



GWA RESOLUTION NO. 25-FY2020

**RELATIVE TO APPROVING THE TERMS OF THE PROPOSED SETTLEMENT IN
THE CLAIM AGAINST THE GUAM WATERWORKS AUTHORITY
BY RONALD W. BLADE AND MAE K. CRUZ ALSO REFERENCED
AS GWA GOVERNMENT CLAIM NO. 2019-005**

WHEREAS, under 12 G.C.A. § 14105, the Consolidated Commission on Utilities (“CCU”) has plenary authority over financial, contractual, and policy matters relative to the Guam Waterworks Authority (“GWA”); and

WHEREAS, the Guam Waterworks Authority (“GWA”) is a Guam Public Corporation established and existing under the laws of Guam; and

WHEREAS, the Government Claims Act 5 G.C.A. § 6206 requires approval of the Board for all other claims in excess of Three Thousand Dollars (\$3,000.00), excluding motor vehicle damage and personal injury claims less than \$15,000; and

WHEREAS, Mr. Ronald Blade and Ms. Mae K. Cruz reported that on September 16, 2019, their property was damaged when a GWA employee hit the Claimants aluminum “automatic” sliding gate (“Property”) while driving into the Claimants driveway at their residence located at 486 N. Marine Corps Drive, Piti. Employee was at Claimant’s residence on official government business for a report of a sewer line back-up. Exhibit “A” – GWA Work Form No. 09-16-19-003.

WHEREAS, on September 24, 2019, Ronald W. Blade and Ms. Mae K. Cruz (“Claimants”), filed a claim against GWA in the amount of Thirteen Thousand Dollars (\$13,000.00) for property damage as a result of the incident. Exhibit “B”; and

//

//

1 **WHEREAS**, after review of the claim, GWA has determined that the Claimants should
2 be compensated for the property damage and the cost to replace their aluminum “automatic”
3 sliding gate in the amount of Thirteen Thousand Dollars (\$13,000.00). Exhibit “C.”
4

5 **WHEREAS**, GWA believes the proposed settlement and method of payment to be fair
6 and reasonable; and
7

8 **WHEREAS**, the Consolidated Commission on Utilities finds that this proposed
9 settlement is just and reasonable considering the circumstances.
10

11 **NOW THEREFORE, BE IT RESOLVED**, the Consolidated Commission on Utilities
12 does hereby find, authorize and approve the following:
13

- 14 1. Mr. Ronald W. Blade and Ms. Mae K. Cruz, legal homeowners, Exhibit “D”
15 sustained property damage as a result of a GWA employee hitting and damaging
16 their aluminum “automatic” sliding gate at their home, 486 N. Marine Corps Drive,
17 Piti, Guam.
18
- 19 2. Claimants have provided proof to GWA of the damages sustained in the amount of
20 Thirteen Thousand Dollars (\$13,000.00) (*See* Exhibit “C”).
21
- 22 3. That the Claimants have agreed to settle in the amount of Thirteen Thousand Dollars
23 (\$13,000.00), by signing a Release and Settlement Agreement, Exhibit “E.”
24
- 25 4. The CCU finds the offer fair and reasonable under the circumstances.
26
- 27 5. The GWA GM is authorized to sign all documents necessary to settle the claim as
28 approved by the CCU.

29 //

31 //

Exhibit A

Requested Work Form

3/4/2020

11:07 AM

Request
09-16-19-003

Received: JONATHANH
Status: New Request
Priority:
Supervisor:

9/16/2019 7:37 AM
9/16/2019 7:37 AM

Follow-up:

Requestor
 Name: RONALD BLADE Phone #: 4728338
 Business: Account #:
 Address: 486 MARINE CORPS DR Parcel #:
 PITI
 Home Phone: 6714728338 Work Phone:
 Phone 1: Phone 2:

Location
 Address: 486 MARINE CORPS DR
 PITI
 Category: Wastewater Collection Problem: Sewer Line Back Up
 Cause: Parcel:
 General Location:

Affected Utilities

Information for Work Order
BEFORE TOVES STORE SOUTHBOUND.

Start Date/Time: _____ End Date/Time: _____

Task Code: _____ Task Description: _____

Employee Number	Employee Name	Hours	Time Code

Equipment Number	Equipment Name	Hours

Materials Number	Materials Name	Units

Fluids Number	Materials Name	Units

Exhibit B



Office of the Attorney General of Guam

590 S. Marine Corps Dr., Ste. 901, Tamuning, Guam 96913



FILING A CLAIM AGAINST THE GOVERNMENT

Please be advised that under the Government Claims Act (5 G.C.A., Chapter 6), the government has **SIX (06) MONTHS** in which to investigate and either grant, settle, or deny your claim.

If your claim involves a **traffic accident**, you need to submit:

1. A copy of the police report;
2. A copy of the vehicle registration;
3. Two to three estimates of repair from a licensed auto repair shop
4. Pictures of the damages

If your claim involves **wages**, you need to submit:

- Any documents of proof of wages owed.

