

WON PCGG RECOVERY of Ill-Gotten Wealth Cases (Banner or Mandate Cases)

As of 28 February 2022

| | CASE NO. • TITLE • ACTION • CONSOLIDATED CASES | PARTIES • HANDLING COUNSELS | VENUE • DATE FILED • DATE WHEN PROSECUTION RESTED ITS CASE | SUMMARY OF COURT RULING |
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| 1. | <p>Civil Case No. 0002</p> <p>Republic of the Philippines vs. Ferdinand E. Marcos, et al.</p> <p>Reconveyance, Reversion, Accounting, Restitution and Damages</p> <p>Consolidated in this case:</p> <p align="center">0064</p> | <p>Plaintiff: Republic of the Philippines</p> <p>Defendants: Ferdinand E. Marcos Gregorio Araneta III Nemesio Co (Dropped as Party Defendant) Tomas Manotoc Irene R. Marcos-Araneta III Ferdinand R. Marcos, Jr. Constante Rubio Yeung Chun Kang Yeung Chun Ho Yeung Chun Fan Estate of R. Cojuangco, represented by the Administratrix Imelda Cojuangco Imee Manotoc Ferdinand Marcos, Jr. Prime Holdings.</p> | <p>Court: Supreme Court En Banc</p> <p>Original Complaint filed on July 30, 1987.</p> <p>October 11, 1987 (Amended)</p> <p>February 11, 1988 (Second Amendment)</p> <p>April 20, 1990 (Third Amendment)</p> <p>The Republic filed its Formal Offer of Evidence on July 25, 2001.</p> | <p>The petition of the Republic in G.R. No. 153459 was granted by the Supreme Court in its Decision dated January 20, 2006 to the extent that it prays for the reconveyance to the Republic of 111,415 PTIC shares registered in the name of PHI.</p> <p>The Supreme Court ruled:</p> <p>“On the basis of evidence, therefore, President Marcos owned PHI and all the incorporator thereof acted under his direction. Once this is acknowledged, the following conclusions inevitably follow:</p> <ol style="list-style-type: none"> 1. Cojuangco was elected President and took over the management of PHI in 1981 with the cooperation of the Marcos nominees who, it must be emphasized, still held the majority stockholding as of that date; 2. As the remaining incorporators on the Board divested their shares only in 1983, Cojuangco managed a Marcos-controlled corporation for at least two years; 3. The simultaneous divestment of shares by the three remaining incorporators on the Board to Cojuangco’s close relatives in 1983 were with the knowledge and authorization of their principal – President Marcos. <p>Clearly, all these circumstances mark out Cojuangco either as a <u>nominee</u> of Marcos as was Gapud whom he replaced as President of PHI or, at the very least, a <u>close associate</u> of Marcos. As such, the PCGG x x x can and must recover for the Republic the 111,415 PTIC shares being held by PHI, <u>they bearing the character of ill-gotten wealth whether they be in the hands of Marcos or those of Cojuangco.</u>”</p> |

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| 2. | <p>Civil Case No. 0009</p> <p>Republic of the Philippines vs. Jose L. Africa et. al.</p> <p>Reconveyance, Reversion, Accounting, Restitution and Damages</p> <p>Consolidated in this case:</p> <p>0043 0045 0051 0130 0135</p> | <p>Plaintiff: Republic of the Philippines</p> <p>Defendants: Jose Africa Manuel Nieto, Jr. Ferdinand Marcos Imelda Marcos Ferdinand Marcos, Jr. Roberto S. Benedicto Juan Ponce Enrile Potenciano Ilusorio</p> | <p>Sandiganbayan Third Division</p> <p>Original Complaint filed on July 22, 1987</p> <p>The Republic filed its Formal Offer of Evidence on March 9, 2006.</p> | <p>In its Decision dated 4 December 2019, the Sandiganbayan declared (1) the shares of defendants Jose L. Africa and Manuel H. Nieto, Jr. in ETPI, (2) Polygon Investors and Managers, Inc. and Aerocom Investors and Managers, Inc., and (3) the so-called small individual shareholders to be ill-gotten wealth and ordered the reconveyance thereof to the Republic.</p> <p><u>In the shares of defendants Africa and Nieto, Jr. in ETPI, the court ruled:</u></p> <p>“Defendant Nieto, Jr. himself admitted in his Affidavit dated May 28, 1986, that forty percent (40%) of his and defendant Africa’s individual shareholdings in the ETPI belong to defendant Ferdinand Marcos x x x.</p> <p>x x x x</p> <p>The testimony of Parlade and the documents he gathered when he conducted an investigation on the transactions of Benedicto and defendants Africa and Nieto, Jr., or the BAN Group, bolster the Republic’s claim that the initial investment of the Filipino stockholders of the ETPI came from defendant Marcos x x x.</p> <p>x x x x</p> <p>Defendants Africa and Nieto. Jr. failed to present evidence sufficient to overturn the prima facie finding that their shares in the ETPI are ill-gotten wealth.”</p> <p><u>In POLYGON, AEROCOM, and the so-called small individual shareholders, the court ruled:</u></p> <p>“Thus, the Court proceeded to evaluate the evidence of the Republic to ascertain whether the said shares of AEROCOM and the small individual shareholders are indeed ill-gotten given their affirmatively established origin.</p> <p>Again, ETPI Booklet of Certificates of Stock of Class a shares shows that the said Class A shares of AEROCOM originated from defendant Nieto, Jr. xxx”</p> <p>x x x x</p> |
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| | | | | <p>“While the said shares were sold to POLYGON and AEROCOM for a consideration, the undeniable fact is that defendant Africa was then the President of POLYGON and defendant Nieto, Jr. was then the President of AEROCOM. x x x taking into consideration x x x the circumstances surrounding the incorporation of the ETPI, the court finds that the said transfers were merely clever schemes employed in an obvious attempt to place beyond legal reach the illicit acquisitions.”</p> <p>x x x x</p> <p>Perforce, the Class A ETPI shares of AEROCOM and the aforesaid individual shareholders are necessarily ill-gotten wealth since they all originated from the shares of defendants Africa and Nieto, Jr., which are themselves ill-gotten.”</p> <p>x x x x</p> <p>“Anent the small individual shareholders, the Court finds that they did not acquire any lawful or vested right over their shares and should therefore reconvey them to the rightful owner, the Republic. As demonstrated earlier, the said shares likewise originated from the shares of defendant Nieto, Jr. which, to repeat, are ill-gotten.:</p> <p>The Sandiganbayan further ruled:</p> <p>“In this case, defendant Marcos, then the highest elected public officer of the Republic, betrayed the trust reposed on him by the Filipino people when he resorted to this insidious scheme of employing his co-defendants Nieto, Jr. and Africa as his dummies in acquiring the sixty percent (60%) shares of stock in the ETPI. Indeed, the employment by defendant Ferdinand Marcos of dummies in acquiring these shares only shows that the money used did not come from legitimate source/s. Otherwise, there would have been no need for him to hide behind the cloak of anonymity by employing dummies.”</p> |
| 3. | <p>Civil Case No. 0022</p> <p>Republic of the Philippines v. Emilio Yap et al.</p> | <p>Plaintiff: Republic of the Philippines</p> | <p>Sandiganbayan Third Division and Supreme Court En Banc</p> <p>Original Complaint filed on July 29, 1987</p> | <p>In a Decision promulgated on 23 March 2005, the Supreme Court affirmed the 14 March 2002 Decision of the Sandiganbayan which declared the Bulletin shares of Cojuangco, Campos and Zalamea as ill-gotten wealth of the Marcoses, and ordered the Estate of Hans M. Menzi to surrender for cancellation the original 8 Bulletin certificates of stocks in its possession.</p> |

