



EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

Office of the Governor of Guam.

January 16, 2015

Mr. David L. Manning
Receiver Representative
Gershman Brickner & Bratton, Inc.
c/o Guam Solid Waste Authority
542 North Marine Corps Drive
Tamuning, Guam 96913

Dear Mr. Manning:

This is in response to your letter of January 6, 2015, for documentation related to an accounting of the amounts paid to the landowners of the Layon Landfill pursuant to the Guam Superior Court's *Judgment* issued in CV0084-08 on December 10, 2012.

The Internal Revenue Code (IRC) at Sections 6103 and 7213 contains requirements for protecting against the disclosure of confidential tax returns and return information. For purposes of the IRC, the term "return information" means and includes the taxpayer's identity, as well as information regarding any tax credits owed or paid to the taxpayer. Accordingly, to the extent that your letter seeks to identify a specific taxpayer and the amount of any tax credits paid to said taxpayer, the requested information is confidential and prohibited from disclosure unless otherwise allowed by federal law.

In response to Item 1 and Item 2(a) of your letter, please see the attached two (2) documents. In response to Items 2(b), 2(c), and 2(d), no such documentation exists.

Thank you.

SANDRA CRUZ-MILLER
Office Of the Governor of Guam

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

P.O. Box 2950 • Hagatna, Guam 96932

Tel: (671) 472-8931 • Fax: (671) 477-4826 • governor.guam.gov • calendar.guam.gov



Eddie Baza Calvo



@eddiebazacalvo



@governorcalvo



governorofguam

LAYON LANDFILL CONDEMNATION PAYMENTS
As of September 30, 2014

Judgment (CV0084-08)	\$ 21,705,683
6% Interest from 01/24/2008	\$ 8,574,564
Total Liability/Tax Credits Available	\$ 30,280,247
Tax credits paid	\$ (10,970,863)
Cash or other forms of payment made, including non-monetary assets or things of value	\$ 0
Balance of Unpaid Judgment	<u>\$ 19,309,384</u>

Tax Credits Authorized for Layon Property

Guam Pub. L. 14-69; 11 G.C.A. § 38101

As of 9/30/2014

	% Ownership	Judgment	6% Interest from 1/24/2008	Total Credits Available
Taxpayer A	50.00%	10,852,841.50	4,385,142.64	15,237,984.14
Taxpayer B	25.00%	5,426,420.75	2,041,276.57	7,467,697.32
Taxpayer C	8.00%	1,736,454.64	701,622.81	2,438,077.45
Taxpayer D	8.00%	1,736,454.64	701,622.81	2,438,077.45
Taxpayer E	5.00%	1,085,284.15	435,481.42	1,520,765.57
Taxpayer F	1.50%	325,585.25	115,391.01	440,976.26
Taxpayer G	1.24%	269,801.64	95,132.86	364,934.50
Taxpayer H	0.83%	180,699.81	63,715.29	244,415.10
Taxpayer I	0.42%	92,140.62	35,179.00	127,319.62
Totals	100.00%	21,705,683.00	8,574,564.41	30,280,247.41