If your claim involves a **dormant bank account**, you need to submit:

- Account name, account number, address, social security number, and proof of authorized access to account funds.

Please provide copies of all documents. We are unable to make copies due to budgetary cuts. **All claims shall be filed in duplicate** (one original and one copy). If you have any questions, please call our office at 475-3324 ext. 2115 or 3220.

Please read, sign and return the letter on the reverse side of this sheet. Thank you.





Office of the Attorney General of Guam

590 S. Marine Corps Dr., Ste. 901, Tamuning, Guam 96913



Dear Claimant:

Pursuant to the Government Claims Act (Public Law 17-29), the government has six (06) months to investigate and either grant, settle or deny your claim. If you are claiming property damage to a motor vehicle involved in an accident, we will make a determination on this part of your claim within thirty (30) days pursuant to Public Law 25-130, provided you furnish us with all the documents necessary to process your claim.

Although most claims require the full six (06) months for review and final decision, smaller claims usually take less time than larger ones; however, they are considered equally. If after six (06) months your claim has not been settled or you have not been notified by our office that your claim was denied, you may institute an action in the Superior Court of Guam for money damages.

Additional questions on the status of this claim should be directed to the undersigned.

Thank you in advance for your cooperation.

Sincerely,

GABRIELA P. ROJAS RIPPEL
Paralegal I
Interim Assistant Claims Officer

BRENDA PEREZ AGUON
Paralegal II

I have read and fully understand the above.

Print Name: RONALD W. BLADE

Signature: [Handwritten Signature]

Date: 9/24/19



Office of the Attorney General of Guam

590 S. Marine Corps Dr., Ste. 901, Tamuning, Guam 96913



CLAIM AGAINST THE GOVERNMENT

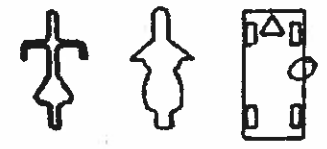
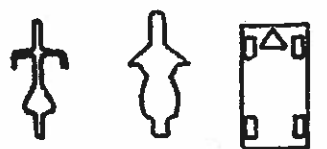
(Please complete the form in its entirety. **DO NOT** leave any portions blank. Write "N/A" or "None" where appropriate.)

1. Name of Claimant: RONALD W. BLADE + MAE K. CRUZ
 2. Mailing Address: P.O. Box 1878 HAGAÑA, GU 96932
Home/Work Address: 486 N. MARINE CORPS DR FITI GUAM
 3. Home Telephone 472-8338 Work Telephone _____
 4. Amount of Damages you are claiming: \$ SEE ESTIMATE
 5. Any other relief you are claiming INTEREST ON MY MONEY USED FOR REPAIR
 6. Government Agency Responsible GWA
 7. Date Claim arose 9/16/19
 8. Your statement of facts upon which you base your claim. Attach extra sheet(s) if necessary.
SEE ATTACHED POLICE REPORT
-
9. Attach a copy of all documents pertaining to your claim, such as a police report, accident report or a contract.
 10. The lowest estimate of repair is \$ 13,000.00
 11. I have the following insurance covering this claim N/A
 12. I am the real party in interest except for the following parties who have an interest in this claim:
N/A
 13. I have received the following compensation/repairs from other parties N/A
 14. Name, address, and telephone of attorney representing claimant, if any:
N/A

All notices will be sent to your mailing address above or if you have an attorney, to your attorney's address. If you want to change the address at which you will receive notices, you must file, in writing, a change of address with the Claims Officer.

I, RONALD W. BLADE, declare under penalty of perjury that the foregoing is true and correct.
Date 9/24/19 Claimant's Signature [Signature]

