him and to be heard in his defenses. This is due process, which must be observed at all times.

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In contempt proceedings, the prescribed procedure must be followed. To be sure, since an indirect contempt charge partakes the nature of a criminal charge, conviction cannot be had merely on the basis of written pleadings. A respondent in a contempt charge must be served with a copy of the motion/petition. Unlike in civil actions, the Court does not issue summons on the respondent. While the respondent is not required to file a formal answer similar to that in ordinary civil actions, the court must set the contempt charge for hearing on a fixed date and time on which the respondent must make his appearance to answer the charge. (Emphasis ours.)

Given the foregoing and since the contempt case arose from the principal action, the nullity of marriage case, the Court finds that service of the petition may validly be made to the defendant's counsel of record in the main case. In other words, considering the nature and factual circumstances under which the contempt charge arose, the complainant cannot be blamed for non-compliance with Section 6, Rule 14 on service of summons in person to the defendant. Instead, this Court finds that Rule 13 on service of papers and pleadings subsequent to the complaint applies, *viz*.:

Section 6. Personal service. — Service of the papers may be made by delivering **personally a copy to the party or his counsel,** or by leaving it in his office with his clerk or with a person having charge thereof. If no person is found in his office, or his office is not known, or he has no office, then by leaving the copy, between the hours of eight in the morning and six in the evening, at the party's or counsel's residence, if known, with a person of sufficient age and discretion then residing therein.

Nonetheless, even if this Court accepts the argument that service must be made in person, the fact still remains that they failed to account for the use of two addresses. This Court notes that complainant's Answer with CounterPetition⁴² was furnished to the 1903 address,⁴³ but despite the same not being respondents' office address, Calleja Law Office was still able to file a responsive pleading to complainant's counter-petition. Evidently, absent such explanation, respondents have been less than candid to this Court about its correct address. Their acts are thus inconsistent with Canon 10 of the Code of Professional Responsibility, which states that "[a] lawyer owes candor, fairness and good faith to the court, and Rule 10.01 which requires lawyers to not do any falsehood x x x or allow the court to be misled by any artifice." Neither can this Court sanction their acts under the New Code of Professional Responsibility and Accountability, which reiterated, in the following provisions, the mandate for lawyers to be truthful in their dealings:

SECTION 8. Prohibition against misleading the court, tribunal, or other government agency. — A lawyer shall not misquote, misrepresent, or mislead the court as to the existence or the contents of any document, argument, evidence, law, or other legal authority, or pass off as one's own the ideas or words of another, or assert as a fact that which has not been proven

$x \times x \times x$

SECTION 11. False representations or statements; duty to correct. — A lawyer shall not make false representations or statements. A lawyer shall be liable for any material damage caused by such false representations or statements.

A lawyer shall not, in demand letters or other similar correspondence, make false representations or statements, or impute civil, criminal, or administrative liability, without factual or legal basis.

A lawyer shall correct false or inaccurate statements and information made in relation to an application for admission to the bar, any pleading, or any other document as soon as its falsity or inaccuracy is discovered or made known to him or her. (n)

Court of Appeals, 44 this Court In Porac Trucking Corporation v. imposed a six-month suspension from practice to a lawyer for appearing, and representing himself as a lawyer for a party when in truth, there was no attorney-client relationship. In that case, the Court agreed with the respondent that the Judge's observation Investigating misrepresentation caused injury to the parties and damage to the proceedings, as it resulted in the acquisition of jurisdiction over the defendant Porac Trucking Corporation (Porac Trucking) despite its supposed non-receipt of summons. In the main case,45 this Court surmised that the elaborate scheme was devised to ensure the right to subrogation of Rico General Insurance in the event of a judgment favorable to Porac Trucking were to be rendered.

⁴² Rollo, pp. 54.

⁴³ Id. at 82.

⁴⁴ 279 Phil. 736 (1991).

