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REPUBLIC OF THE PHILIPPINES
THE SUPREME COURT
Manila

2007 DEC -7 PM 4:29

**ROMULO L. NERI in his
capacity as Chairman
of the Commission on
Higher Education
(CHED) and as former
Director General of the
National Economic &
Development Authority
(NEDA),**

Petitioner,

180643

-versus-

G.R. No. _____

**SENATE COMMITTEE ON
ACCOUNTABILITY OF
PUBLIC OFFICERS &
INVESTIGATIONS (BLUE
RIBBON), SENATE
COMMITTEE ON TRADE
& COMMERCE, and
SENATE COMMITTEE ON
NATIONAL DEFENSE &
SECURITY,**

Respondents.

X-----

--X

PETITION FOR CERTIORARI

Petitioner, by counsel, respectfully states:

I.

Prefatory

This petition presents, squarely, for resolution the validity of
the President's invocation of executive privilege to prevent her

Cabinet member from divulging to Senate investigating committees discussions with her relating to confidential diplomatic, economic and military matters.

II. The Parties

1.01 Petitioner Romulo L. Neri ("Neri") is of legal age, single, and is the Chairman of the Commission on Higher Education ("CHED") and the former Director General of the National Economic & Development Authority ("NEDA") from 17 December 2002 to 18 July 2005 and 16 February 2006 to 15 August 2007.

1.02 Respondent Senate Committees, on Accountability of Public Officers and Investigations (Blue Ribbon), on Trade and Commerce, and on National Defense and Security, all hold office at the Senate of the Philippines, GSIS Financial Center, Roxas Blvd., Pasay City, where they may be served process of this Court. Respondents are, and at all times relevant to this Petition, represented by their respective Chairmen, Senators Alan Peter S. Cayetano, Mar Roxas, and Rodolfo G. Biazon.

III. Nature and Timeliness of the Petition; Compliance with Jurisdictional Requirements

2.01 This is a petition for certiorari under Rule 65 of the Rules of Court.

2.02 The target of this petition is a Show Cause Order dated 22 November 2007 issued by respondent Senate Committees threatening Neri with contempt. A certified true copy of this Order is attached to the original of this petition as **Annex "A"**, with plain copies of such Order being attached to the copies of this petition also as **Annex "A."**

2.02.1 This Order was received by the petitioner on 27 November 2007, and therefore this petition is filed well within the 60-day period established in Rule 65, Section 4.

2.03 Service of a copy of this Petition has been made on the respondents. The corresponding Affidavit of Service is attached hereto as **Annex "E."**

2.04 The verification and certification of non-forum shopping is hereto attached and made an integral part hereof as **Annex "F."**

IV. Relevant Antecedent Events

3.01 Since early September 2007, respondent Committees have been holding investigatory hearings, in aid of legislation, on the National Broadband Network ("NBN") Contract with Zhong Xing Telecommunications Equipment Limited ("ZTE Corporation"), a corporation owned by the Government of the People's Republic of China.

3.02 On 26 September 2007, Neri, attending on invitation the hearing for all of eleven (11) hours, testified before respondents' Committees that then-COMELEC Chairman Benjamin

Abalos, the alleged broker in the NBN Project, offered him P200 million in exchange for his office's (NEDA's) approval of the project.

3.03 Further, Neri testified then that he told President Gloria Macapagal-Arroyo of the bribe attempt by Benjamin Abalos and that the President instructed him not to accept the bribe offer.

3.04 However, when Neri was asked about what he and the President discussed thereafter on the NBN Project, he refused to answer, invoking executive privilege.