PORT AUTHORITY POLICE TRAFFIC ACCIDENT REPORT

ACCIDENT CLASSIFICATION: <input type="checkbox"/> FATAL <input type="checkbox"/> NON-FATAL <input checked="" type="checkbox"/> NON-INJURY <input type="checkbox"/> NON-TRAFFIC <input type="checkbox"/> OTHER						CASE NO. GPD#19-26851/ PAPD 19-063		
ACCIDENT INVOLVED: (CHECK APPROPRIATE BOX) <input checked="" type="checkbox"/> Automobile(s) <input type="checkbox"/> Overturn <input type="checkbox"/> Pedal Cycle <input type="checkbox"/> Bus <input checked="" type="checkbox"/> Fixed Object <input type="checkbox"/> Parked Vehicle <input type="checkbox"/> Motorcycle <input type="checkbox"/> Truck (Heavy Equipment) <input type="checkbox"/> Pedestrian <input type="checkbox"/> Non-Collision <input type="checkbox"/> Ran Off Roadway <input type="checkbox"/> Moped <input type="checkbox"/> Trailer <input type="checkbox"/> Animal <input checked="" type="checkbox"/> Other SIDE SWIPE								
LOCATION TIME	Location <u>486 NORTH MARINE CORP DRIVE PITI GUAM</u>						<input type="checkbox"/> Rural <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Business <input type="checkbox"/> School or Playground <input type="checkbox"/> Open Country <input type="checkbox"/> Other	
	By <u>TOVES MART</u> Beat Area <u>A2</u>							
	Date <u>09/16/19</u> Time <u>0832HRS</u> AM/PM Day of Week <u>MONDAY</u>							
	Notified of Accident: Date <u>09/16/19</u> Time <u>0804HRS</u> AM/PM							
	Investigation Made: Date <u>09/16/19</u> Time <u>0832HRS</u> AM/PM							
Investigation Elsewhere <u>NONE</u> Date <u>SEP 20 2019</u> Time <u>N/A</u> AM/PM								
Is the Investigation Completed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No								
Where Photographs Taken? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No By Whom: <u>N/A</u> I.D. # <u>N/A</u>								
VEH#	YEAR	MAKE	MODEL	PLATE #	VIN#	STATE	COLOR	
V-1	2008	FORD	RANGER	4827	1FTYR10UX8PA7065	GU.	WHITE	
VEHICLES INVOLVED	Driver <u>[REDACTED]</u> D.O.B. <u>[REDACTED]</u> AGE <u>30</u> SEX <u>M</u>						CIRCLE POINT OF IMPACT (SHADE DAMAGED AREAS)  AMOUNT \$ <u>500.00</u> .00 T TOP U UNDERCARRIAGE N NONE	
	Home Address <u>CARE OF GUAM WATER WORKS</u> Home Phone <u>[REDACTED]</u> Race <u>CHAM</u>							
	Occupation <u>WASTE WATER TECHNICIAN</u> Place of Employment <u>GUAM WATER WORKS</u>							
	DL# <u>1228113679</u> Type <u>OPERATOR</u> State <u>GUAM</u>							
	Restrictions <u>A</u> SS# <u>[REDACTED]</u> Work Phone <u>472-3247</u>							
	Insurance <u>GOV GUAM</u> Policy No. <u>N/A</u>							
	Owner <u>GOV GUAM</u> D.O.B. <u>[REDACTED]</u> Age <u>[REDACTED]</u> Sex <u>[REDACTED]</u>							
	Address <u>GUAM WATER WORKS</u> Phone No. <u>671-472-3247</u>							
	Vehicle Traveling <input type="checkbox"/> East <input checked="" type="checkbox"/> West <input type="checkbox"/> North <input checked="" type="checkbox"/> South On <u>ROUTE 1, OUTER LANE PITI</u>							
	Impoundment <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Vehicle Moved To <u>ON SITE</u>							
Posted Speed: <u>35</u> MPH Driver's Estimated Speed <u>5</u> MPH								
YEAR	TRAILER (Other Unit)	MAKE	MODEL	PLATE #	VIN#	COLOR		
N/A	N/A	N/A	N/A	N/A	N/A	N/A		
VEH#	YEAR	MAKE	MODEL	PLATE #	VIN#	STATE	COLOR	
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
VEHICLES INVOLVED	Driver <u>N/A</u> D.O.B. <u>N/A</u> AGE <u>N/A</u> SEX <u>N/A</u>						CIRCLE POINT OF IMPACT (SHADE DAMAGED AREAS)  AMOUNT \$ <u>0</u> .00 T TOP U UNDERCARRIAGE N NONE	
	Home Address <u>N/A</u> Home Phone <u>N/A</u> Race <u>N/A</u>							
	Occupation <u>N/A</u> Place of Employment <u>N/A</u>							
	DL# <u>N/A</u> Type <u>N/A</u> State <u>N/A</u>							
	Restrictions <u>N/A</u> SS# <u>N/A</u> Work Phone <u>N/A</u>							
	Insurance <u>N/A</u> Policy No. <u>N/A</u>							
	Owner <u>N/A</u> D.O.B. <u>N/A</u> Age <u>N/A</u> Sex <u>N/A</u>							
	Address <u>N/A</u> Phone No. <u>N/A</u>							
	Vehicle Traveling <input type="checkbox"/> East <input type="checkbox"/> West <input type="checkbox"/> North <input type="checkbox"/> South On <u>N/A</u>							
	Impoundment <input type="checkbox"/> Yes <input type="checkbox"/> No Vehicle Moved To <u>N/A</u>							
Posted Speed: <u>N/A</u> MPH Driver's Estimated Speed <u>N/A</u> MPH								
YEAR	TRAILER (Other Unit)	MAKE	MODEL	PLATE #	VIN#	COLOR		
N/A	N/A	N/A	N/A	N/A	N/A	N/A		

ACCIDENT CLASSIFICATION: AUTO-OBJECT CASE NO. GPD#19-26851/PAPD 19-063

VIOLATOR(S): Veh. # V-1 Pedestrian Other


Name [REDACTED] Charge(s) N/A

DISPOSITION: Arrested Citation Issued Verbally Warned Ticket No. _____

INJURY CODE: (1) Complaint of pain, no visible injuries.
 (2) Bruises, abrasions, swelling, limping, etc.
 (3) Bleeding wound, distorted member.
 (4) Dead at time of report.