⁴⁵ Porac Trucking, Inc. v. Court of Appeals, 262 Phil. 49, 56 (1990).

In United Overseas Bank Phils. v. Rosemoor Mining & Development Corp., 46 the Court ordered the respondent Bank's lawyers to explain the misrepresentation in their memorandum that the underlying loan contract was subject to two (2) mortgage agreements, instead of one. The Court concluded that there was deliberate misrepresentation given that the Bank prepared the single mortgage agreement, and that the lawyer who prepared the memorandum knew of the falsity of the allegation. 47

In *Intestate Estate of Jose Uy v. Atty. Maghari,* ⁴⁸ the Court disbarred the lawyer for using IBP, PTR and MCLE compliance numbers of other lawyers. The Court ruled that the manner and frequency of the respondent's errors manifested a malicious and deceitful intent on his part. The Court also discussed, citing *Juane v Garcia*, ⁴⁹ the importance of a counsel's address in aiding court's processes, citing *viz*.:

The time has come, we believe, for this Court to remind the members of the Bar that it is their inescapable duty to make of record their correct address in all cases in which they are counsel for a suitor. For, instances there have been in the past when, because of failure to inform the court of the change of address, litigations were delayed. And this, not to speak of inconvenience caused the other parties and the court. Worse still, litigants have lost their cases in court because of such negligence on the part of their counsel. It is painful enough for a litigant to suffer a setback in a legal battle. It is doubly painful if defeat is occasioned by his attorney's failure to receive notice because the latter has changed the place of his law office without giving the proper notice therefor. It is only when some such situation comes about that the negligent lawyer comes to realize the grave responsibility that he has incurred both to his client and to the cause of justice. It is then that the lawyer is reminded that in his oath of office he solemnly declared that he "will conduct" himself "as a lawyer according to the best of his knowledge and discretion." Too late. Experience indeed is a good teacher. To a lawyer, though, it could prove very expensive. 50 (Emphasis supplied.)

Based from the foregoing, it is apparent that a deliberate intent to mislead or deceive the court must likewise be established in order to hold an erring lawyer administratively culpable. Indeed, the lawyer's obligation to be candid and truthful to the courts is not merely an exercise of respect to the institution, but also serves to ensure that judicial proceedings are conducted fairly and efficiently. In this case, the use of two different addresses on record undoubtedly caused the confusion on the service of the contempt petition to Dy-Lim.

^{46 547} Phil. 38 (2007).

⁴⁷ Id. at 54.

⁴⁸ 768 Phil. 10, 26 (2015).

⁴⁹ 134 Phil. 747 (1968).

⁵⁰ Id. at 754.

Even so, this Court finds that complainant was unable to establish that the use of varying addresses was deceitful. Conduct that is "deceitful" means the proclivity for fraudulent and deceptive misrepresentation, artifice or device that is used upon another who is ignorant of the true facts, to the prejudice and damage of the party imposed upon.⁵¹ Deceitful conduct presupposes prior knowledge or reckless conduct, intent to cause damage and actual injury to the aggrieved party.⁵² Compared to the cases mentioned above, complainant failed to establish that respondents' use of two different addresses was motivated by ill-will, or was deliberately intended to mislead the trial court. Further, there is nothing in the records which would suggest that the error in the counsels' address was intended to conceal Dy-Lim's address. As stated in the table above, respondents have indicated Dy-Lim's residential address in the Petition for Certiorari filed before the Court of Appeals in 2017, way before the contempt proceedings were initiated in 2018. Verily, the trial court, in the contempt proceedings, also found no deliberate intent to deceive or defraud the court, when it issued its Order dated 15 November 2018,⁵³ stating:

With the manifestation coming from the counsel for the respondent, Atty. Howard M. Calleja, that indeed Summons can already be served at Commodity Quest (COMQUEST) which is willing to accept any Summons or any process of this Court, and considering that this is just a minor infraction to that effect, and even considered it as a mere misunderstanding as to where the Summons can be properly served, and considering further that the objective of the procedural laws are only to assist and to guide the Court and the parties to obtain justice, the Court and to parties to obtain justice, the Court is inclined to DENY due course to the petition for Indirect Contempt on the ground that the lacks merit.⁵⁴

Necessarily, disbarment or suspension is not commensurate to respondents' blunder. While the Supreme Court has the plenary power to discipline erring lawyers through this kind of proceedings, it does so in the most vigilant manner so as not to frustrate its preservative principle. The power to impose the most severe administrative punishment must be cautiously exercised, and should only be meted in cases where the transgressions clearly indicate the unfitness of the respondent as a member of the Bar. Nonetheless, this Court takes this occasion to also remind respondents and lawyers to be diligent and cautious in checking and reviewing pleadings and papers filed in court and served to parties to avoid a similar quandary in the future.

⁵¹ Aguinaldo v. Asuncion, Jr., A.C. No. 12086, 07 October 2020.

⁵² Id

⁵³ Copy attached in the rollo.

⁵⁴ Id.

⁵⁵ See Spouses Mariano v. Abrajano, A.C. No. 12690, 26 April 2021.

On this note, this Court deems it just to absolve Attys. Vega, Bentulan, Jr., and Zoreta-Bedural. The new Code of Professional Responsibility provides:

SECTION 11. Responsibility of a supervisory lawyer over a supervised lawyer. — A supervisory lawyer shall co-sign a pleading or other submission to any court, tribunal, or other government agency with a supervised lawyer. A supervisory lawyer shall be responsible for a violation of the CPRA by the supervised lawyer in any of the following instances:

- (a) the supervisory lawyer orders or directs the specific conduct or, with knowledge of the specific conduct, ratifies it; or
- (b) the supervisory lawyer knows of such conduct at a time when it could be prevented or its consequences avoided or mitigated, but fails to take reasonable remedial action; or
- (c) the supervisory lawyer should have known of the conduct so that reasonable remedial action could have been taken at a time when the consequences of the conduct could have been avoided or mitigated. (n)

A supervisory lawyer is a lawyer having direct supervisory authority over another lawyer, including a supervising lawyer under Rule 138-A of the Rules of Court. (ABA 5.1; R138-A)

In this case, this Court notes that as early as 2016, when the Calleja Law Office filed the reply with opposition to the counter-petition, Atty. Calleja, as the supervising lawyer, should have noticed that they indicated a different office address (2904 address) from the one in the first petition for declaration of nullity of marriage (1903 address), which they filed in 2015. Nevertheless, when the second amended petition was filed, which he solely signed,⁵⁶ the error was repeated. Certainly, Atty. Calleja was remiss in ensuring that the law firm's pleadings contain true and correct information.

WHEREFORE, respondent Atty. Howard M. Calleja is found GUILTY of violating Rule 10.01 of the Code of Professional Responsibility, as well as Sections 8 and 11 of the New Code of Professional Responsibility and Accountability. He is hereby REPRIMANDED WITH STERN WARNING that a repetition of the same or any similar offense shall be dealt with more severely by the Court. Meanwhile, the complaint against Attys. Beatrice Aurora A. Vega, Alfredo Bentulan, Jr. and Jeanina Melle A. Zoreta-Bedural is DISMISSED for lack of merit.

Let copies of this Resolution be attached to the personal records of respondent Atty. Howard M. Calleja and be furnished to the Office of the Bar Confidant and the Integrated Bar of the Philippines. The Court Administrator is **DIRECTED** to **CIRCULATE** this Resolution to all courts in the country.



⁵⁶ Rollo, p. 141.

SO ORDERED." Gesmundo, CJ., and Hernando, J., both on official leave.

By authority of the Court:

LIBRADA C. BUENA
Division Clerk of Court

by:

MARIA TERESA B. SIBULO Deputy Division Clerk of Court

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