4.01 On 13 November 2007, the Blue Ribbon Committee issued a *subpoena ad testificandum* addressed to petitioner requiring him to appear before it and testify further on 20 November 2007. A copy of this *subpoena* is attached hereto as an integral part hereof as **Annex "B."**

4.02 On 15 November 2007, Executive Secretary Eduardo Ermita, addressed a letter to Respondent Blue Ribbon Committee Chairman Cayetano requesting that petitioner's testimony on 20 November 2007 be dispensed with because of executive privilege which he was invoking for petitioner "by order of the President." A copy of this letter is attached hereto as an integral part hereof as **Annex "C."**

4.03 So, upon the order of the President invoking executive privilege, Neri did not appear before the respondent Committees on 20 November 2007. Neri then well understood and assumed, as was the fact, that the only matters of which the Committees would question him exclusively related to his further discussions with the President relating to the NBN Contract.

5.01 On 22 November 2007 respondents issued the Show Cause Order, **Annex "A"**, which is the target of this petition.

5.02 In an effort to avoid being cited in contempt and immediately arrested, Neri personally replied to Respondents in a letter dated 29 November 2007. A copy of this reply letter is attached hereto as an integral part hereof as **Annex "D,"** and the thereto attached letter of his counsel as **"Annex D-1"**.

V. Ground for Granting this Petition

6.01 Respondent Committees' Order dated 22 November 2007, Annex "A," was issued with grave abuse of discretion amounting to lack or excess of jurisdiction, and there is no appeal, nor any plain, speedy and adequate remedy in the ordinary course of law.

6.02 Petitioner properly and correctly invoked executive privilege to justify his non-appearance at the 20 November 2007 hearing and all further hearings on the same subject.

VI. Discussion

7.01 Petitioner was properly deferential to, and respectful of, the respondent Senate Committees, and the Senate of which they are a part. He appeared before these Committees upon its request and answered all its questions except on the matters which he declined to answer on the ground of executive privilege.

7.02 Petitioner's invocation of executive privilege is well-founded.

7.03 Petitioner's discussions with the President were candid discussions meant to explore options in making policy decisions (see *Almonte v. Vasquez*, 244 SCRA 286 [1995]). These discussions dwelt on the impact of the bribery scandal involving high Government officials on the country's diplomatic relations and economic and military affairs, and the possible loss of confidence of foreign investors and lenders in the Philippines.

7.04 Petitioner's invocation of executive privilege was timely, upon authority of the President, and well within the parameters laid down in *Senate v. Ermita*, 488 SCRA 1 (2006) and *United States v Reynolds*, 345 US 1 (1953).

7.05 There is further justification for petitioner's selective silence. Petitioner is prohibited by law from disclosing communications made to him in official confidence. (Section 7, Republic Act No. 6713; Ethical Standards Act, Section 7[c], Rules of Court; Rule 130, Section 24[e], Rules of Court).

7.06 Neri's non-appearance at the 20 November 2007 hearing was due to the order of the President herself, invoking executive privilege, and therefore the Show Cause Order, Annex "A", was issued with grave abuse of discretion, hence null and void.

VI. Allegations in Support of Application for TRO and/or Preliminary Injunction

8.01 Petitioner repleads by reference the foregoing allegations.

8.02 Petitioner has the right to the relief herein demanded, which relief consists, in part, in restraining respondent Committees from citing him in contempt and sanctioning him for refusing to answer questions involving his discussions with the President on the NBN Project.

8.03 Petitioner is ready, willing and able to file a bond in such amount as may be fixed by this Court, executed in favor of respondents to the effect that he will pay them the damages they may sustain by reason of the issuance of any Temporary Restraining Order on Preliminary Injunction should this Court later decide that petitioner was not entitled thereto.

P R A Y E R

WHEREFORE, petitioner respectfully prays that -

1) Pending determination of the issue raised on this petition, this court issue a Temporary Restraining Order (TRO) to restrain respondent Senate Committees from citing petitioner in contempt and sanctioning him;

2) After due hearing, this Court convert the TRO into a Writ of Preliminary Injunction;

3) After full hearing, this Court promulgate judgment declaring as null and void the Show Cause Order dated 22 November 2007, **Annex "A,"** and any order of respondents for petitioner to answer questions pursuant to this Show Cause Order.

Petitioner prays for costs of suit and for such further or other relief as may be deemed just or equitable.