SEAT CODE:

7	4	1
8	5	2
9	6	3



VEHICLE # Injury Code Driver Passenger Pedestrian Seating Code Use (a) As Additional, Passenger Example (5a)

(1) N/A N/A N/A N/A N/A N/A N/A N/A N/A N/A

Home Phone N/A Bus. Phone N/A Transported to N/A Transported by N/A

VEHICLE # Injury Code Driver Passenger Pedestrian Seating Code

(2) N/A N/A N/A N/A N/A N/A N/A N/A N/A N/A

Home Phone N/A Bus. Phone N/A Transported to N/A Transported by N/A

WITNESS(ES)

(1) Name RONALD W BLADE Home Address 486 NORTH MARINE CORP DRIVE PITI GUAM
 Home Phone 472-8338 Bus. Phone N/A D.O.B. 12/24/1950 Soc. Sec.#/I.D.# _____

(2) Name N/A Home Address N/A
 Home Phone N/A Bus. Phone N/A D.O.B. N/A Soc. Sec.#/I.D.# N/A

ADDITIONAL INFORMATION: [Injured Person(s), Passenger(s), Witness (es), ...Etc.]

VEH#	NAME	HOME ADDRESS	HOME PHONE	BUS. PHONE	INJURY CODE	SEAT CODE
	ADDITIONAL INFORMATION: WITNESS (OWNER OF RESIDENCE) MR. RONALD BLAKE VERBALLY STATED THAT HE HAD CALLED GUAM WATER WORKS TO REPORT A SEWER LEAK WITHIN HIS RESIDENCE.				<input type="checkbox"/>	<input type="checkbox"/>
	AS THE GUAM WATER WORKS PERSONNEL NAMELY JASON TAITANO APPROACHED MR. BLADE'S RESIDENCE HE HAD ACTIVATED THE ELECTRONIC GATE WITH A HAND HELD REMOTE.				<input type="checkbox"/>	<input type="checkbox"/>
	WHILE MR. BLADE'S GATE WAS OPENING, MR. TAITANO PROCEEDED FORWARD NOT ALLOWING THE GATE TO OPEN COMPLETELY CAUSING HIS VEHICLE TO STRIKE THE GATE.				<input type="checkbox"/>	<input type="checkbox"/>
	AT THIS TIME IS WHEN MR. TAITANO STOPPED HIS VEHICLE AND CALLED GUAM WATER WORKS SAFETY PERSONNEL.				<input type="checkbox"/>	<input type="checkbox"/>
1.					<input type="checkbox"/>	<input type="checkbox"/>
2.					<input type="checkbox"/>	<input type="checkbox"/>
3.					<input type="checkbox"/>	<input type="checkbox"/>

Assigned Officer: POI WK DRLON I.D. No. 1828 ASSIGNED PRECINCT NPC CPC SPC OTHER PAPD

Supervisor Approving: LT. J.A SANDLIN I.D. No. 1748 CASE STATUS OPEN SUSPENDED CLOSED

Forwarded To: TRAFFIC INVESTIGATIONS SPECIAL INVESTIGATIONS ATTORNEY GENERAL
 CRIMINAL INVESTIGATIONS JUVENILE INVESTIGATIONS OTHER GPD RECORDS

CHEMICAL TESTS

1/3 2/4 Pedestrian

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Blood Narcotics Results _____	Where Tested _____	Time _____	By Whom _____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Blood Alcohol Results _____	Where Tested _____	Time _____	By Whom _____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Urine Alcohol Results _____	Where Tested _____	Time _____	By Whom _____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Breath Alcohol Results _____	Where Tested _____	Time _____	By Whom _____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Field Sobriety Results _____	Where Tested _____	Time _____	By Whom _____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other _____	Where Tested _____	Time _____	By Whom _____

VEHICLE MANEUVER

1/3 2/4

Going Straight

Turn Right to Private Drive

Turning Left to Street

Turning Left to Private Drive

Slowing or Stopped for Signal or Sign

Slowing or Stopped for Entering Traffic

Slowing or Stopped Other

Starting in Traffic

Starting from Parked Position

Stopped in Traffic Lane

Parked Unattended

Backing from Drive Way

Backing from On-Street Parking Space

Entering from Private Roadway

Changing Lanes

Passing

Other _____

WERE SEAT BELTS IN USE?

1/3 2/4

Yes

No

Unknown

MOTORCYCLE HELMET IN USE?