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| | Reconveyance, Reversion, Accounting, Restitution and Damages | | <p>March 10, 1988 (Amended)</p> <p>October 17, 1990 (Second Amendment)</p> <p>The Republic filed its Formal Offer of Evidence on November 20, 1996.</p> | <p>The PCGG filed a petition for certiorari with the Supreme Court with an urgent application for the issuance of a writ of preliminary injunction assailing the Sandiganbayan Resolution dated January 1, 2008 which granted in part the Republic's Motion for Execution and Resolution dated May 22, 2008 denying the Republic's Motion for Partial Reconsideration. The Republic seeks the issuance of a writ of preliminary mandatory injunction directing the Estate of Hans M. Menzi to return the proceeds of the certificates of time deposit in the amount of P161,977,558.29 and P39,157,519.88 which Philtrust Bank released to them, which the Supreme Court thereafter granted.</p> |
| 4. | <p>Civil Case No. 0029</p> <p>Republic of the Philippines vs. Jesus Tanchanco, et al.</p> <p>Reconveyance, Reversion, Accounting, Restitution and Damages</p> | <p>Plaintiff: Republic of the Philippines</p> <p>Defendants: Jesus Tanchanco Cesar C. Aquino Ferdinand E. Marcos Imelda R. Marcos</p> | <p>Sandiganbayan Fifth Division</p> <p>Original Complaint filed on July 30, 1987</p> <p>January 27, 1989 (Amended)</p> <p>The Republic filed its Formal Offer of Evidence on April 27, 2009.</p> | <p>The Sandiganbayan decided in favor of the Republic in its Decision dated 9 September 2010.</p> <p>The court ruled: "Absent documentary proof of the withdrawal of the 10M, the resolution of this case basically hinges on the testimony consistently given orally and in writing, by defendant-turned-Government witness, Jesus T. Tanchanco. Tanchanco's testimony provided the trail of events and the personalities therein involved, evincing the illegal diversion of funds from the Government thru its agency, to what convincingly are private coffers. Thus, the withdrawal was done upon the verbal (telephone) instruction of the then President Marcos to Tanchanco who, in turn, instructed Aquino, the Comptroller, to withdraw the 10M from the NFA account. Further, pursuant to the instruction, Tanchanco, together with Aquino and NFA security guards, delivered the money (cash) contained in 3 duffel bags to Gapud at the Security Bank in Makati City. Tanchanco submitted a memorandum to then President Marcos confirming his compliance with the instruction to deliver the money to Gapud. On the face of the said Memorandum, then President Marcos scribbled and signed a handwritten note addressed to one Johnny Tuvera that read: "Have our accounts people check if amount properly deposited as stated. If so, put on record in files and on this paper." Gapud's acknowledgement of his receipt of the 10M is evidenced by what purportedly are his personal notes signed by him, including his receipt of 10M, dated "29-7-83", which notes were found among those documents retrieved from Malacañang after then President Marcos and his family left."</p> <p>Imelda Marcos, in her capacity as legal representative of FM and in her personal capacity, was directed to (i) return and reconvey to the plaintiff the amount of P10M representing the amount illegally disbursed from the funds of the NFA, with interest thereon at the legal rate from the date of unlawful acquisition on July 29, 1983, (ii) and to pay plaintiff P1M as moral damages, P500,000 as exemplary damages, P250,000</p> |

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| | | | | nominal damages, P200,000 as and for attorney's fees and costs of suit and expenses of litigation. |
| 5. | <p>Civil Case No. 0030</p> <p>Republic of the Philippines vs. Alfonso Lim, et al.</p> <p>Reconveyance, Reversion, Accounting, Restitution and Damages</p> | <p>Plaintiff: Republic of the Philippines</p> <p>Defendants: Alfonso Lim Ruthie Lim-Santiago Alfonso Lim, Jr. Teodoro Q. Pena Ferdinand Marcos Imelda Marcos Taggat Pamplona Redwood Veneer Southern Plywood Acme Plywood Veteran Woodwork, Inc. Sierra Madre Wood, Ind. Tropical Phil. Wood Ind.</p> | <p>Sandiganbayan Second Division</p> <p>Original Complaint filed on July 30, 1987</p> <p>October 2, 1991 (Amended)</p> <p>The Republic filed its Formal Offer of Evidence on October 13, 2001.</p> | <p>In a Decision dated 14 December 2015, the Sandiganbayan granted the Amended Complaint for reconveyance, reversion, accounting and restitution. It ruled that the Republic has sufficiently proven that defendant Alfonso Lim Sr. had indeed acquired Timber License Agreements (TLA's) far in excess of that allowed by the 1973 Constitution and Chapter I, No. 3, par. (d) of Forestry Administrative Order No. 11, thus, it is only inevitable that the action for reconveyance and reversion be granted.</p> <p>The Court ordered the estate of Alfonso D. Lim, together with Taggat Industries, Inc, Pamplona Redwood Veneer Co., Inc., Southern Plywood Corp., Western Cagayan Lumber, Inc., and Acme Plywood & Veneer Co., Inc., to return and reconvey to the Republic all funds and properties acquired through the cancelled TLA's, including but not limited to the properties listed in Annex A of the Amended Complaint, together with all the income or increment accruing therefrom from date of acquisition until finality of judgment.</p> <p>While the Sandiganbayan ordered the return of all properties claimed by government, it dismissed the state's claim for damages for lack of proof. Former Minister Peña was absolved of any liability due to lack of evidence.</p> <p>As per a Sheriff's Report dated 25 January 2019, the aircrafts in the pending litigation were able to command a very low price at One Hundred Forty Thousand Pesos (P140,000.00). The amount was not yet the net of all expenses as the PCGG was also asked to shoulder the expenses of execution.</p> <p>The Republic filed a Motion for Execution of Judgement dated 15 January 2020 considering that the Writ of Execution pursuant to the Court's Resolution dated 3 October 2017 and its Decision dated 14 December 2015 has not yet been complied with by the defendants. The motion prays that an order divesting defendants' title over seven properties and vesting the same to plaintiff be issued.</p> |
| 6. | <p>Civil Case No. 0032</p> | <p>Plaintiff: Republic of the Philippines</p> | <p>Sandiganbayan Second Division</p> | <p>The Sandiganbayan decided in favor of the Republic in its Decision dated 8 February 1989. The court ruled:</p> |

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| | <p>Republic of the Philippines vs. Fernando Timbol, et al.</p> <p>Reconveyance, Reversion, Accounting, Restitution and Damages</p> | <p>Defendants: Fernando Timbol Spouses Ferdinand and Imelda Marcos</p> | <p>Original Complaint filed on July 31, 1987</p> <p>Document Date of Republic's Formal Offer of Evidence: December 6, 1988.</p> | <p>"It is clear, therefore, that defendant Fernando Timbol had acquired great wealth, notwithstanding his notoriously avowed poverty, judging from the cost of acquisition of the properties sequestered by the PCGG from him, amounting to no less than Php 2,428,061.90. Despite his obvious hand-to-hand existence, his salary as a government photographer having amounted to only Php6,300.00 per year from 1972 up to 1981 x x x"</p> <p>x x x x</p> <p>"x x x that the salary, allowances and other benefits of defendant Timbol from 1981 to 1986 amounted to only Php89,092.00, it would have been impossible for defendant Timbol to legally acquire such great wealth. Definitely, defendant Timbol had taken undue advantage of his relationship, influence and connection with the then First Family, to unjustly enrich himself at the expense of the plaintiff and the Filipino people. The fact being that his acquired wealth has grossly exceeded his meager income is ample proof to show, at the very least, that the above-described properties which were sequestered by the PCGG were "ill-gotten" because they constitute unexplained wealth, without discounting the possibility, however, that the aforesaid properties were unlawfully acquired and transferred to defendant Timbol for purposes of concealment."</p> <p>The properties acquired by defendant Timbol were ordered by the court to be forfeited in favor of the Republic.</p> |
| <p>7.</p> | <p>Civil Case No. 0033-A</p> <p>Republic of the Philippines vs. Eduardo Cojuangco Jr. et al</p> <p>Reconveyance, Reversion, Accounting, Restitution and Damages</p> <p>Re: Anomalous Purchase and Use of</p> | <p>Plaintiff: Republic of the Philippines</p> <p>Defendants: Eduardo Cojuangco, Jr. Ferdinand E. Marcos (deceased) Imelda R. Marcos Jose R. Eleazar, Jr. (deceased)</p> | <p>Sandiganbayan First Division</p> <p>31 July 1987 (Originally filed)</p> <p>15 October 1987 (Amended Complaint)</p> <p>7 March 1995 (Subdivided Complaint to CC Nos. 0033-A to 0033-H)</p> | <p>In a Decision promulgated on 24 January 2012 in G.R. Nos. 177857-58 and 178193, the Supreme Court <i>affirmed</i> Part A and B of the Sandiganbayan's 11 July 2003 Partial Summary Judgment. In this decision, the Supreme Court conclusively declared that the coconut levy funds are public funds, hence, any property acquired by means of the coconut levy funds should be treated as public funds or public property, subject to the burdens and restrictions attached by law to such property. It also declared among others that:</p> <p>i. a. The portion of Section 1 of PD No. 755 which authorizes the PCA to distribute, for free, the UCPB shares to coconut farmers, in relation to Section 2 of the same PD is <u>unconstitutional</u> because: (a) it <i>allowed the use of the CCSF to benefit directly private interest by the outright and unconditional grant of absolute ownership of the UCPB shares to the</i></p> |