Quezon City, for Manila, 06 December 2007.

ANTONIO R. BAUTISTA & PARTNERS

Counsel for Petitioner
Bautista Law Building
30 Eugenio Lopez St. (formerly Sct. Albano St.)
Diliman, Quezon City

By:



ANTONIO R. BAUTISTA

Roll No. 14040

IBP No. 698870, 01-08-07, Pampanga

PTR No. 8451092, 01-02-07, Q.C.

Copy Received:

A. ALAN PETER S. CAYETANTO

Chairman
Senate Committee on
Accountability of Public Officers
& Investigations (Blue Ribbon)

B. MAR ROXAS

Chairman
Senate Committee on Trade &
Commerce

C. RODOLFO G. BIAZON

Chairman
Senate Committee on National
Defense & Security
Series of 2005

Show Cause Order

Republic of the Philippines

Senate

Pasay City



COMMITTEE ON ACCOUNTABILITY
OF PUBLIC OFFICERS AND INVESTIGATIONS
(BLUE RIBBON)

CHED
OFFICE OF THE CHAIRMAN
RECEIVED
NOV 27 2007

TIME: 2:04 PM

SEN. ALAN PETER "Compañero" S. CAYETANO
Chairman

ANNEX " A "

22 November 2007

MR. ROMULO L. NERI
Chairman
Commission on Higher Education
5th Floor, DAP Building, San Miguel Ave.
Ortigas Center, Pasig City

Certified Xerox Copy
By: _____
Date: 6 Dec. '07

Dear Mr. Neri:

A Subpoena Ad Testificandum has been issued and was duly received and signed by a member of your staff on 15 November 2007.

You were required to appear before the Senate Blue Ribbon hearing at 10:00 a.m. on 20 November 2007 to testify on the Matter of:

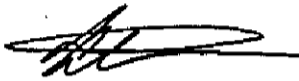
P.S. RES. NO. 127 BY SENATOR AQUILINO Q. PIMENTEL, JR. (Resolution Directing The Blue Ribbon Committee and the Committee On Trade And Industry To Investigate, In Aid Of Legislation, The Circumstances Leading To The Approval of the Broadband Contract With The ZTE and The Role Played By The Officials Concerned In Getting It Consummated, and To Make Recommendations To Hale To The Courts of Law, The Persons Responsible For Any Anomaly In Connection Therewith and To Plug Loopholes, If Any, In The BOT Law and Other Pertinent Legislations); P.S. RES. NO. 129 BY SENATOR PANFILO M. LACSON (Resolution Directing The Committee On National Defense And Security To Conduct An Inquiry In Aid Of Legislation Into The National Security Implications Of Awarding The National Broadband Network Contract To The Chinese Firm Zhong Xing Telecommunications Equipment Company Limited [ZTE Corporation], With The End In View Of Providing Remedial Legislation That Will Further Protect Our National Sovereignty And Territorial Integrity); PRIVILEGE SPEECH OF SENATOR PANFILO M. LACSON entitled "LEGACY OF CORRUPTION" delivered on 11 September 2007; P.S. RES. NO. 136 BY SENATOR MIRIAM DEFENSOR SANTIAGO (Resolution Directing The Proper Senate Committee To Conduct An Inquiry, In Aid Of Legislation, On The Legal And Economic

Justification Of The National Broadband Network [NBN] Project Of The Government); PRIVILEGE SPEECH OF SENATOR MIRIAM DEFENSOR SANTIAGO entitled "INTERNATIONAL AGREEMENTS IN CONSTITUTIONAL LAW: THE SUSPENDED RP-CHINA (ZTE) LOAN AGREEMENT" delivered on 24 September 2007; P.S. RES NO. 144 BY SENATOR MAR ROXAS (Resolution Urging President Gloria Macapagal Arroyo to direct the Cancellation of the ZTE Contract).

