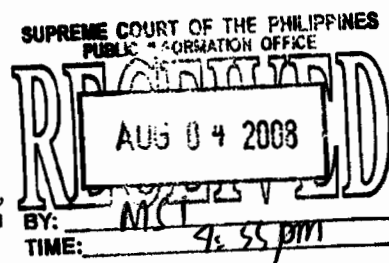




Republic of the Philippines  
Supreme Court  
Manila



Sirs/Mesdames:

*Quoted hereunder, for your information, is a resolution of the Court En Banc dated August 4, 2008*

“G.R. No. **183591** (The Province of North Cotabato, duly represented by Governor Jesus Sacdalan and/or Vice-Governor Emmanuel Piñol, for and in his own behalf vs. The Government of the Republic of the Philippines Peace Panel on Ancestral Domain [GRP], represented by Sec. Rodolfo Garcia, Atty. Leah Armamento, Atty. Sedfrey Candelaria, Mark Ryan Sullivan and/or Gen. Hermogenes Esperon Jr., the latter in his capacity as the present and duly-appointed Presidential Adviser on the Peace Process [OPAPP] or the so-called Office of the Presidential Adviser on the Peace Process); and G.R. No. **183752** (City Government of Zamboanga, as represented by Hon. Celso L. Lobregat, City Mayor of Zamboanga, and his personal capacity as resident of the City of Zamboanga, Rep. Ma. Isabelle G. Climaco, District 1 and Rep. Erico Basilio A. Fabian, District 2, City of Zamboanga vs. The Government of the Republic of the Philippines Peace Negotiating Panel [GRP], as represented by Rodolfo C. Garcia, Leah Armamento, Sedfrey Candelaria, Mark Ryan Sullivan, and Hermogenes Esperon, in his capacity as the Presidential Adviser on Peace Process).- The Court Resolved to

- (a) **ACCEPT** G.R. No. 183591 which was referred to the Court *En Banc* by the Second Division in its resolution of August 4, 2008;
- (b) **CONSOLIDATE** the above cases;
- (c) **NOTE** the Comment, dated August 4, 2008, filed by the Office of the Solicitor General in G.R. No. 183591; and **REQUIRE** the petitioners to file a **REPLY** thereto, within a **NON-EXTENDIBLE PERIOD** of **FIVE (5) DAYS** from notice hereof;
- (d) **NOTE** the Manifestation with Urgent Subsequent Motion for the Issuance of Preliminary Injunction/Temporary Restraining Order in the Light of the Confirmed Information that the Signing of the Memorandum of Agreement on Ancestral Domain between the GRP Panel and MILF will be on

August 5, 2008 (Tomorrow) at 1100H at Marriot Hotel, Putrajaya, Selangor Malaysia, dated August 4, 2008, filed by counsel for petitioners in G.R. No. 183591;


(e) **ISSUE** a **TEMPORARY RESTRAINING ORDER**, effective immediately and continuing until further orders from this Court, commanding and directing public respondents and their agents to **CEASE** and **DESIST** from formally signing the GRP-MILF Peace Panel Memorandum of Agreement on Ancestral Domain;

(f) **REQUIRE** the respondents in G.R. No. 183752 to Comment on the petition, within a **NON-EXTENDIBLE PERIOD** of **FIVE (5) DAYS** from notice hereof; and

(g) **REQUIRE** the Office of the Solicitor General to **SUBMIT** to the Court and the petitioners, the official copy of the final draft of the MOA on ancestral domain between the GRP Panel and the MILF including annexes not later than August 8, 2008.

The Court further Resolved to **SET** these cases for **ORAL ARGUMENT** on **August 15, 2008 (Friday)**, at **9:00 a.m.**, at the New Session Hall, 2<sup>nd</sup> Floor, Supreme Court New Building, Padre Faura St., Ermita, Manila." (adv2&3)

Very truly yours,

  
**MA. LUISA D. VILLARAMA**  
Clerk of Court

\* Atty. Israelito P. Torreon (reg)  
Counsel for Petitioners in G.R. No. 183591  
2/F Torreon Building, 1011 Washington St.  
Davao City

Atty. Norberto B. Patriarca (reg)  
OIC/Assistant City Legal Officer  
Office of the City Legal Officer, City Gov't of  
Zamboanga  
2<sup>nd</sup> Flr., City Hall, N.S. Valderosa St.  
7000 Zamboanga City  
[In G.R. No. 183752]

Public Information Office (x)  
Supreme Court.