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| | First United Bank (now United Coconut Planters Bank) | Maria Clara Lobregat (deceased) Juan Ponce Enrile Danilo Ursua Herminigildo C. Zayco | | <p><i>undefined coconut farmers</i>, which negated or circumvented the national policy or public purpose declared by P.D. No. 755 to accelerate the growth and development of the coconut industry and achieve its vertical integration; and (b) for having unduly delegated legislative power to the PCA.</p> <p>b. PCA's implementing regulations thereon, namely, Administrative Order No. 1, Series of 1975 and Resolution No. 074-78 are likewise <u>invalid</u> for their failure to see to it that the distribution of shares serve exclusively or at least primarily or directly the aforementioned public purpose or national policy declared by P.D. No. 755.</p> <p>ii. Section 2 of P.D. No. 755 which mandated that the coconut levy funds shall not be considered special and/or fiduciary funds nor part of the general funds of the national government and similar provisions of Sec. 5, Art. III, P.D. No. 961 and Sec. 5, Art. III, P.D. No. 1468 <u>contravene the provisions of the Constitution, particularly, Art. IX (D), Sec. 2; and Article VI, Sec. 29 (3).</u></p> <p>iii. Lobregat, COCOFED, <i>et al.</i> and Ballares, <i>et al.</i> have not legally and validly obtained title of ownership over the subject UCPB shares by virtue of P.D. No. 755, the Agreement dated May 25, 1975 between the PCA and defendant Cojuangco, and PCA implementing rules, namely, Adm. Order No. 1, s. 1975 and Resolution No. 074-78, and</p> <p>iv. The so-called "<i>Farmers' UCPB shares</i>" covered by <u>64.98%</u> of the UCPB shares of stock, which formed part of the <u>72.2% of the shares of stock</u> of the former FUB and now of the UCPB, the entire consideration of which was charged by PCA to the CCSF, are hereby declared <u>conclusively owned by the Plaintiff Republic of the Philippines.</u></p> <p>This was affirmed in its 4 September 2012 Resolution. This judgment became final and executory on 10 December 2014 and accordingly recorded in the Book of Entries of Judgments.</p> <p>On the other hand, in a Decision promulgated on 27 November 2012 in G.R. No. 180705, the Supreme Court affirmed with modification Part C of the said Partial Summary Judgment dated 11 July 2003 and declared among others that the following UCPB shares delivered to ECJ by PCA are conclusively owned by the Republic of the</p> |
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| | | | | <p>Philippines to be used only for the benefit of all coconut farmers and for the development of the coconut industry which ruled among others that:</p> <ol style="list-style-type: none"> 1. The Agreement between PCA and defendant Eduardo M. Cojuangco, Jr. dated May 25, 1975 is a valid contract for having the requisite consideration under Article 1318 of the Civil Code. 2. The transfer by PCA to defendant Eduardo M. Cojuangco, Jr. of 14,400 shares of stock of FUB (later UCPB) from the "Option Shares" and the additional FUB shares subscribed and paid by PCA, consisting of: <ol style="list-style-type: none"> a. Fifteen Thousand Eight Hundred Eighty-Four (15,884) shares out of the authorized but unissued shares of the bank, subscribed and paid by PCA; b. Sixty Four Thousand Nine Hundred Eighty (64,980) shares of the increased capital stock subscribed and paid by PCA; and c. Stock dividends declared pursuant to paragraph 5 and paragraph 11 (iv) (d) of the PCA-Cojuangco Agreement dated May 25, 1975. or the so-called "Cojuangco-UCPB shares". <p>is declared <i>unconstitutional</i>, hence null and void.</p> 3. The above-mentioned shares of stock of the FUB/UCPB transferred to defendant Cojuangco are declared <i>conclusively owned by the Republic of the Philippines</i> to be used only for <i>the benefit of all coconut farmers and for the development of the coconut industry</i>, and ordered reconveyed to the Government. 4. The UCPB shares of stock of the alleged fronts, nominees and dummies of defendant Eduardo M. Cojuangco, Jr. which form part of the 72.2% shares of the FUB/UCPB paid for by the PCA with public funds later charged to the coconut levy funds, particularly the CCSF, belong to the plaintiff Republic of the Philippines as their true and beneficial owner. <p>The aforesaid judgment became final and executory on 1 October 2013 and accordingly recorded in the Book of Entries of Judgments.</p> |
| 8. | Civil Case No. 0033-F | Plaintiff: | Sandiganbayan First Division | |