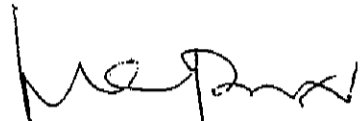
Since you have failed to appear in the said hearing, the Committees on Accountability of Public Officers and Investigations (Blue Ribbon), Trade and Commerce and National Defense and Security require you to show cause why you should not be cited in contempt under Section 6, Article 6 of the Rules of the Committee on Accountability of Public Officers and Investigations (Blue Ribbon).

The Senate expects your explanation on or before 2 December 2007.

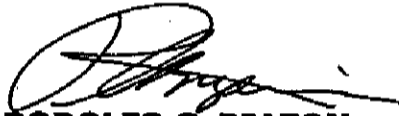
For the Senate:



ALAN PETER S. CAYETANO
Chairman
Committee on Accountability of
Public Officers and Investigations
(Blue Ribbon)



MAR ROXAS
Chairman
Committee on Trade and Commerce



RODOLFO G. BIAZON
Chairman
Committee on National Defense & Security

Approved:



MANNY VILLAR
Senate President

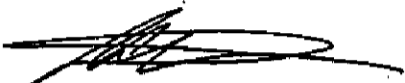
Certified Xerox Copy

By: 

Date: 6 Dec. '07

**TO: The Sergeant-At-Arms
Senate, Manila**

Please cause the immediate service of this NOTICE TO SHOW CAUSE NOT TO BE CITED IN CONTEMPT of the above-named witness, and thereafter make the proper return immediately to the above-named Committee.



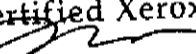
ALAN PETER S. CAYETANO
Chairman
Committee on Accountability of
Public Officers and Investigations
(Blue Ribbon)



MAR ROXAS
Chairman
Committee on Trade and Commerce



RODOLFO G. BIAZON
Chairman
Committee on National Defense & Security

Certified Xerox Copy	
By:	
Date:	6 Dec. '09



COMMITTEE ON ACCOUNTABILITY
OF PUBLIC OFFICERS AND INVESTIGATIONS
(BLUE RIBBON)

IN THE MATTER OF: P.S. Res. No. 127 (THE CIRCUMSTANCES LEADING TO THE APPROVAL OF THE BROADBAND CONTRACT WITH THE ZTE AND THE ROLE PLAYED BY THE OFFICIALS CONCERNED IN GETTING IT CONSUMMATED, AND TO MAKE RECOMMENDATIONS TO HALE TO THE COURTS OF LAW, THE PERSONS RESPONSIBLE FOR ANY ANOMALY IN CONNECTION THEREWITH AND TO PLUG LOOPHOLES, IF ANY, IN THE BOT LAW AND OTHER PERTINENT LEGISLATIONS); **P.S. Res. No. 129** (THE NATIONAL SECURITY IMPLICATIONS OF AWARDING THE NATIONAL BROADBAND NETWORK CONTRACT TO THE CHINESE FIRM ZHONG XING TELECOMMUNICATIONS EQUIPMENT COMPANY LIMITED (ZTE CORPORATION); Privilege Speech of Sen. Panfilo M. Lacson titled, "Legacy of Corruption" delivered on September 11, 2007; **P.S. Res. No. 136** (THE LEGAL AND ECONOMIC JUSTIFICATION OF THE NATIONAL BROADBAND NETWORK (NBN) PROJECT OF THE GOVERNMENT); Privilege Speech of Sen. Miriam Defensor Santiago titled, "International Agreements in Constitutional Law: The Suspended RP-China (ZTE) Loan Agreement" delivered on September 14, 2007; and **P.S. Res. No. 144** (A RESOLUTION URGING PRESIDENT GLORIA MACAPAGAL ARROYO TO DIRECT THE CANCELLATION OF THE ZTE CONTRACT).