\* The Solicitor General (x)  
134 Amorsolo St., Legaspi Village  
1229 Makati City

Secretary Rodolfo Garcia (x)  
Atty. Leah Armamento (x)  
Atty. Sedfrey Candelaria (x)  
Mark Ryan Sulliyon (x)  
GRP Peace Panel on Ancestral Domain  
7<sup>th</sup> Flr., Agustin 1 Building, Ortigas Complex  
Pasig City 1605

Hon. Hermogenes Esperon, Jr. (x)  
Presidential Adviser on the Peace Process  
7<sup>th</sup> Flr., Agustin 1 Building, Ortigas Complex  
Pasig City 1605



Republic of the Philippines  
Supreme Court

Manila

EN BANC

THE PROVINCE OF NORTH COTABATO, duly represented by GOVERNOR JESUS SACDALAN and/or VICE-GOVERNOR EMMANUEL PIÑOL, for and in his own behalf,

Petitioners,

- versus -

G.R. No. 183591

THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES PEACE PANEL ON ANCESTRAL DOMAIN (GRP), represented by SEC. RODOLFO GARCIA, ATTY. LEAH ARMAMENTO, ATTY. SEDFREY CANDELARIA, MARK RYAN SULLIVAN and/or GEN. HERMOGENES ESPERON, JR., the latter in his capacity as the present and duly-appointed Presidential Adviser on the Peace Process (OPAPP) or the so-called Office of the Presidential Adviser on the Peace Process,

Respondents.

X-----X

CITY GOVERNMENT OF ZAMBOANGA, as represented by Hon. Celso L. Lobregat, City Mayor of Zamboanga, and his personal capacity as resident of the City of Zamboanga, REP. MA. ISABELLE G. CLIMACO, District 1 and REP. ERICO BASILIO A. FABIAN, District 2, City of Zamboanga,

Petitioners,

- versus -

G.R. No. 183752

THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES PEACE NEGOTIATING PANEL (GRP), as represented by RODOLFO C. GARCIA, LEAH ARMAMENTO, SEDFREY CANDELARIA, MARK RYAN SULLIVAN, and HERMOGENES ESPERON, in his capacity as the Presidential Adviser on Peace Process),

Respondents.

X-----X

TEMPORARY RESTRAINING ORDER

TO: **Sec. Rodolfo Garcia** (x)  
**Atty. Leah Armamento** (x)  
**Atty. Sedfrey Candelaria** (x)  
**Mark Ryan Sullivan** (x)  
Peace Panel on Ancestral Domain (GRP)  
7<sup>TH</sup> Floor, Agustin I Building  
Ortigas Complex, Pasig City

**Gen. Hermogenes Esperon, Jr** (x)  
Presidential Adviser on the Peace Process  
7<sup>TH</sup> Floor, Agustin I Building  
Ortigas Complex, Pasig City

**GREETINGS:**

**WHEREAS**, the Supreme Court, on 4 August 2008, adopted a resolution in the above-entitled cases, to wit:

“G.R. No. **183591** (The Province of North Cotabato, duly represented by Governor Jesus Sacdalan and/or Vice-Governor Emmanuel Piñol, for and in his own behalf vs. The Government of the Republic of the Philippines Peace Panel on Ancestral Domain [GRP], represented by Sec. Rodolfo Garcia, Atty. Leah Armamento, Atty. Sedfrey Candelaria, Mark Ryan Sullivan and/or Gen. Hermogenes Esperon Jr., the latter in his capacity as the present and duly-appointed Presidential Adviser on the Peace Process [OPAPP] or the so-called Office of the Presidential Adviser on the Peace Process); and G.R. No. **183752** (City Government of Zamboanga, as represented by Hon. Celso L. Lobregat, City Mayor of Zamboanga, and his personal capacity as resident of the City of Zamboanga, Rep. Ma. Isabelle G. Climaco, District 1 and Rep. Erico Basilio A. Fabian, District 2, City of Zamboanga vs. The Government of the Republic of the Philippines Peace Negotiating Panel [GRP], as represented by Rodolfo C. Garcia, Leah Armamento, Sedfrey Candelaria, Mark Ryan Sullivan, and Hermogenes Esperon, in his capacity as the Presidential Adviser on Peace Process).- The Court Resolved to