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| | <p>Republic of the Philippines vs. Eduardo Cojuangco Jr. et al</p> <p>Reconveyance, Reversion, Accounting and Damages</p> <p>Re: Acquisition of San Miguel Corporation (SMC)</p> | <p>Republic of the Philippines</p> <p>Defendants: Eduardo Cojuangco, Jr. Ferdinand E. Marcos (deceased) Imelda Marcos Edgardo J. Angara Jose C. Concepcion Avelino V. Cruz Eduardo U. Escueta Paraja G. Hayudini Juan Ponce Enrile Teodoro D. Regala Danilo Ursua Rogelio A. Vinluan</p> <p>Agricultural Consultancy Services, Inc. Anglo Ventures, Inc. Archipelago Realty Corp. Ap Holdings, Inc. ASR Investment, Inc. ASC Investment, Inc. Autonomous Development Corp. Balete Ranch, Inc. Black Stallion Ranch, Inc.</p> | <p>31 July 1987 (Originally filed)</p> <p>15 October 1987 (Amended Complaint)</p> <p>7 March 1995 (Subdivided Complaint to CC Nos. 0033-A to 0033-H)</p> | <p>This stemmed from an Agreement dated 26 March 1986 between the 14 CIIF Holding Companies (UCPB Group), as sellers, and Andres Soriano Soriano III of the SMC Group, as buyer, for the purchase of 33,133,266 shares of SMC stock in the amount of P3,313,326,600.00 payable in 4 installments. The first installment in the amount of P500 Million was paid by SMC Group on 1 April 1986. Before the perfection of the sale or on 7 April 1986, said share were sequestered by PCGG. Thus, the SMC group suspended payment of the purchase price of the shares, while the UCPB group rescinded the sale. Later, the SMC and UCPB groups entered into a Compromise Agreement and Amicable Settlement, whereby they undertook to continue with the sale of the subject shares of stock. The parties, over the opposition of both the Republic and the COCOFED, then moved for the approval of this agreement by the Sandiganbayan where the case was then pending. Later, UCPB and the SMC groups implemented their agreement extra-judicially, withdrawing, at the same time, their petition for the approval of their aforementioned compromise agreement. This was treated as an incident of Civil Case No. 0033-F. Thereafter, the Sandiganbayan issued an Order dated August 5, 1991, directing the SMC to deliver to the graft court the sequestered SMC shares that it bought from UCPB. On October 25, 1991, the Sandiganbayan issued another Resolution requiring SMC to deliver the 25.45 million SMC treasury shares to the PCGG. This was followed by another Order dated March 18, 1992, for the delivery to the court of dividends pertaining to the subject SMC shares. It was these two delivery Orders that were submitted for the consideration of the Supreme Court in G.R. No. 104637-38 but the same was dismissed on 14 September 2000. Motion for Reconsideration thereof was denied on 17 April 2001.</p> <p><u>A. The ECJ-SMC Block</u></p> <p>In a Decision dated 12 April 2011 in GR. No. 166859, 169203 and 1880702, the Supreme Court affirmed with finality the Decision promulgated by the Sandiganbayan on 28 November 2007 which declared that the Cojuangco Block of SMC shares are the exclusive property of Cojuangco, et. al.</p> <p>This judgment became final and executory and recorded in the Book of Entries of Judgments as per entry of Judgment dated 16 March 2012.</p> <p><u>B. The CIIF SMC Block</u></p> |
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| | | <p>Cagayan De Oro Oil Company, Inc Christensen Plantation Company Cocoa Investors, Inc. Davao Agricultural Aviation, Inc. Discovery Realty corp Dream Pastures, Inc. Echo Ranch, Inc. ECJ & Sons Agri. Ent. Inc.</p> <p>Far East Ranch, Inc. Filsov Shipping Co., Inc. First Meridian Development, Inc. First United Transport, Inc. Granexport Manufacturing Corp. Habagat Realty Dev't. Inc. Hyco Agricultural, Inc. Iligan Coconut Industries, Inc. Kalawakan Resorts, Inc. Kaunlaran Agricultural Corp.</p> | | <p>In the above-mentioned Decision in G.R. No. 177857-58 and 178193 (please see Civil Case 0033-A), the Supreme Court also declared that the 6 CIIF companies namely:</p> <ol style="list-style-type: none"> 1. Southern Luzon Coconut Oil Mills (SOLCOM); 2. Cagayan de Oro Oil Co., Inc. (CAGOIL); 3. Iligan Coconut Industries, Inc. (ILICOCO); 4. San Pablo Manufacturing Corp. (SPMC); 5. Granexport Manufacturing Corp. (GRANEX); and 6. Legaspi Oil Co., Inc. (LEGOIL), <p>as well as the 14 holding companies namely :</p> <ol style="list-style-type: none"> 1. Soriano Shares, Inc.; 2. ACS Investors, Inc.; 3. Roxas Shares, Inc.; 4. Arc Investors; Inc.; 5. Toda Holdings, Inc.; 6. AP Holdings, Inc.; 7. Fernandez Holdings, Inc.; 8. SMC Officers Corps, Inc.; 9. Te Deum Resources, Inc.; 10. Anglo Ventures, Inc.; 11. Randy Allied Ventures, Inc.; 12. Rock Steel Resources, Inc.; 13. Valhalla Properties Ltd., Inc.; and 14. First Meridian Development, Inc. <p>and the CIIF Block of San Miguel Shares (SMC) shares of stock totaling 33,133,266 shares as of 1983 together with all dividends declared, paid and issued thereon as well as any increments thereto arising from, but not limited to, exercise of pre-emptive rights are declared owned by the government to be used only for the benefit of all coconut farmers and for the development of the coconut industry, and ordered reconveyed to the government.</p> <p>However, in its 4 September 2012 Resolution, the Supreme Court modified its earlier judgment to the effect that what were ordered reconveyed were the</p> |
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| | | <p>Labayog Air Terminals, Inc. Landair Int'l Marketing Corp. Legaspi Oil Co., Inc. LHL Cattle Corp. Meadow Lark Plantation, Inc. Metroplex Commodities, Inc. Misty Montains Agri Corp. Northern Carriers Corp. Northeast Contract Traders, Inc. Ocean Side Maritime Ent., Inc. Oro Verde Services Pastoral Farms, Inc. PCY Oil Manufacturing Corp. Philippine Radio Corp., Inc. Philippine Technologies, Inc. Primavera Farms, Inc. Punong Bayan Housing Development Corp. Pura Electric Co., Inc. Radio Audience Developers</p> | | <p>converted 753,848,31 SMC Series I Preferred Shares to be used only for the benefit of all coconut farmers and for the development of the coconut industry</p> <p>In a Resolution promulgated on 7 August 2018, the Court GRANTED the Motion for Reconsideration filed by the plaintiff RP on 23 January 2018. Writ of Partial Execution was ordered to be issued to implement the Supreme Court Decision in GR Nos. 177857-58 and 178193, which affirmed the Partial Summary Judgment of the Court dated May 7, 2004, finding that the CIIF Companies, the 14 Holdings Companies, and the CIIF Block of SMC shares are owned by plaintiff RP.</p> <p>On February 8, 2019, Sandiganbayan Second Division issued a Writ of Execution of the September 4, 2012 Decision of the Supreme Court and the August 7, 2018 Decision of the Sandiganbayan relative to Civil Case No. 0033-F.</p> |
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| | | Integrated Organization, Inc. Radio Filipino Corp. Rancho Grande, Inc. Randy Allied Ventures, Inc. Reddee Developers, Inc. Roxas Shares, Inc. San Esteban Development Corp. San Miguel Corporation Officers, Inc. San Pablo Manufacturing Corporation Southern Luzon Oil Mills, Inc. Silver Leaf Plantation, Inc. Soriano Shares, Inc. Southern Services Traders, Inc. Southern Star Cattle Corp. Spade I Resorts Corp. Tagum Agricultural Development Corporation Tedeum Resources, Inc. Thilagro Edible Oil Mills, Inc. | | |
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| | | Toda Holdings, Inc. Unexplored Land Developers, Inc. Valhalla Properties, Inc. Ventures Securities, Inc. Verdant Plantations, Inc. Vesta Agricultural Corp. Wings | | |
| 9. | Civil Case: 0039 RP vs. Bugarin Forfeiture | Plaintiff: Republic of the Philippines Defendant: Jolly Bugarin | Sandiganbayan | <p>In a Decision promulgated on 30 January 2002 by the Supreme Court in G.R. No. 102508 which became final and executory on 25 June 2004, the properties of then Director of NBI, the late Jolly Bugarin, acquired from 1968 to 1980 which were disproportionate to his lawful income during the said period were ordered forfeited in favor of the government.</p> <p>The resolution of the Sandiganbayan implementing the above-mentioned Supreme Court decision was elevated before the Supreme Court in G.R. No. 174431. In the 6 August 2012 Decision in GR No. 174431, the Supreme Court affirmed the SB Resolutions dated 3 April 2006 and 30 August 2006. The Heirs of defendant Bugarin filed their MR on 18 September 2012 which was denied by the Supreme Court in a Resolution dated 22 October 2012.</p> <p>As said judgment had already been entered in the Books of Entries of Judgment, RP filed a Motion for Execution on 5 May 2013 which the Sandiganbayan granted in a Resolution dated 27 May 2013.</p> |
| 10. | Civil Case: 0053 RP vs. Balbanero Forfeiture | Plaintiff Republic of the Philippines Defendant: | Sandiganbayan Original Complaint Filed: October 11, 1988 | <p>In a Decision promulgated on 23 May 2002, the Sandiganbayan forfeited in favor of the Republic the sum of P165, 043.00 or the equivalent thereof in property. Both petitioner and respondent filed their respective Motions for Reconsideration. Respondent Motion for Reconsideration was withdrawn by the Heirs of Balbanero and instead filed a motion to grant payment of judgment. Petitioner filed a Manifestation and Omnibus Motion on 28 February 2007, stating that payment of the P165,043.00 should not affect the</p> |

