



Republic of the Philippines
SANGGUNIANG BAYAN
Taytay, Rizal

DR No. 2209-060

RESOLUTION NO. 55 series of 2022

AUTHORIZING THE LOCAL CHIEF EXECUTIVE AND/OR THE MUNICIPAL LEGAL OFFICER AND/OR ASSISTANT MUNICIPAL LEGAL OFFICER TO ENTER INTO AND SIGN A COMPROMISE AGREEMENT DURING THE COURT-ANNEXED MEDIATION AND JUDICIAL DISPUTE RESOLUTION, IN BEHALF OF THE MUNICIPALITY OF TAYTAY, PROVINCE OF RIZAL, AS A REQUIREMENT OF THE REGIONAL TRIAL COURT, BRANCH 230, QUEZON CITY, AND FOR OTHER PURPOSES

Introduced & Sponsored by: Coun. Jan Victor B. Cabitac

WHEREAS, the Diamond Motor Corporation filed a case against the Municipality of Taytay before the Regional Trial Court (“RTC”) Branch 230, Quezon City, Metro Manila, for Recovery of Possession and Damages with Application for the Issuance of a Writ of Replevin, with Case No. R-QZN-19-07529-CV, entitled “*Diamond Motor Corporation v. The Municipality of Taytay, Province of Rizal*”;

WHEREAS, Atty. Aldrick Daven M. Mendoza and Atty. Czarmaine Angeli T. Villalobos, Municipal Legal Officer and Assistant Municipal Legal Officer, respectively, attended a hearing before the RTC Branch 230, Quezon City, on 11 August 2022, to represent the Municipality of Taytay, through the Municipal Government of Taytay;

WHEREAS, during the 11 August 2022 hearing, Hon. Maria Gilda T. Loja-Pangilinan, the Presiding Judge for Branch 230, issued an Order directing the parties of said case to Mandated Court-Annexed Mediation (“CAM”) before the Philippine Mediation Center (“PMC”), Quezon City Unit, on 24 November 2022;

WHEREAS, the referral to Mandated CAM is pursuant to A.M. No. 11-1-6-SC-PHILJA, issued 11 January 2011, otherwise known as the “*Consolidated and Revised Guidelines to Implement the Expanded Coverage of Court-Annexed Mediation and Judicial Dispute Resolution*”;

WHEREAS, upon termination of the mediation proceedings at the PMC level, the parties of said case was likewise directed to appear before the Court on 02 February 2023 for the issuance of an order to re-affle the case for the conduct of JDR and/or approval of Compromise Agreement, whatever is applicable;

WHEREAS, the Court reminded the parties that it shall strictly impose sanctions under Section 5 of Rule 18 of the Rules of Court, as amended, for non-appearance during the CAM and JDR, as part of the mandatory aspects of a Pre-Trial Conference;

WHEREAS, the Municipality of Taytay, Province of Rizal, through the Municipal Government of Taytay, is represented by the Office for Legal Services through Atty. Aldrick Daven M. Mendoza and Atty. Czarmaine Angeli T. Villalobos, Municipal Legal Officer and Assistant Municipal Legal Officer, respectively, with the latter being the lead counsel for said case;

WHEREAS, pursuant to the Order dated 11 August 2022, the Office for Legal Services, being the representative of the Municipality of Taytay, Province of Rizal, must be fully authorized in writing, through a Resolution from the Sangguniang Bayan of the Municipal Government of Taytay, to enter into an amicable settlement, to submit to alternative modes of dispute resolution, and to enter into stipulations or admissions of facts and documents;

WHEREAS, failure to comply with the requirements of the Order dated 11 August 2022 will result to the appearance of the Municipality of Taytay, Province of Rizal, to be disregarded and not recognized by the RTC;


WHEREAS, the Office for Legal Services requires the instant Sangguniang Bayan Resolution in order to properly represent and defend the Municipality of Taytay, Province of Rizal, in the Case No. R-QZN-19-07529-CV, entitled "Diamond Motor Corporation v. The Municipality of Taytay, Province of Rizal" before RTC Branch 230, Quezon City;

NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved, by the 12th Sangguniang Bayan of Taytay, Rizal, in a session duly assembled, hereby AUTHORIZES THE LOCAL CHIEF EXECUTIVE AND/OR THE MUNICIPAL LEGAL OFFICER AND/OR ASSISTANT MUNICIPAL LEGAL OFFICER TO ENTER INTO AND SIGN A COMPROMISE AGREEMENT DURING THE COURT-ANNEXED MEDIATION AND JUDICIAL DISPUTE RESOLUTION, IN BEHALF OF THE MUNICIPALITY OF TAYTAY, PROVINCE OF RIZAL, AS A REQUIREMENT OF THE REGIONAL TRIAL COURT, BRANCH 230, QUEZON CITY, AND FOR OTHER PURPOSES.


RESOLVED, FURTHER, that this Resolution be furnished to Regional Trial Court Branch 230, Quezon City, Metro Manila, and all offices concerned.

ADOPTED, this 7th day of September 2022, 5:25 PM at the Sangguniang Bayan Session Hall, Municipality of Taytay, Province of Rizal.

I HEREBY CERTIFY, to the correctness of the foregoing Resolution which was duly adopted by the Sangguniang Bayan of Taytay on second reading on September 7, 2022 and was passed on third and final reading on September 7, 2022 during the 10th Regular Session held on the 7th day of September, 2022.


ATTY. STANLEE D. CALMA
Secretary to the Sanggunian

ATTESTED AND CERTIFIED TO BE DULY
ADOPTED BY HER HONOR


HON. SOPHIA PRISCILLA L. CABRAL
Municipal Vice Mayor/Presiding Officer