



SOLID WASTE
MANAGEMENT
CONSULTANTS
RECEIVER

January 6, 2015

Ms. Sandra Miller
Legal Counsel to the Governor
Office of the Governor of Guam
Ricardo J. Bordallo Governor's Complex
Adelup, Guam 96910

Dear Ms. Miller:

The Order of the District Court appointing GBB as Receiver provides that the Receiver shall have "...full and complete access to the documents, books, records, electronic databases held by any Government of Guam entity that has in its custody records deemed necessary by the Receiver to ensure compliance with the Consent Decree (see Order of the District Court appointing GBB as Receiver dated March 18, 2008)."

As you know, in December 2012 the Superior Court of Guam issued a judgment against the Government of Guam awarding a substantial increase in compensation for the land taken by the Government of Guam for the purpose of constructing the Layon Landfill.

While we disagreed with the Government's request that funds from the 2009 Bonds designated for the closure of the Ordot Dump be used to pay this judgment, we do agree that this is an important issue related to the Consent Decree that must be properly addressed. Accordingly, it is important that the Receiver understand the current status of this matter and be provided with documentation and a detailed accounting of the Government's compliance with the judgment of the Superior Court of Guam in this matter.

Pursuant to the authority granted to the Receiver under the District Court of Guam's Order cited above, we specifically request that you provide us with the following documentation:

1. A full accounting of the total amount of the 2012 Superior Court judgment in this matter, the amounts paid to each former landowner and any remaining balance still owing to any former landowner;
2. Copies of all documents not previously filed with the District Court of Guam, related to the Government's compliance with the 2012 Superior Court of Guam judgment in this matter, including but not limited to:
 - a. Documents describing the form of any payment (cash, tax credit, etc.) and the amounts paid to each former landowner, together with any supporting documentation in the possession of any Government of Guam Agency in this matter;

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b. Documents describing the form and value of any non-monetary assets or any other thing of value provided to each former landowner, together with any supporting documentation describing any non-monetary assets or other thing of value and the value placed upon such non-monetary assets or other thing of value for the purpose of satisfying the judgment in this matter;

c. Documents pertaining to or showing any agreements or stipulations with former landowners concerning the satisfaction of the judgment; and

d. Documents filed with the Superior Court by any party, including the Government, concerning enforcement or satisfaction of the judgment.

As we work toward the conclusion of the Receivership, it is very important that the Receiver has a complete understanding of the status of this matter given its importance to the Government's compliance with the Consent Decree. Your expeditious response and full cooperation providing the documents requested is deemed necessary by the Receiver to ensure compliance with the Consent Decree.

Thank you.

Sincerely,



David L. Manning
Receiver Representative

cc: Joyce C.H. Tang
Robert D. Mullaney
Rawlen Mantanona