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| | | Pedro Balbanero | | pending Motion for Reconsideration and asked the Court to render guidance on the proper disposition of the check which is in the custody of the PCGG. |
| 11. | <p>Civil Case: 0058</p> <p>RP vs. Tuvera, et al.</p> <p>Restitution and Damages</p> <p>Related Case: SB-17-CVL-001</p> <p>Revival and enforcement of judgment</p> | <p>Plaintiff:</p> <p>Republic of the Philippines</p> <p>Defendants:</p> <p>Juan C. Tuvera Victor Tuvera Twin Peaks Development Corporation</p> | <p>Sandiganbayan:</p> <p>Original Complaint Filed: December 9, 1988</p> <p>Related case filed: August 2017</p> | <p>In a Decision promulgated on 16 February 2007, the Supreme Court in GR No. 1481246 reversed the Sandiganbayan resolution granting defendant's demurrer to evidence, and thereby ordered Mr. Tuvera and Twin Peaks to pay the Republic P1,000,000 temperate damages and P1,000,000 exemplary damages.</p> |
| 12. | <p>Civil Case No. 0141</p> <p>Republic of the Philippines vs. Ferdinand Marcos (rep. by his heirs) and Imelda Marcos</p> <p>Forfeiture</p> | <p>Plaintiff:</p> <p>Republic of the Philippines</p> <p>Defendant:</p> <p>Ferdinand Marcos (rep. by his heirs) and Imelda Marcos</p> | <p>Sandiganbayan First Division</p> <p>Original Complaint filed on December 17, 1991</p> <p>The Republic filed its Formal Offer of Evidence on September 22, 2014.</p> | <p><u>Swiss Deposits of 5 Marcos' Foundations:</u></p> <p>On 15 July 2003, the Supreme Court ordered the forfeiture in favor of the Republic, the Swiss deposits in escrow at the Philippine National Bank (estimated at US\$658,175,373.60 as of 31 January 2002). In said decision, the Supreme Court established that the only known lawful income of then President F. Marcos and Imelda Marcos from 1965 to 1986 was US\$304,372.43.</p> <p>A portion of the forfeited funds invested by PNB with WestLB AG was the subject of an interpleader suit filed by the latter with the Singapore court. The High Court earlier ruled that PNB held legal title to the Funds as its depositor and original account holder with WestLB prior to the commencement of the interpleader proceedings. This ruling was affirmed by the Singapore Court of Appeal. According to the Court of Appeal, it has no legal basis to decline if PNB chooses to perform its obligations under the Escrow Agreements and release the Funds to RP pursuant to the Writ of Execution in Civil 0141, what PNB chooses to do in accordance with the governing law of the Escrow Agreements is not subject to its intervention.</p> |

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| | | | | <p>Thus, PCGG remitted to the National Treasury in February 2014 the WestLB funds consisting of ₱917,787,835.07 and ₱397,237,719.46 which were turned over by the PNB to the PCGG as per the aforementioned Singapore CA ruling.</p> <p><u>Arelma Funds:</u></p> <p>In a Decision dated 25 April 2012, the Supreme Court affirmed the Sandiganbayan Decision promulgated on 12 April 2009 which ordered the forfeiture of all assets, investments, securities, properties, shares, interests and fund of Arelma, Inc. presently under management of and/or in an account at the Merrill Lynch Asset Management, New York, USA, in the estimated aggregate amount of US\$ 3, 369, 975.00 as of 1983, plus all interests and all other income that accrued thereon until the time or specific day that all money or monies are released and/or transferred to the possession of the Republic.</p> <p>In a Resolution promulgated on 8 August 2014, the Sandiganbayan granted PCGG’s Motion for Execution of Partial Summary Judgment dated 22 July 2014 in view of the finality of the SC Decision in G.R. Nos. 189434 and 189505 and the recording thereof in the Book of Entries of Judgments. The court then issued the corresponding writs of execution upon the PNB, the escrow agent of the Arelma assets, and the defendants.</p> <p>The Sheriff and Security Division of the Sandiganbayan directed the PNB to:</p> <ol style="list-style-type: none"> a. Turn over certificates/muniments of title such as the bearer certificates of stock of Arelma, S.A., Inc.; b. Render an accounting of all assets, securities, properties, investments, shares, interests, and funds of Arelma presently under the management and/or in an account at the Merrill Lynch Asset Management, NYC, USA, in the estimated amount of US\$ 3,369,975. 00 as of 1983 plus all interest and all other income that accrued thereon, and undertake steps for its repatriation; c. Physically turn-over the same to the Republic. <p>In response, the PNB informed the court that it is coordinating with PCGG insofar as the above-enumerated instructions are concerned; that the subject funds are currently under <i>custodia legis</i> by the NYC Department of Finance pursuant to a Petition for Writ of Execution and Turnover filed by Osqugama Swezey and Jose Duran (on their behalf and as representatives of the human rights victims) against Merrill Lynch, New York City</p> |
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| | | | | <p>Department of Finance, et al. with the New York Supreme Court (and with Bank of America as intervenors); that the balance of the funds as of 30 June 2012 is in the amount of US\$ 40,320,541.95 and PNB has yet to receive the updated balance.</p> <p>Also, the Estate/Heirs of former President Ferdinand E. Marcos and Imelda R. Marcos were ordered to render an accounting of all assets, investments, securities, properties, shares, interests, and funds of Arelma and to physically turnover the same to the Republic of the Philippines. F Marcos, Jr. replied that he is not in a position to comply with the said order.</p> <p>As the above-mentioned Arelma funds (approximately \$40 Million) are currently held in the custody of the New York City Commissioner of Finance (formerly held at Merrill Lynch, Pierce, Fenner & Smith, Incorporated) the United States, RP formally requested thereafter the assistance of the US Department of Justice (US DOJ) to enforce the aforesaid judgment pursuant to the Treaty Between the Government of the United States of America and the Republic of the Philippines on Mutual Legal Assistance in Criminal in Criminal Matters (the US-Philippines MLAT, November 13, 1994).</p> <p>Pursuant to 28 U.S.C. § 2467 (b) (2), the Assistant Attorney General for the Criminal Division of the US DOJ certified that the Republic's request for enforcement of said Arelma judgment was in the interests of justice and thus, on 27 July 2016, filed an Application to register and enforce the same before the US District Court for the District of Columbia (Washington DC) docketed as Case No. 1:16-MC-01339-RJL.</p> <p><u>Malacanang Collection of Jewelry:</u></p> <p>The Sandiganbayan, in a Resolution dated 11 June 2014, affirmed its Partial Summary Judgment promulgated on 13 January 2014 which declared as ill-gotten the Malacanang Collection of jewelry, and ordered the same forfeited in favor of RP.</p> <p>Thus, Imelda Romualdez Marcos and Irene Marcos Araneta elevated the case before the Supreme Court via Petition for Review dated 11 August 2014 docketed as <u>G.R. No. 213253</u>. The Estate of Ferdinand E. Marcos (under <u>GR No. 213027</u>), represented by F. Marcos, Jr., manifested that it is adopting the Petition for Review filed by his co-executor, Imelda Marcos.</p> <p>In a Decision promulgated 18 January 2017, the Supreme Court dismissed the appeal filed by the Marcoses and affirmed the Partial Summary Judgment rendered by the</p> |
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| | | | | <p>Sandiganbayan insofar as the Malacanang Jewelry Collection is concerned. A Motion for Reconsideration dated 28 February 2017 was filed by the Marcoses which was denied with finality in the Resolution dated 25 April 2017.</p> <p>Entry of Judgment dated 31 July 2017 has already been issued.</p> <p><u>Marcos' Collection of Paintings</u></p> <p>In a Resolution dated 24 September 2014, the Sandiganbayan granted, upon RP's motion, a Writ of Preliminary Attachment dated 29 September 2014 against the said paintings which may be found in the following known places of residence or office of Imelda:</p> <ol style="list-style-type: none"> 1. Penthouse, One McKinley Place, 3rd Avenue corner 26th Street, Bonifacio Global City 2. 34-B Pacific Plaza Condominiums, Ayala Avenue, Makati City 3. Room NB-218, House of Representatives of the Philippines, HOR Complex, Constitutional Hills, Quezon City 4. Batac, Ilocos Norte 5. Don Mariano Marcos Street corner P. Guevarra Street, San Juan, Metro Manila <p>and such other places where they may be found, and for the attached paintings to be deposited with the BSP which shall serve as the custodian thereof.</p> <p>The Sheriffs were able to attach fifteen (15) paintings and which were initially deposited with the BSP. The paintings were transferred to the National Museum on 1 February 2015.</p> <p>On 4 March 2016, RP filed a Motion for Partial Summary Judgment praying, among others, the forfeiture of the valuable works of art listed in Annexes A to C inclusive of the paintings seized from Vilma Bautista in NYC and the Water-Lily already sold in 2010.</p> <p>On December 19, 2019, Partial Summary Judgement in favor of the Republic was promulgated by the Sandiganbayan where the latter declared the following paintings and artworks as unlawfully acquired, and are therefore forfeited in favor of the Republic:</p> <ol style="list-style-type: none"> a. The artworks listed in the <i>PCGG List of Missing Artworks</i>; b. Grandma Moses Paintings; |
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| | | | | <p>c. The artworks listed in <i>A Report on the Metropolitan Museum of Manila's Art Collection</i>; and</p> <p>d. Other similarly acquired valuable artworks which may also be found to be under the control and possession of respondents, their agents, representatives, nominees or persons acting on their behalf.</p> <p>In the said Decision, the Sandiganbayan ruled:</p> <p>“Without doubt, petitioner has presented an overwhelming amount of documentary evidence to establish the acquisition by respondent spouses of hundreds of valuable paintings and artworks worth at least US\$20 Million. From gallery documents, invoices, receipts, sales reports, and even correspondences to respondent Imelda or her representative, petitioner has established a prima facie presumption that the subject paintings acquired by the respondent spouses are ill-gotten, as their total value is manifestly disproportionate to respondents’ lawful income.”</p> <p style="text-align: center;">x x x x</p> <p>“In the case of respondents, they failed to state and substantiate how they lawfully acquired the funds used to purchase the paintings. Respondents likewise failed to show proof that they had other legitimate sources of income aside from their combined salaries of \$304,372.43. Hence, this sum legally and fairly serves as basis for determining the existence of a prima facie case of forfeiture of the artworks.</p> <p>The Court also notes that aside from respondents’ admission by silence, there were instances when respondents made express admissions as to their possession and/or ownership of the paintings and/or artworks.”</p> |
| 13. | <p>Civil Case No. 172</p> <p>RP vs. Ramon Quisumbing et. al.</p> <p>Reconveyance, Recovery of Possession, Accounting and Damages</p> | <p>Plaintiff:</p> <p>Republic of the Philippines</p> <p>Defendants:</p> <p>Ramon Quisumbing Johnny M. Araneta</p> | <p>Sandiganbayan</p> <p>Original Complaint Filed: 17 October 1996</p> <p>The Republic formally filed its evidence on 10 November 2015.</p> | <p>In a decision promulgated on April 2, 2019, the Court ruled on the following:</p> <ul style="list-style-type: none"> - Adjudging RP and the PJI as the legal owners of the PJI Properties located in Bagalangit, Mabini, Batangas covered by Tax Dec Nos 0915 to 0918 - Declaring def Ramon Quisumbing a builder in good faith with respect to the improvements, valued P40M) he introduced on the PJI Properties and is entitled to the rights granted him under Articles 448, 546, 547 and 548 of the New Civil Code - Plaintiff RP and the PJI are given the right to avail of the alternative rights and remedies provided under Article 448 of the New of the New Civil Code and established |