1/3 2/4

Yes

No

Unknown

TYPE OF ACCIDENT

Right Angle

Sideswipe (Same Direction, Opposite Direction)

Head On

Rear End

Turning from Wrong Lane

Left Turn (Opposing Traffic)

Left Turn (Crossing Traffic)

Right Turn (Crossing Traffic)

Object on Roadway

Pedestrian

Other _____

CONDITION OF DRIVER(S) OR PEDESTRIAN(S)

1/3 2/4 Pedestrian

Apparently Normal

Physically Handicapped

Wearing Glasses

Illness

Had Not Been Drinking

Had Been Drinking, and

Ability Impaired

Ability Not Impaired

Unknown Whether Impaired

Other _____

WEATHER CONDITIONS

Clear

Cloudy

Rainy

Storm

Typhoon

Other _____

CONTRIBUTING FACTORS

1/3 2/4

Failure to Yield

Following too Closely

Improper Passing

Improper Turn

Drinking

Speeding

Weather (inclement)

Disregard Stop Sign

Disregard Signal

Wrong Side of Road

Inattention

Avoiding Vehicle, Pedestrian, Object

Vision Obstructed

By _____

Unknown

Other INSUFFICIENT CLEARANCE

ROAD CHARACTER (Check Two)

1/3 2/4

Curve

Straight

Upgrade

Downgrade

Hill Crest

Dip

Level

Other _____

ROAD DEFECTS

Defective Shoulders

Holes, Deep Ruts

Loose Material on Surface

No Defects

Other _____

ROAD TYPE

1/3 2/4

One Lane

Two Lanes

Three Lanes

Four Lanes

One Way

Merging Lanes

W/Median Lanes

Lanes Under Construction

Other RESIDENTIAL

LIGHT CONDITIONS

Dawn

Daylight

Dusk

Dark (Street Lights Off)

Dark (Street Lights On)

Dark (No Street Lights)

TRAFFIC CONTROLS

1/3 2/4

No Control

Stop Sign

Traffic Signal

Flashing Signal

Yield Sign

Police Officer

Flagman

No Passing Zone

Other _____

ROAD SURFACE

Asphalt

Concrete

Dirt/Sand

Gravel

ROAD CONDITIONS

Dry

Wet

Muddy

Unknown

Other _____

VEHICLE CONDITION (Check one or more)

1/3 2/4

Defective Brakes

Improper Lights

Defective Steering Mechanism

Defective Tires

No Defects

Tinted Windows

Other _____

PEDESTRIAN

Was Going N/A On _____ Across From _____ TO _____

Direction (N.S.E.W.) Street, Hwy No. (S.E. Corner to N. E. Corner, or West Side to East Side)

Crossing at Intersection with Signal

Same - Against Signal

Same - No Signal

Same - Diagonally

Crossing not at Intersection

Coming from behind Parked Cars

Other _____

Walking on Roadway (Check Two)

1 With Traffic 3 Sidewalks Available

2 Against Traffic 4 Sidewalks Not Available

Standing in Safety Zone

Getting on or off Other Vehicle

Pushing or Working on Vehicle

Working on Roadway

Playing on Roadway

Hitching on Vehicle

Not in Roadway (Explain)

Yes No Were Crosswalks Marked?

Yes No Was Pedestrian Inside Markings?

Yes No Extensions of Sidewalk Lines?

ZHONG BAO CONSTRUCTION COMPANY

PMB 186 979 Army Drive Barrigada, Gu 96913 TEL: 477-8889 FAX: 477-8889 E-mail: jianbing306@gmail.com
CELL: 727-8889

PROPOSAL

Attn: Ron Blade
From: Zhong Bao Construction.
Subject: Repair damage gate and install new gate in piti, Guam.

I would like to submit my estimation and scope of work as follows:

- 1, Repair old damage Gate to be can open and close.
- 2, Measure the entrance of the courtyard to order a new Gate with motor.(20 remote control)
- 3, Remove the damage gate and track.
- 4, Remove the old gate motor with electronic sensor.
- 5, Use auto paint painting the new gate match color the old one.
- 6, Install the new gate and track.
- 7, Install the new motor with new electronic sensor.
- 8, Touch up paint the damage area.
- 9, Dispose the damage gate with motor and construction waste.
- 10, Clean the job.
- 11, One year warranty.

The total equipment material and labor cost-----\$13,000.00

Down payment 50% is required.

Sincerely,



9/18/2019

Jianbing Wu

Exhibit C

ZHONG BAO CONSTRUCTION COMPANY

PMB 186 979 Army Drive Barrigada, Gu 96913 TEL: 477-8889 FAX: 477-8889 E-mail: jianbing306@gmail.com
CELL: 727-8889

RECEIPT

Attn: Ron Blade
From: Zhong Bao Construction.
Subject: Repair damage gate and install new gate in piti, Guam.

I would like to submit my scope of work as follows:

- 1, Repair old damage Gate to be can open and close.
- 2, Measure the entrance of the courtyard to order a new Gate with motor.(20 remote control)
- 3, Remove the damage gate ..
- 4, Remove the old gate motor with electronic sensor.
- 5, Use auto paint painting the new gate match color the old one.
- 6, Install the new gate ..
- 7, Install the new motor with new electronic sensor.
- 8, Touch up paint the damage area.
- 9, Dispose the damage gate with motor and construction waste.
- 10, Clean the job.
- 11, One year warranty.