SUBPOENA AD TESTIFICANDUM

TO: **Mr. ROMULO L. NERI**
Chairman
Commission on Higher Education
5th Floor, DAP Bldg., San Miguel Ave,
Ortigas Center, Pasig City

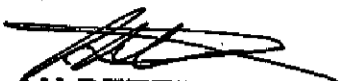
By authority of Section 17, Rules of Procedure Governing Inquiries in Aid of Legislation of the Senate, Republic of the Philippines, you are hereby commanded and required to appear before the Committee on Accountability of Public Officers and Investigations (Blue Ribbon) of the Senate, then and there to testify under oath on what you know relative to the subject matter under inquiry by the said Committee, on the day, date, time and place hereunder indicated:

Day, Date & Time: Tuesday, November 20, 2007
10:00 a.m.

Place: Senator Ambrosio Padilla Room
2nd Floor, Senate of the Phils.
GSIS Bldg., Roxas Blvd.
Pasay City

HEREOF FAIL NOT INDEED DENYTY OF LAW


WITNESS MY HAND and the Seal of the Senate of the Republic of the Philippines, at Pasay City, this 13th day of November, 2007.


ALAN PETER S. CAYETANO
Chairman
Committee on Accountability of
Public Officers & Investigations
(Blue Ribbon)


MAR ROXAS
Chairman
Committee on Trade and Commerce

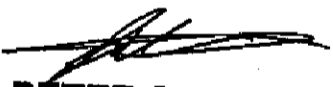

RODOLFO G. BIAZON
Chairman
Committee on National Defense & Security

Approved:

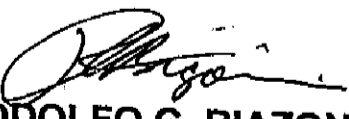

MANNY VILLAR
Senate President

TO: **The Sergeant-At-Arms
Senate, Manila**

Please cause the immediate service of this Subpoena ad testificandum to the above-named witness, and thereafter make the proper return immediately to the Committee above-named.


ALAN PETER S. CAYETANO
Chairman
Committee on Accountability of
Public Officers & Investigations
(Blue Ribbon)


MAR ROXAS
Chairman
Committee on Trade and Commerce


RODOLFO G. BIAZON
Chairman
Committee on National Defense & Security

Office of the President
of the Philippines
Malacanan

ANNEX " C "

15 November 2007

[Handwritten signature]
10:00 AM
11/20/07

HON. ALAN PETER "Companero" CAYETANO
Chairman
Commission on Accountability of Public
Officers and Investigations
Philippine Senate
Pasay City

Dear Chairman Cayetano:

With reference to the *subpoena ad testificandum* issued to Secretary **Romulo Neri** to appear and testify again on 20 November 2007 before the Joint Committees you chair, it will be recalled that Sec. Neri had already testified and exhaustively discussed the ZTE/NBN project, including his conversation with the President thereon last 26 September 2007.

Asked to elaborate further on his conversation with the President, Sec. Neri asked for time to consult with his superiors in line with the ruling of the Supreme Court in *Senate vs. Ermita, 488 SCRA 1 (2006)*.

Specifically, Sec. Neri sought guidance on the possible invocation of executive privilege on the following questions, to wit:

- a) Whether the President followed up the (NBN) project?
- b) Were you dictated to prioritize the ZTE?
- c) Whether the President said to go ahead and approve the project after being told about the alleged bribe?

Following the ruling in *Senate vs. Ermita*, the foregoing questions fall under **conversations and correspondence between the President and public officials which are considered executive privilege** (*Almonte v Vasquez* G.R. 95367, 23 May 1995; *Chavez v PEA*, G.R. 133250, July 9, 2002). Maintaining the confidentiality of conversations of the President is necessary in the exercise of her executive and policy decision making process. The expectation of a President to the **confidentiality of her conversations and correspondences**, like the value which we accord deference for the privacy of all

citizens, is the necessity for protection of the public interest in candid, objective, and even blunt or harsh opinions in Presidential decision-making. Disclosure of conversations of the President will have a chilling effect on the President, and will hamper her in the effective discharge of her duties and responsibilities, if she is not protected by the confidentiality of her conversations.