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| | | Jaime A. Cura Angel C. Sepidoza Renato Paras | | <p>jurisprudence against def. Ramon Quisumbing, who is considered a builder in good faith</p> <ul style="list-style-type: none"> - Ordering def. Jaime A. Cura, Johnny M. Araneta and the respective estates of the late Angel C. Sepidoza and Renato L. Paras to jointly and severally pay plaintiff PJI the amount of (P500,000) in actual and compensatory damages and; - Dismissing all of the defendants counterclaims against the plaintiffs for lack of merit <p>The decision became a subject of a partial motion for reconsideration. The said motion was denied.</p> |
| 14. | <p>Criminal Case Nos. 17287- 17291, 22867-22870 and 19225</p> <p>People of the Philippines vs. Imelda Marcos</p> | <p>Plaintiff: People of the Philippines</p> <p>Defendant: Imelda Marcos</p> | | <p>On November 9, 2018, the Sandiganbayan found Mrs. Imelda Marcos guilty beyond reasonable doubt for violation of RA No. 3019, Sec. 3(h) in relation to Article IX, Section 8 of the 1973 Constitution and was sentenced, in each of these cases, to suffer the indeterminate penalty of imprisonment from 6 years and 1 month as minimum to 11 years as maximum, with perpetual disqualification to hold public office. As regards the civil aspect consisting of forfeiture of the assets and accounts of the foundations subject of these cases, the Court defers to the disposition thereof in the forfeiture proceedings separately instituted against the accused. However, she was acquitted in Criminal Case No. 19225, for failure of the Information therein to charge an offense.</p> |

ADVERSE JUDGMENTS OF PCGG RECOVERY of Ill-Gotten Wealth Cases (Banner or Mandate Cases)
As of 28 February 2022

| | CASE NO. • TITLE • ACTION • CONSOLIDATED CASES | PARTIES | VENUE • DATE FILED • DATE WHEN PROSECUTION RESTED ITS CASE | SUMMARY OF COURT RULING |
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| 1. | <p>Civil Case No. 0003</p> <p>RP vs. Geronimo Velasco, et al.</p> <p>Reconveyance, Reversion, Accounting, Restitution and Damages</p> | <p>Plaintiff: Republic of the Philippines</p> <p>Defendants: Geronimo Velasco Ferdinand Marcos Imelda Marcos Epifanio Verano (dropped as party defendant) Alfredo de Borja</p> | | <p>In a Decision dated 16 June 2011, the Sandiganbayan dismissed the case filed by RP against defendants for failure of the latter to prove by preponderance of evidence the causes of action against the defendants with respect to ill-gotten wealth. RP appealed before the Supreme Court.</p> <p>Thus, in a minute Resolution promulgated on 28 July 2014 in <i>GR No 199323</i>, the Supreme Court denied RP's Petition for Review for failure of the latter to sufficiently show that the Sandiganbayan committed any reversible error in dismissing the latter's complaint for reversion, reconveyance, restitution and accounting. According to the court, RP failed to prove by preponderance of evidence that respondent Velasco was a "close associate" contemplated under EO Nos. 1, 2, series of 1986, considering that this appointment as Cabinet Member during the Marcos Administration did not, by itself, immediately make him a close associate of former President Marcos; the determination by the Sandiganbayan of the equiponderance or insufficiency of evidence involved its appreciation of evidence which must be respected absent as clear showing that it was arrived at whimsically or capriciously.</p> <p>In a Resolution dated 3 December 2014 which PCGG received on 13 March 2015, the SC denied with finality RP's Motion for Reconsideration. Also, in a Decision promulgated in GR No. 187448 on 9 January 2017, the Supreme Court affirmed the Sandiganbayan Resolutions dated July 31, 2008 and March 25, 2009 which granted</p> |

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| | | | | <p>Alfredo de Borja's Demurrer to Evidence. The court ruled that the evidence adduced by the Republic to prove the alleged complicity of de Borja with the required quantum of evidence is wholly insufficient to support the allegations in the complaint in Civil Case No. 0003.</p> <p>Manifestation with Motion to Set the Case for Marking of Exhibit and to Hold in Abeyance the Filing of the Formal Offer of Evidence dated October 10, 2017.</p> <p>In a Resolution dated 28 May 2018, the Court noted the letter of transmittal from the Supreme Court of the Entry of Judgment of its Decision in G.R. No. 187448 affirming the Sandiganbayan's Resolutions dated 31 July 2008 and 25 March 2009, which decision became final and executory on 1 March 2017.</p> |
| 2. | <p>Civil Case No. 0014</p> <p>RP vs. Enriquez-Panlilio et. al.</p> <p>Reconveyance, Reversion, Accounting, Restitution and Damages</p> | <p>Plaintiff: Republic of the Philippines</p> <p>Defendants: Individual Defendants: Modesto Enriquez Trinidad Diaz-Enriquez Rebecca Panlilio Erlinda Enriquez-Panlilio Leandro Enriquez the Marcos Spouses Don M. Ferry Roman A. Cruz, Jr. Guillermo Gastrock Gregorio R. Castillo Ernesto Abalos</p> <p>Corporations:</p> | | <p>The Sandiganbayan dismissed the case against the 12 defendant-corporations on 7 February 2002. Said dismissal was affirmed by the Supreme Court in a Decision promulgated on 13 July 2010 in G.R. No. 154560 on the ground that the amended complaint stated no cause of action against the respondent corporations while, except for general averments, the orders themselves did not state the reasons behind their issuance. Confronted with this, the Government simply asserts that the PCGG may be presumed to have acted pursuant to law and based on <i>prima facie</i> evidence. But, the Government cannot simply rely on such a presumption which undermines the basic constitutional principle that public officers and employees must at all times be accountable to the people. Indeed, sequestration is an extraordinary and harsh remedy. As such, it should be confined to its lawful parameters and exercised, with due regard, in the words of its enabling laws, to the requirements of fairness, due process and justice.</p> |