The total equipment material and labor cost-----\$13,000.00
Payment has been received-----\$13,000.00
No balance payment.

Sincerely,




11/13/2019

Jianbing Wu

4845
101-7028/2214
7001
9/16/19 Date
CHECK NUMBER
Pay to the Order of ZHANG BAO (MAY) \$ 2500 00
Two thousand five hundred Dollars
Bank Pacific
121 Applegate Avenue, Eugene, OR 97401-5110
For Cash [Signature]
⑆3214 [Redacted] 4845

100419 20050001155367 > 121405018 < BOH 0059

4850
101-7036/2214
7001
Date 9/28/19 **SECURE**

Pay to the Order of Janice W... \$ 4,000.00
four thousand 00/100 Dollars 

BankPacific
 111 Apohihi Avenue, Honolulu, HI 96813-0100
 www.bankpacific.com

For gate [Signature]

⑆3214 [Redacted] 4850

CORPORATE

CHECK ONE OF SEVERAL REPORTS

For deposit with:
 FIRST HAWAIIAN BANK
 MAIHE BRANCH - 03
 TO THE CREDIT OF PAYEE
 Absence of Endorsement Guaranteed

Account Number
 Telex #14

>121301015< FHB 10022019 00300501 39



4808

101-7038/2214
7001

11/12/19 Date

CHECK ARMOR

Pay to the Order of Jean Benj W... \$ 5500.00

five thousand five hundred ⁰⁰/₁₀₀ Dollars

Bank Pacific
21700 Dyer Ave, Fremont, CA 94555
121 Ashland Avenue, Fremont, CA 94539
www.bankpacific.com

For Jeta [Signature]

⑆ 3214 [Redacted] 4808

>121405238< FHB 11132019 003005015171020

Account Number
Trailer #08

For deposit with
FIRST HAVAJIAN BANK
MAIHE BRANCH - 03
TO THE CREDIT OF PAYEE
Absence of Endorsement Guaranteed



4868

101-7036/2214
7081

3/20/2020
Date

CHECK ARMOR

Pay to the
Order of

Jianbing Wu

\$1,000.00

One thousand 00
00

Dollars



Photo
Safe
Deposit
Box on Line

BankPacific

In New Orleans for Southern, US First Bank
Member FDIC
151 Airport Avenue, Metairie, LA 70002-5156
www.bankpacific.com

For

Auto

[Signature]

123214

4868

>121405238< FHB 03242020 003003004684330

Account Number
Teller #22

For deposit with
FIRST HAWAIIAN BANK
MAIHE BRANCH - 03:10
TO THE CREDIT OF PAYEE
Absence of Endorsement Guarantees

Exhibit D

State of Guam, Government of Guam
Department of Land Management Office of the Recorder

File for Record is Instrument No. 837156

On the Year 12 Month 05 Day 29 Time 12:10

Recording Fee 25 Receipt No. 32803

Deputy Recorder Juan L. Ramirez

ORDER AND FINAL DECREE OF DISTRIBUTION

837156

2012 MAY -3 PM 3:06

1 **LAW OFFICE OF CATHERINE BEJERANA CAMACHO, ESQ.**
267 S. Marine Corps Drive
2 UIU Building, Suite 302
Tamuning, Guam 96913
3 Telephone: (671) 647-4222
Facsimile: (671) 647-4223
4 Email: cbclawoffice@gmail.com

5 Attorney for Administratrix
6 **MAE K. CRUZ**

7 **IN THE SUPERIOR COURT OF GUAM**

8 IN THE MATTER OF THE ESTATE)

PROBATE NO.PR0041-11

9 OF)

10 JUAN SAN NICOLAS CRUZ and)
GRIETJE KAMMINGA CRUZ,)

11 Deceased,)

**ORDER AND FINAL DECREE
OF DISTRIBUTION**

12 BY)

13 MAE K. CRUZ,)

14 Petitioner.)
15

16 Mae K. Cruz, Administratrix of the Estates of Juan San Nicolas Cruz and Grietje Kamminga
17 Cruz, deceased, having filed her Final Report and Petition for Final Distribution of said Estate, and
18 said Petition having come on regularly on February 16, 2012 and February 23, 2012, and proof
19 having been made to the satisfaction of the Court that the Clerk of Court has given notice of the
20 hearing of said Petition in the manner and for the time required by law, the Court finds:

21 1. That due and legal Notice to creditors of said Estate has been given in the manner and
22 for the time required by the law.

23 2. That no claims or debts against said Decedents and against said Estate were filed, and
24 that said Estate is ready for distribution and is now in a condition to be closed.

25 3. That there is no opposition to distribution of the Estate as set forth in the Petition.

26 4. That the attorneys' fees and costs of \$6,745.81 is approved and ordered.

27 5. That the Estate is chargeable for court costs of \$ _____.