The context in which executive privilege is being invoked is that the information sought to be disclosed might impair our diplomatic as well as economic relations with the People's Republic of China. Given the confidential nature in which these information were conveyed to the President, he cannot provide the Committee any further details of these conversations, without disclosing the very thing the privilege is designed to protect.

In light of the above considerations, this Office is constrained to invoke the settled doctrine of executive privilege as refined in *Senate vs. Ermita*, and has advised Secretary Neri accordingly.

Considering that Sec. Neri has been lengthily interrogated on the subject in an unprecedented 11-hour hearing, wherein he has answered all questions propounded to him except the foregoing questions involving executive privilege, we therefore request that his testimony on 20 November 2007 on the ZTE/NBN project be dispensed with.

With assurance of our cooperation.

Very truly yours,

By Order of the President:


EDUARDO R. ERMITA
Executive Secretary

Sec. Romulo Neri
5/F Upper DAP Bldg., San Miguel Ave.
Ortigas Center, Pasig City



Republic of the Philippines
OFFICE OF THE PRESIDENT
COMMISSION ON HIGHER EDUCATION

ANNEX " D " //

November 29, 2007

HON. ALAN PETER "Compañero" CAYETANO
Chairman
Committee on Accountability of Public
Officers and Investigations
Senate of the Philippines

Dear Senator Cayetano:

This refers to your letter dated 22 November 2007 directing the undersigned to show cause why he should not be cited in contempt of the Senate for failure to attend the ZTE-NBN hearing last Tuesday, 20 November 2007.

It was not my intention to snub the last Senate hearing. In fact, I have cooperated with the task of the Senate in its inquiry in aid of legislation as shown by my almost 11 hours stay during the hearing on 26 September 2007. During said hearing, I answered all the questions that were asked of me, save for those which I thought was covered by executive privilege, and which was confirmed by the Executive Secretary in his letter of 15 November 2007. In good faith, after that exhaustive testimony, I thought that what remained were only the three questions, where the Executive secretary claimed executive privilege. Hence, his request that my presence be dispensed with.

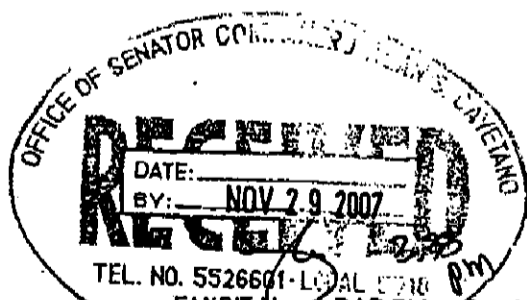
Be that as it may, should there be new matters that were not yet taken up during the 26 September 2007 hearing, may I be furnished in advance as to what else I need to clarify, so that as a resource person, I may adequately prepare myself?

I have attached my counsel's letter to further clarify my response.

With assurance of my cooperation.

Very truly yours,


ROMULO L. NERI
Chairman



TEL. NO. 5526601-LOCAL 0218
FAX NO. 5526601-0218
Web Site: www.ched.gov.ph, Tel. Nos. 633-27-13, 634-68-36, 638-58-35, 636-16-94, Fax No. 635-58-29

ANTONIO R. BAUTISTA & PARTNERS
L a w O f f i c e s

ANNEX " D-1 " //

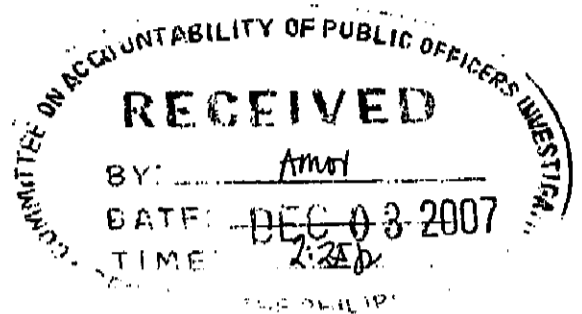
Bautista Law Building, 30 Eugenio Lopez Street (formerly Scout Albano Street)
Diliman, Quezon City, Philippines 1101

Antonio R. Bautista
Amelia P. Bautista
Jose Mari S. Velez, Jr.