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| | | <p>Ternate Development Corporation Fantasia Filipina Resorts, Inc. Monte Sol Development Corporation Ocean Villas Condominium Corporation Olas Del Mar Development Corporation Philippine Village Hotel Philroad Construction Corporation Puerto Azul Beach And Country Club, Inc. Silahis International Hotel Sulo Dobbs Food Services, Inc. Notion And Potions, Inc. Sun And Shade Merchandise, Inc.</p> | | |
| 3. | <p>Civil Case No. 0015</p> <p>RP vs. Alberto T. Looyuko et al..</p> <p>Reconveyance, Reversion, Accounting,</p> | <p>Plaintiff: Republic of the Philippines</p> <p>Defendants: Alberto T. Looyuko</p> | | <p>In a Decision dated 16 April 1993, the Sandiganbayan dismissed the case filed by RP against defendants for failure to prosecute on the ground that the pieces of evidence presented before the Court were mere machine copies.</p> <p>On 15 August 1993, the Decision of the Sandiganbayan on 25 February 1993 and promulgated on 16 April 1993 became FINAL AND EXECUTORY.</p> |

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| | Restitution and Damages | Ferdinandan E. Marcos Imelda Marcos Jimmy Go also known as Jaime Gaisano Irineo Zabala | | |
| 4. | <p>Civil Case No. 0016</p> <p>Republic of the Philippines vs. Rodolfo Cuenca, et al.</p> <p>Reconveyance, Reversion, Accounting, Restitution and Damages</p> | <p>Plaintiff: Republic of the Philippines</p> <p>Defendants: Rodolfo Cuenca Ferdinand E. Marcos Imelda R. Marcos Oscar P. Beltran Saul Y. Alfonso Roberto S. Cuenca Nora O. Vinluan Panfilo O. Domingo Jose L. Africa Roberto V. Ongpin Ricardo P. De Leon Arturo Lazo Arthur C. Balch Manuel I. Tinio Mario K. Alfelor Rodolfo M. Munsuyac Don M. Ferry Antonio L. Carpio</p> | | <p>On 04 April 2018, the Supreme Court affirmed the 5 August 2010 and Joint Resolution dated 31 August 2011 of the Sandiganbayan DISMISSING the Complaint. The Supreme Court held that it agrees with the Sandiganbayan that the weight of evidence fails to preponderate in the Republic's favor. Neither were the Presidential issuances nor the witnesses' testimonies sufficient to prove the allegations in the Republic's Complaint.</p> <p>On 30 January 2019, the Court noted the transmittal letter dated 4 December 2018 of Atty Basilia T. Ringol, Deputy Clerk of Court & Chief Judicial Records Office of the Supreme Court, the Decision promulgated on 4 April 2018 of the Supreme Court 1st Division and the Entry of Judgment dated 13 August 2018.</p> <p>The Decision of the Sandiganbayan promulgated on 5 August 2010, dismissing the case was elevated by the Republic to the Supreme Court via Petition for Review, the said Petition for Review was Denied by the Supreme Court on 4 April 2018 and the Republic is currently waiting for the Court's decision on its Motion for Reconsideration filed on 28 June 2018. However, as mentioned above, there is already an Entry of Judgement on the 4 April 2018 Supreme Court Decision, dated 13 August 2018.</p> <p>The Sandiganbayan, in the 5 August 2010 Decision, held:</p> <p style="padding-left: 40px;">“While Magno attested that Exhibits “A” to “A-70” of the plaintiff's evidence came from the records of the PCGG, she herself admitted that she did not know how they were obtained. Further, the documents in question were rendered inadmissible in evidence as they were only photocopies. Celis and Atty. Salvador, who prepared Executive Summaries of the PCGG documents relevant to this case, and of the reports pertaining to the account of the PNCC, respectively, both claimed that they had no personal knowledge of the transactions or of the contents of the reports submitted to them. Lastly, Tanchuling simply testified that the supporting documents for the Executive</p> |

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| | | | | <p>Summary prepared by Celis were gathered from the Presidential Library in Malacañang.</p> <p>Plaintiff having failed to present tangible evidence to prove that Rodolfo indeed amassed ill-gotten wealth to the detriment of the government, such claim is nothing but a mere inference on its part.”</p> <p style="text-align: center;">xxx xxx xxx</p> <p>“In the present case, the Court having found that there is insufficiency of evidence to support the complaint for reconveyance, reversion, accounting and damages, it is constrained to dismiss the same.”</p> |
| 5. | <p>Civil Case No. 0018</p> <p>RP vs. Ofelia P. Trinidad et. al.</p> <p>Reconveyance, Reversion, Accounting, Restitution and Damages</p> | <p>Plaintiff: Republic of the Philippines</p> <p>Defendants: Ofelia P. Trinidad Ferdinand E. Marcos Imelda R. Marcos Conrado Trinidad Cresencia Trinidad Porfirio Trinidad Ronaldo Zamora</p> | | <p>On 17 February 1999, the case was dismissed by the Sandiganbayan due to <u>lack of merit</u>. The Court ruled:</p> <p>“The Plaintiff, through its counsel, filed its Formal Offer of Documentary Exhibits o 17 March 1989. The evidence presented are xerox copies.</p> <p>We are of the view that the same holds true only if there is evidence that the property was acquired by taking undue advantage of one’s connection or influence with the Marcoses. Unfortunately, no such evidence was presented by the Plaintiff in this case. Hence, proceeding from the above findings, <u>the Court does not see any cause of action which the government may have against herein defendants</u></p> <p style="text-align: center;">x x x</p> <p>With respect to the Counterclaim for damages filed by defendants, Ofelia Trinidad, Cornelio Trinidad, Cresencia Cruz, and Porfirio Trinidad, Imelda R. Marcos and Ronaldo Zamora, the same are hereby <u>dismissed for failure of the claimants to adduce evidence in support thereof.</u>”</p> <p>On 17 January 2001, the Sandiganbayan denied the Republic’s Motion for Reconsideration for lack of merit.</p> |

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| | | | | <p>On 20 February 2001, the Republic filed with the Supreme Court a Petition for Review on Certiorari under Rule 45 of the Rules of Court, docketed as G.R. No. 146704, seeking review of the Sandiganbayan’s 17 February 1999 Decision and 17 January 2001 Resolution. However, the same was denied by the Supreme Court in a Resolution dated 4 April 2001. The Republic filed a Motion for Reconsideration on said denial, however, in a Resolution dated 6 August 2001, the MR was denied with finality.</p> |
| 6. | <p>Civil Case No. 0019</p> <p>RP vs. Armando T. Romualdez, et al.</p> <p>Reconveyance, Reversion, Accounting, Restitution and Damages</p> | <p>Plaintiff: Republic of the Philippines</p> <p>Defendants: Armando T. Romualdez Ferdinand E. Marcos Imelda R. Marcos Vilma R. Romualdez Alfredo T. Romualdez Nelia T. Gonzales Ricardo V. Quintos</p> | | <p>On 27 October 2014, the Republic filed its Formal Offer of Evidence. An Amended Formal Offer was thereafter filed by the Republic through OSG.</p> <p>On 07 December 2015, a Demurrer to Evidence was filed by Alfredo Romualdez. Armando and Vilma Romualdez also filed a Demurrer to Evidence which the OSG received on 4 January 2016. Both Demurrers to Evidence were granted by the Court in a Decision promulgated on 15 August 2016 dismissing the case. RP filed a Motion for Reconsideration dated 16 September 2016 which was likewise denied by the Court in a Resolution promulgated on 31 January 2017.</p> <p>On 24 March 2017, the Republic filed a Petition for Review docketed as GR No. 229738. The Supreme Court issued a Resolution dated 10 July 2019 denying the petition for failure of petition to sufficiently show that the Sandiganbayan committed any reversible error in the challenged decision and resolution as to warrant the exercise of the Court’s discretionary appellate jurisdiction. The Republic filed a Motion for Reconsideration on 2 December 2019.</p> <p>On 02 December 2020, the Supreme Court issued a Resolution denying with finality the motion for reconsideration filed by the Republic.</p> |
| 7. | <p>Civil Case No. 0021</p> <p>RP vs. Edward T. Marcelo, et. al.</p> <p>Reconveyance, Reversion, Accounting and Damages</p> | <p>Plaintiff: Republic of the Philippines</p> <p>Individual Defendants: Edward T. Marcelo Fabian C. Ver</p> | | <p>On 28 August 2007, the Supreme Court, in its Decision in G.R. No. 156605, reversed and set aside the Sandiganbayan’s Resolution dated 27 August 2001. It held:</p> <p style="padding-left: 40px;">“With the view of the case, there is really no more genuine issues to be tried in this case, the Republic having failed or refused to answer the requests for admission and the written interrogatories of the petitioners.</p> <p style="text-align: center;">x x x</p> |