28 6. That the property of the Estate should be distributed as follows:

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1 IN THE MATTER OF THE ESTATE OF JUAN CRUZ AND GRIETJE CRUZ
2 ORDER AND FINAL DECREE OF DISTRIBUTION

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4 A. To Mae K. Cruz, **LOT NUMBER 107-6-1, MUNICIPALITY OF PITI, GUAM, containing an area of 745 square meters**, and to improvements sitting on said Lot, as her sole and separate property.

5
6 B. To Mae K. Cruz, Tax Refunds in the amount of \$513.28.

7 7. That Mae K. Cruz's buy-out of the Estate of Simon K. Cruz's interest is approved.

8 8. That Mae K. Cruz's buy-out of the Estate of Anthony K. Cruz's interest is approved.

9 **IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the final
10 account of said Administratrix be and the same is hereby finally settled, allowed and approved.

11 **IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the attorneys
12 fees and costs, and court closing costs enumerated above is hereby allowed and approved.

13 **IT IS ALSO HEREBY ORDERED, ADJUDGED, AND DECREED**, that the
14 property of the Estate should be distributed as follows:

15 A. To Mae K. Cruz, **LOT NUMBER 107-6-1, MUNICIPALITY OF PITI, GUAM, containing an area of 745 square meters**, and to improvements sitting on said Lot, as her sole and separate property. Upon the filing of this instant Order and Final Decree of Distribution to the Department of Land Management, Government of Guam, said Department of Land Management shall release a Certificate of Title to said property to Mae K. Cruz, naming her as legal and rightful owner of said property.

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19 B. To Mae K. Cruz, Government of Guam Tax Refunds in the aggregate amount of \$513.28 (payable to GRIETJE KAMMINGA CRUZ). Mae K. Cruz is able to endorse the checks and that monies on said refund checks shall be released to Mae K. Cruz. In the alternative, Government of Guam is ordered to re-issue said refund checks in Mae K. Cruz's name and release such checks to Mae K. Cruz.

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21
22 **IT IS ALSO HEREBY ORDERED, ADJUDGED, AND DECREED,**

23 A. That Mae K. Cruz shall buy-out the interest of the Estate of Simon K. Cruz. Mae K. Cruz shall deposit in a Trust Account with Bank of Guam, \$22,724.04, as payment for the Estate of Simon K. Cruz's 1/7 interest in the Estate. The heirs of Simon K. Cruz shall have five years from the date of the deposit to probate the monies, and the monies shall be released only by a Court Order. If the monies are not released within five years from the date of the deposit of the monies, Bank of Guam is **ORDERED** to automatically release the deposited funds to Mae K. Cruz, without obtaining a prior Court Order.

1 IN THE MATTER OF THE ESTATE OF JUAN CRUZ AND GRIETJE CRUZ
2 ORDER AND FINAL DECREE OF DISTRIBUTION

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4 B. That Mae K. Cruz shall buy-out the interest of the Estate of Anthony K. Cruz:
5 Mae K. Cruz shall deposit in a Trust Account with Bank of Guam,
6 \$22,724.04, as payment for the Estate of Anthony K. Cruz's 1/7 interest in the
7 Estate within thirty days from the issuance of the instant Decree. The heirs of
8 Anthony K. Cruz and Angela Cruz Onishi shall have five years from the date
9 of the deposit to probate the monies, and the monies shall be released only by
10 a Court Order. Upon Mae K. Cruz's deposit of the monies, Angela Cruz
11 Onishi's Counsel, will be given the information on the Bank of Guam account.
12 If the monies are not released within five years from the date of the deposit,
13 Bank of Guam is **ORDERED** to automatically release the funds to Mae K.
14 Cruz, without obtaining a prior Court Order.

15 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Estate and
16 residue thereof hereinafter particularly described, and any other property, whether real property or
17 personal property or mixed, not now known or discovered which may belong to said Estate or in
18 which said Estate may have an interest, be and the same is hereby distributed as described herein.

19 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Catherine Bejerana
20 Camacho, Esq. and the Law Office of Catherine Bejerana Camacho, Esq., be and hereby is
21 discharged as attorneys of record of the Estate.

22 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that Mae K. Cruz be and
23 hereby is discharged as Administratrix of the Estate upon the filing of the Decree of Final
24 Distribution with the Department of Land Management, Government of Guam, the release of tax
25 refunds by the Department of Revenue and Taxation, or upon the release of all the deposited funds
26 in the Trust Account with Bank of Guam, whichever comes later.

27
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29 **MAY 03 2012**
30 SO ORDERED: _____, 2012.