29 November 2007

**SENATORS ALAN PETER S. CAYETANO
RODOLFO BIAZON AND MAR ROXAS**

*Chairmen, Blue Ribbon Committee
National Defense and Security
Committee, and Trade and Commerce
Committee
Senate of the Philippines
Pasay City*



Your Honors:

The Honorable Romulo L Neri, Chairman, Commission on Higher Education, by undersigned counsel, in respectful obedience to your letter dated 22 November 2007 requiring him to "show cause why [he] should not be cited in contempt", submits this explanation:

1. To begin with, Secretary Neri has always intended to cooperate with your Committees, as manifested by his attendance for almost eleven (11) hours at the 26 September 2007 hearing.
2. His non-appearance last 20 November 2007 was upon the order of the President invoking executive privilege as embodied in Sec. Eduardo R. Ermita's letter dated 18 November 2007.
3. Secretary Neri honestly believes that he has exhaustively and thoroughly answered all questions asked of him on the ZTE/NBN contract except those relating to his conversations with the President.
4. His conversations with the President dealt with delicate and sensitive national security and diplomatic matters relating to the impact of the bribery scandal involving high government officials and the possible loss of confidence of foreign investors and lenders in the Philippines. Secretary Neri believes, upon our advice, that, given the sensitive and confidential nature of his discussions with the President, he can, within the principles laid down in *Senate v. Ermita*, 488 SCRA 1 (2006) and *United States v. Reynolds*, 345 U.S. 1 97 L. Ed. 727, 73 S.Ct.528, 32 A.L.P. 2d

Tel Nos.: (632) 928-1511 & (632) 928-1512

Fax No.: 924-1669

E-mail: arblo@compass.com.ph

282 (1953), justifiably decline to disclose these matters on the claim of executive privilege.

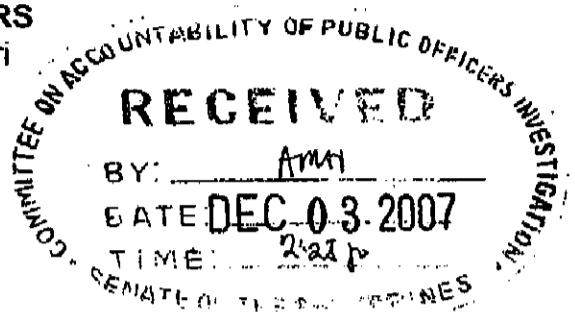
Be that as it may, should there be new matters that were not yet taken up during the 26 September 2007 hearing, may we, as counsel for Secretary Neri, be furnished in advance as to what else Secretary Neri needs to clarify, so that as a resource person, he may adequately prepare for the hearing.

Very truly yours,

ANTONIO R. BAUTISTA & PARTNERS
Counsel for Secretary Romulo L. Neri

By:


ANTONIO R. BAUTISTA



VERIFICATION

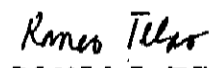
I, ROMULO L. NERI, of legal age, Filipino, with address at 28 Palali Street, Sta. Mesa Heights, Quezon City, being first duly sworn, depose and say:

1. I authorized the preparation and filing of the foregoing letter.
2. All allegations of fact therein are true and correct of my personal knowledge.


ROMULO L. NERI
Affiant

SUBSCRIBED AND SWORN to before me this 03 day of DEC of 2007 at PASIG CITY, affiant exhibiting to me his Community Tax Certificate No. 181 69470, issued on 02/09/07 at Pasig City.

Doc. No. 397 ;
Page No. 80 ;
Book No. XVIII ;
Series of 2007.


ROMEO I. TELPO
NOTARY PUBLIC
UNTIL DECEMBER 31, 2007
PTR No. 2620881 11/17/07
RP No. 209196 11/17/07

Republic of the Philippines)
City of Quezon)S.S.

