

REPUBLIC OF THE PHILIPPINES
COURT OF APPEALS
M A N I L A

REPUBLIC OF THE PHILIPPINES
Petitioner,

CA – G. R.SP No. 70014

-versus-

REGIONAL TRIAL COURT OF
PASAY CITY, BR 111, ET. AL.
Respondents

X-----X

**MOTION TO SUBMIT FOR RESOLUTION
AND/OR EX PARTE PRESENTATION OF EVIDENCE**

COMES NOW the herein Movant-Intervenor, DON ESTEBAN BENITEZ TALLANO AND DON GREGORIO MADRIGAL-ACOP FOUNDATION, INC., and before this MOST HONORABLE COURT, respectfully moves to submit its MOTION TO INTERVENE and/or for EX PARTE Presentation of Evidence, citing the following legal grounds, facts and circumstances in support thereto, thus;

1. That earlier, herein Movant-Intervenor has filed with this Most Honorable Court its Motion to Intervene in the above-entitled case, citing legal grounds, facts and circumstances in support thereto, copy furnished the REPUBLIC OF THE PHILIPPINES as Petitioner thereof and the other principal respondents;
2. That in spite of the lapse of more than SIXTY (60) DAYS from furnishing thereof to the herein parties, none of the parties have opposed said motion to this very day;
3. That the Petitioner, REPUBLIC OF THE PHILIPPINES, has in addition to the above stated period been given by this Most Honorable Court a period of TEN (10) more days to file its comments/opposition but said period has likewise LAPSED and said Petitioner has not OPPOSED the said Motion to this very date;
4. That in the interest of substantive justice, avoidance of multiplicity of suits, lesser expense to all parties alike and to effect a complete and final DETERMINATION OF ALL THE ISSUES therein, Movant-Intervenor has been constrained to file the said Motion to Intervene, without any color of delaying the instant case;

5. That herein movant-Intervenor is hereby respectfully submitting the said motion to Intervene for resolution of this Most Honorable Court and/or at its discretion Movant be allowed present **ex parte** additional evidence in support thereto.

WHEREFORE, above premises considered, it is respectfully moved that movant-Intervenor is now submitting for resolution its Motion to Intervene and/or at the discretion of this Most Honorable Court be allowed to present ex parte additional evidence in support thereto.

Mandaluyong City for Manila, September 15, 2005

(Sgd) ALEJO F. ESTEPA
Counsel for the Movant-Intervenor
#632, 9 de Febrero St., Mandaluyong City
IBP No. 642155 Mla 2/22/06
PTR No. 17783345 MC 4/19/05
ROLL No. 23567 Mar. '71

The HON. CLERK OF COURT
Court of APPEALS
Manila

The PRESIDING JUDGE, REGIONAL
TRIAL COURT OF PASAY CITY
BR.111, JUSTICE HALL, Pasay City

The HON. SOLICITOR GENERAL
Office of the Solicitor General
134 Amorsolo St., Legaspi Village
Makati City

ATTY. TERESITO ABELLA
#4435 CALATAGAN St., Palanan
Makati City

Atty. Manuel G. NATIVIDAD, JR.
#27, B.M.A. Ave., Quezon City

The REGISTER OF DEEDS
REGISTRY OF DEEDS OF RIZAL
Binangonan, Rizal
The REGISTER OF DEEDS
REGISTRY OF DEEDS OF BULACAN
Malolos City, BULACAN

ATTY. Melecio Emata
LAGASCA Apartments
Makati City

GREETINGS:

The above MOTION TO SUBMIT shall be presented to the Most Honorable Court immediately upon receipt hereof for its resolution and/or ex parte presentation of additional evidence-at the discretion of the Most Honorable Court on **September 23, 2005 at 10:00 a.m.**

(Sgd) ALEJO F. ESTEPA