(a) **ACCEPT** G.R. No. 183591 which was referred to the Court *En Banc* by the Second Division in its resolution of August 4, 2008;

(b) **CONSOLIDATE** the above cases;

(c) **NOTE** the Comment, dated August 4, 2008, filed by the Office of the Solicitor General in G.R. No. 183591; and **REQUIRE** the petitioners to file a **REPLY** thereto, within a **NON-EXTENDIBLE PERIOD** of **FIVE (5) DAYS** from notice hereof;

(d) **NOTE** the Manifestation with Urgent Subsequent Motion for the Issuance of Preliminary Injunction/Temporary Restraining Order in the Light of the Confirmed Information that the Signing of the Memorandum of Agreement on Ancestral Domain between the GRP Panel and MILF will be on August 5, 2008 (Tomorrow) at 1100H at Marriot Hotel, Putrajaya, Selangor Malaysia, dated August 4, 2008, filed by counsel for petitioners in G.R. No. 183591;

(e) **ISSUE** a **TEMPORARY RESTRAINING ORDER**, effective immediately and continuing until further orders from this Court, commanding and directing public respondents and their agents to **CEASE** and **DESIST** from formally signing the GRP-MILF Peace Panel Memorandum of Agreement on Ancestral Domain;

(f) **REQUIRE** the respondents in G.R. No. 183752 to Comment on the petition, within a **NON-EXTENDIBLE PERIOD** of **FIVE (5) DAYS** from notice hereof; and

(g) **REQUIRE** the Office of the Solicitor General to **SUBMIT** to the Court and the petitioners, the official copy of the final draft of the MOA on ancestral domain between the GRP Panel and the MILF including annexes not later than August 8, 2008.

The Court further Resolved to **SET** these cases for **ORAL ARGUMENT** on **August 15, 2008 (Friday)**, at **9:00 a.m.**, at the New Session Hall, 2<sup>nd</sup> Floor, Supreme Court New Building, Padre Faura St., Ermita, Manila."

**NOW, THEREFORE**, effective immediately and continuing until further orders from this Court, You, Public Respondents Sec. Rodolfo Garcia, Atty. Leah Armamento, Atty. Sedfrey Candelaria, Mark Ryan Sullivan, and Gen. Hermogenes Esperon, Jr., your agents, representatives, or persons acting in your place or stead, are hereby **ENJOINED** from formally signing the GRP-MILF Peace Panel Memorandum of Agreement on Ancestral Domain.

GIVEN by the Hon. **REYNATO S. PUNO**, Chief Justice, Supreme Court of the Philippines, this 4<sup>th</sup> day of August 2008.

  
**MA. LUISA D. VILLARAMA**  
Clerk of Court

Copy furnished:

Atty. Israelito P. Torreon (reg)  
Counsel for Petitioners in G.R. No. 183591  
Torreon De Vera-Torreon Law Firm  
2<sup>nd</sup> Floor, Torreon Building  
1011 Washington Street  
Davao City

Atty. Norberto B. Patriarca (reg)  
Office of the City Legal Officer  
City Government of Zamboanga  
Counsel for Petitioners in G.R. No. 183752  
2<sup>nd</sup> Floor, City Hall, N.S. Valderosa St.  
7000 Zamboanga City

Office of the Solicitor General (x)  
134 Amorsolo St.  
Legaspi Village  
1229 Makati City

Atty. Ludichi Yasay-Nunag (x)  
Clerk of Court  
Second Division  
Supreme Court  
Manila

Public Information Office (x)  
Supreme Court  
Manila

G.R. No. 183591 and 183752  
8/4/08 (adv2 & 3)