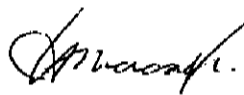
AFFIDAVIT OF SERVICE

I, **RODRIGO H. BUCACAO, JR.**, of legal age, Filipino, married and with office address at Blk 4, Lot 5 Emerald St., San Pedro 6, Tandang Sora, Quezon City, hereby depose and state that:

1. I am the paralegal of **Antonio R. Bautista & Partners.**
2. Today, December 7, 2007, I served and delivered **BY PERSONAL SERVICE** copies of "PETITION FOR CERTIORARI" dated December 6, 2007 in G.R. No. _____ entitled "ROMULO L. NERI VERSUS SENATE COMMITTEES ON ACCOUNTABILITY OF PUBLIC OFFICERS, ON TRADE AND ON NATIONAL DEFENSE" to the RESPONDENTS, to wit:

SEN. ALAN PETER S. CAYETANO Blue Ribbon Committee	--	Receipt/Date _____ By _____
SEN. MAR ROXAS Committee on Trade & Commerce	--	Receipt/Date _____ By _____
SEN. RODOLFO G. BIAZON Committee on Natl. Def. & Security	--	Receipt/Date _____ By _____

(Note: The Stamp Receipts for such addressees are shown above as proof of personal service upon said Respondents)


RODRIGO H. BUCACAO, JR.
 Affiant

SUBSCRIBED AND SWORN to before me this 07 day of December 2007 at Quezon City, Philippines, affiant exhibiting to me his Professional Driver's License No. NO4-88-070680 issued at Quezon City with Expiry date of Nov. 2, 2008.

QUEZON CITY

Doc. No. 247, Page No. 50,
Book No. 294, Series of 2007.

ATTY. BENJAMIN MANGUIA
 NOTARY PUBLIC
 COMM. EXPIRES ON DEC. 31, 2007
 IBP NO. 679911, 1-2-2007, Q.C.
 PTR NO. 8451927, 1-2-2007, Q.C.
 ROLL NO. 34845

VERIFICATION AND CERTIFICATION

OF NON-FORUM SHOPPING

REPUBLIC OF THE PHILIPPINES)
QUEZON CITY) S.S.

I, ROMULO L. NERI, of legal age, Filipino, single, with address at 28 Palali Street, Sta. Mesa Heights, Quezon City, being first duly sworn, depose and say that:

- 1. I am the petitioner in the above-captioned case.
2. I caused the filing of the foregoing Petition for Certiorari and all allegations of fact therein are true and correct to my personal knowledge.
3. I attest to the authenticity of Annexes "A"- "F" of the foregoing Petition.
4. I certify that to my personal knowledge, I have not commenced any other action or proceeding nor is there any action or proceeding involving the same issues pending in the Supreme Court, Court of Appeals, or any other tribunal or agency wherein this amended petition and sworn certification contemplated herein have been filed.

ROMULO L. NERI
Affiant

SUBSCRIBED AND SWORN to before me in Quezon City, this
day of
Passport No. DP007687, issued at Manila on
November 21, 2007.

QUEZON CITY

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Series of 2005

ATTY. GONATO C. MANGUAT
PUBLIC
COMMISSIONED ON DEC. 31, 2007
IBP NO. 67771, 1-2-2007, Q.C.
PTR NO. 8451927, 1-2-2007, Q.C.
ROLL NO. 34845

CERTIFICATION

THE UNDERSIGNED/ ATTY. GONATO C. MANGUAT, A NOTARY PUBLIC
FOR AND IN QUEZON CITY, IN FULL COMPLIANCE WITH COMMISSION EXPIRES ON DEC. 31, 20 —
DO HEREBY CERTIFY THAT HE HAS IDENTIFIED AND COMPARED THE ORIGINAL OF THIS PHOTOCOPY AND ATTEST THAT IT IS A FAITHFUL
REPRODUCTION OF THE ORIGINAL