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| | | <p>Ferdinand E. Marcos Imelda R. Marcos</p> <p>Defendant Corporations: Marcelo Fiberglass Corp. Philippine Casino Operations Corp. Provident International Resources Corp. Philippine Smelters Corporation, et al. Philippine Special Services Corp. Marcelo Steel Corporation Maria Cristina Fertilizer Corp. Marcelo Tire and Rubber Corp. Marcelo Rubber & Latex Products Co., Inc. Farmer's Fertilizer Corp. Insular Rubber Co., Inc. FilAsia Agro Industries Corp. Polaris Marketing Corporation "H" Marcelo Corporation Hydronics Corporation Phils.</p> | | <p>In fine, the complaint does not state with definiteness how or in what specific manner the petitioners committed the alleged illegal and fraudulent acts so broadly enumerated therein. For another it is replete with sweeping generalizations, conclusions of fact and law, and contains inferences derived from facts that are not found in the complaint. In short, the complaint is an embodiment, a concrete example of how one should not prepare a legal complaint."</p> <p><u>On September 4, 2007</u>, the Sandiganbayan issued a Resolution declaring the case closed and terminated in view of the Decision of the Supreme Court dated 28 August 2007 in G.R. No. 156605 which (i) reversed the Sandiganbayan's denial of the motions for summary judgement of the defendants Edward Marcelo, Marcelo Fiberglass Corporations and other corporations, and (ii) dismissed the case. The 4 September 2007 Resolution reads:</p> <p>"It appearing from the Decision of the Supreme Court promulgated on 28 August 2007 that the instant case was dismissed, this case is considered closed and terminated."</p> |
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| | | Marcelo Chemical Pigment Corp. | | |
| 8. | <p>Civil Case: 0023</p> <p>RP vs. Luz Reyes-Bakunawa, et. al.</p> <p>Reconveyance, Reversion, Accounting and Damages</p> | <p>Plaintiff:</p> <p>Republic of the Philippines</p> <p>Defendants:</p> <p>Individual Defendants:</p> <p>Luz Reyes-Bakunawa Manuel Bakunawa, Jr. Manuel Bakunawa III Ferdinand E. Marcos Imelda R. Marcos</p> | | <p>On 10 April 2002, the Sandiganbayan rendered its decision in favor of defendants, <i>to wit:</i></p> <p>“As the evidence stands, neither the presence of the link with the Marcoses, nor the irrefutability of the evidence against the Bakunawas for their misuse of that connection exists to justify the instant action by the PCGG.</p> <p>In view of all the above, this Court is constrained to grant the Motion to Dismiss, as it hereby dismisses, the Complaint of the plaintiff for its failure to prove the essential allegations thereof.</p> <p>The writs of sequestration issued and in force against the properties of the Bakunawas as enumerated in Annex A of the Complaint (page 24 and p. 34, Vol. I, Record) are lifted, set aside and declared of no further force and effect.”</p> <p>On 08 November 2007, the Sandiganbayan denied the Motion for Reconsideration filed by the Republic on the April 2002 Decision.</p> <p>The Republic elevated the case to the Supreme Court by filing a Petition for Review on Certiorari docketed as GR No. 180418, however, said Petition was denied by the Court in its Decision dated 28 August 2013. The Republic filed a Motion for Reconsideration on the said denial, however, the Court resolved to deny the said MR.</p> |
| 9. | <p>Civil Case: 0033-C</p> <p>RP vs. Eduardo Cojuangco, Jr. et. al.</p> <p>RE: CREATION AND OPERATION OF BUGSUK PROJECT AND AWARD OF P988 MILLION DAMAGES</p> | <p>Plaintiff</p> <p>Republic of the Philippines</p> <p>Defendants:</p> <p>Eduardo Cojuangco, Jr. Ferdinand E. Marcos</p> | | <p>In G.R. No. 225281, the SC in its Entry of Judgment certifying that on Sept. 14, 2016 a resolution rendered, which reads as follows:</p> <p><i>“Considering the allegations, issues and arguments adduced in the petition for certiorari assailing the Resolutions dated 10 September 2015 and 8 March 2016 of the Sandiganbayan in Civil Case No. 0033-C, the Court resolves to DISMISS the instant petition for failure to sufficiently show that the questioned resolutions are tainted with grave abuse of discretion.” and that the same has on February 8, 2017 become final and executory and is hereby recorded in the Book of Entries of Judgment.</i></p> |

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| | TO AGRICULTURAL INVESTORS, INC. | Imelda Marcos Rafael Abello Enrique Cojuangco Marcos Cojuangco Maria Clara Lobregat Jesus Pineda Juan Ponce Enrile Agricultural Investors, Inc. | | |
| 10. | G. R. Nos. 232423 and 232449 Republic vs. Sandiganbayan 2 nd Divison, et al. (Case related to Civil Case Nos. 0033-B and 0033-D) | Plaintiff: Republic of the Philippines Defendants: Sandiganbayan 2 nd Divison, et al. | | <p>Republic's Motion for Partial Summary Judgment in Civil Case Nos. 0033-B and 0033-D was denied by the Sandiganbayan in a Joint Resolution promulgated on 02 June 2016. In a Joint Resolution promulgated on 09 May 2017, the court denied the Motions for Reconsideration filed by the Republic</p> <p>The Republic filed with the SC a Petition for Review on Certiorari docketed as G. R. No. 232423 (0033-D) and G. R. No. 232449 (0033-B), however, said Petitions were dismissed by the Court. Thus, a Motion for Reconsideration was filed by the Republic.</p> <p>A Resolution dated 17 March 2021 was issued by the SC denying with finality the Motion for Reconsideration filed by the Republic in G. R. Nos. 232423 and 232449.</p> |
| 11. | Criminal Case No. 383532-42 PCGG vs. Veronica A. Abordo (Violation of BP 22) | Plaintiff: PCGG Defendant: Veronica A. Abordo | | <p>Atty. Rebekah Eunice O. Supapo, appearing as private prosecutor, presented the Affidavit of Desistance of Mr. Apolinario A. Celozza duly certified by Asst. City Prosecutor Katharine B. Paradero-Guzman.</p> <p>In the said Affidavit, it was stated that after thoroughly evaluating the facts and circumstances that led to the institution of the said case, PCGG issued a policy decision through Commission Resolution No. 2017-063-063-A to desist from the criminal case.</p> <p>The court, upon receipt of the said Affidavit of Desistance, issued an Order dismissing the case against Veronica A. Abordo. The cash bond previously posted by the accused amounting to P11,000.00 is ordered cancelled and released to her.</p> |
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| 12. | <p>OMB-05-0153-D OMB-0-97-0293</p> <p>GR NO. 189800</p> <p>PCGG vs. Victorino L. Ojeda, et. al.</p> | <p>Plaintiff:</p> <p>Republic of the Philippines</p> <p>Defendants:</p> <p>Victorino L. Ojeda, et. al.</p> | <p>The complaint for violation of RA 3019 was filed on 30 January 1997 but was dismissed by the OMB on April 18, 1997 on the ground of prescription. This was elevated before the Supreme Court on 29 September 1997 under GR NO. 130157 but the same was dismissed on 12 November 1997 on the ground of technicality.</p> <p>This was re-filed on 28 January 2005 but OMB dismissed the case on 23 June 2006. PCGG filed a Petition for Certiorari on 27 October 2009 docketed as GR No. 189800.</p> <p>On 9 July 2018, an Entry of Judgement was issued certifying that a Decision was rendered Dismissing the Petition for Certiorari filed by the Republic.</p> <p>In a Resolution dated June 3, 2019, the Court noted the letter dated 18 February 2019 of Asst. Ombudsman Asryman T. Rafanan, acknowledging receipt of the Entry of Judgment and letter of transmittal on 4 February 2019.</p> |
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