Original Signed By:
Hon. E. Barrett-Anderson

HONORABLE ELIZABETH BARRETT-ANDERSEN
JUDGE, Superior Court of Guam

MAY 14 2012
Jimmy L. Pinyan

1 IN THE MATTER OF THE ESTATE OF JUAN CRUZ AND GRIETJE CRUZ
2 ORDER AND FINAL DECREE OF DISTRIBUTION

3
4 Approved as to Form and Content

Original Signed By

5 **GEORGETTE BELLO CONCEPCION**

DATE: 3/30/12

6 GEORGETTE BELLO CONCEPCION

Attorney for Agela Cruz Onishi

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SUPERIOR COURT OF GUAM

CERTIFICATE OF MARRIAGE

Pursuant to Marriage Licence No. 7667 issued by the Government of Guam:

I, BENJAMIN J. F. CRUZ, by virtue of authority vested upon me as

Judge of the Superior Court of Guam,

HEREBY CERTIFY that on MARCH 1, 19 87, at Agana, Guam,

have joined in marriage,

RONALD WILLIAM BLADE and MAE KAMMINGA CRUZ

in the presence of JUAN CRUZ, residing at PITI

and GRIETJE CRUZ, residing at PITI

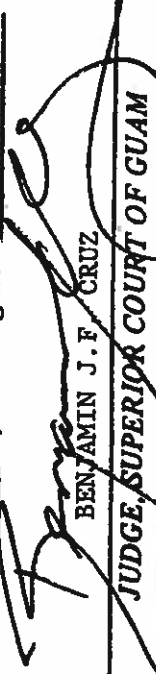

BENJAMIN J. F. CRUZ
JUDGE, SUPERIOR COURT OF GUAM

Exhibit E

RELEASE AND SETTLEMENT AGREEMENT

KNOWN TO ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of Thirteen Thousand Dollars (\$13,000.00) money of the United States, Ronald W. Blade and Mae K. Cruz, whose residential address is 1486 N. Marine Corps Drive, Piti, Guam 96915 and whose mailing address is P.O. Box 1878, Hagatna, Guam 96932 (hereafter referred to as "Releasors"), does by these presents, remise, release and forever discharge the Guam Waterworks Authority, a public corporation organized and existing under the laws of Guam, whose address is 688 Route 15 Mangilao, Guam 96913 (hereafter referred to as "Releasee"), its agents, servants, officers, and employees, and each of them, and all other persons, firms, corporations, insurers, associations, or partnerships having any interest in or in any way connected with said Releasees, of all claims and demands for damages of every kind and nature whatsoever, and whether now known or unknown, by reason of or arising from that certain incident more particularly described in the Guam Waterworks Authority Government Claim File 2019-005 filed by Releasors with the Guam Waterworks Authority on September 24, 2019 and attached herein as Exhibit A.

In further consideration of the payment of Thirteen Thousand Dollars (\$13,000.00), the Releasors do hereby knowingly, voluntarily, and expressly waive the benefits of the provisions of 18 GCA § 820602, which reads as follows:

A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor.

The Releasors further declare and represent and hereby agrees that this Release and Settlement Agreement expresses a full and complete settlement of a liability claimed and denied, and that regardless of the adequacy of the compensation, this Release and Settlement Agreement is intended to avoid litigation, and that there is absolutely no promise, inducement or agreement on the part of the Releasee to make any payment or do any act or thing other than what is expressly stated and clearly agreed to herein, and that this Release and Settlement Agreement are contractual and not a mere recital.

GWA: _____
R. Blade: RS
M. Cruz: MC

Releasors further jointly and severally agrees to indemnify, defend and hold harmless Releasee, its agents, servants and employees, and each of them, and all other persons, firms, corporations, associations, or partnerships, having any interest in, or in any way connected with said Releasee, from and against any and all loss, liability, and expenses of whatsoever kind or nature, including but not limited to attorney's fees which may arise from the assertion by Releasors or any third party of any claim against anyone arising out of the incident and occurrence that are the basis of the Guam Waterworks Authority Government Claim File 2019-005 attached as Exhibit A herein.

The Releasors hereby declare that they have read the foregoing Release and Settlement Agreement and that they have executed the same of their own free will and accord.

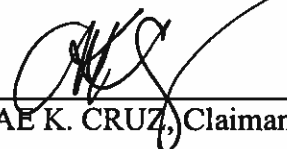
This Release and Settlement Agreement consists of three (3) pages, each of which has been initialed by the Releasors and Releasee at the lower left corner, and the Releasors have retained a copy of the Release and Settlement Agreement.

Dated this _____ day of April, 2020

FOR RELEASORS:



RONALD W. BLADE, Claimant



MAE K. CRUZ, Claimant



SETTLEMENT OF GOVERNMENT CLAIM APPROVED BY:

FOR RELEASEE:

✓

MIGUEL C. BORDALLO, P.E.,
General Manager
Guam Waterworks Authority

DATE: _____

GWA: _____
R. Blade: 
M. Cruz: 

SETTLEMENT OF GOVERNMENT CLAIM APPROVED BY:

THE HONORABLE LOURDES A. LEON GUERRERO
Governor of Guam
DATE: _____

APPROVED AS TO FORM AND LEGALITY:

LEEVIN T. CAMACHO
Attorney General of Guam
DATE: _____

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GWA:
R. Blade: 
M. Cruz: 