

# Marianas Variety

The Local &amp; Regional Newspaper

Guam  
Edition

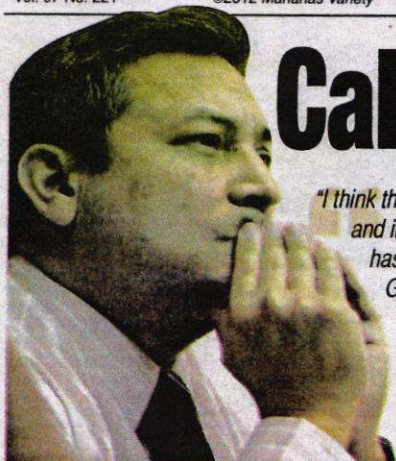
Vol. 07 No. 221

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Wednesday • August 8, 2012

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## Calvo reacts to probe

*"I think the Chamorro Land Trust and its enabling legislation has given people who call Guam home an opportunity to have a piece of property and develop it either for homes or agricultural purposes."*

- Gov. Eddie Calvo

By Zita Y. Taitano  
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GOV. Eddie Calvo finds it ironic that the Department of Justice is investigating whether the Chamorro Land Trust Act is in violation of federal law when many of the Chamorro original landowners' properties were confiscated by the federal govern-

ment for use by the military.

Besides, Calvo said most of the CLT properties are for low-income residents and those who are in real need.

"I think the Chamorro Land Trust and its enabling legislation has given people who call Guam home an opportunity to have a piece of property and develop it either for homes or

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THE governor, along with the Office of the Attorney General of Guam's Child Support Enforcement Division, urged Guamanians to reach out and support the island's children.

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## Medal of Ultimate Sacrifice

Jude Steven Leon Guerrero holds the medal for his father, Sgt. Brian Steven Leon Guerrero, who died in Operation Enduring Freedom. Speaker Judi Won Pat called a Legislative session to present I Miñayan i Más Takhilo' na Sakrifisiu (the Medal of Ultimate Sacrifice) to the family members of at least 30 service members whose lives were lost in combat. See story and additional photos on page 2. David Castro / For Variety

## SSHS

roof may  
be repaired  
soon

See story on page 4

## Davis wants to proceed with trial

*But AG wants delay in plebiscite suit*

By Geraldine Castillo  
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A YIGO man suing the local government in federal court wants his case to proceed to trial despite a magistrate judge's recommendation for dismissal, but the Attorney

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*"After plaintiff diligently prepared for trial by collecting evidence and providing such evidence to the defendants, defendants now seek to freeze the process, blocking plaintiffs from further diligently pursuing this case and providing defendants a respite from diligently preparing a defense."*

- J. Christian Adams, Arnold "Dave" Davis' attorney

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# Guam's fallen soldiers remembered in special ceremony

By Joy White  
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"TODAY we honor and recognize the families of our island's fallen soldiers," Speaker Judi Won Pat said at a special ceremony during yesterday's legislative session.

Family members of 30 of Guam's fallen soldiers received the Medal of Ultimate Sacrifice (I Milayan I Más Takhilo' na Sakrifisu) to commemorate and honor their sacrifice.

The ceremony was the first of several. A total of 150 soldiers will be honored. All the names have been placed on a plaque that will be on display at the legislative hall.

Fallen service members for all branches were presented with the medal, including soldiers of World War II, the Korean War, the Vietnam War, Operation Desert Storm, Operation Iraqi Freedom, and Operation Enduring Freedom. A Guam flag and a legislative resolution were also presented to the family members.

The design of the Medal of Ultimate Sacrifice is unique in that it features the artwork of a local student. An islandwide art contest



John and Francis Munoz accept a medal from Speaker Judi Won Pat and Gov. Eddie Calvo on behalf of their uncle CPL Francisco Garrido Javier, who died in the Korean War.



Speaker Judi Won Pat and Gov. Eddie Calvo unveil the Roll of Honor, a listing of the names of Guam soldiers who have sacrificed their lives. Photos by David Castro / For Variety

had been held for the centerpiece of the medal. Angelica Gomez, a 3rd-grader from Santa Barbara Catholic School, won the contest.

Dorothy Lukeala received the medal to honor her son, Joshua Lukeala, of the U.S. Army.

"I'm very grateful. This lets me know that the people of Guam and the senators haven't forgotten," she said. Mrs. Lukeala described the pride she feels for her son. "It's bittersweet. As a mother, as parents, we still want our son. At least the people still remember the fallen."

"It was an honor to be included, to recognize the service members and their families who made that sacrifice in defense of our country," said Rear Adm. Tilgham Payne, Joint Region Marianas commander. Payne, who helped present the medal to the families, said: "Their sacrifice is appreciated. Service members have given their lives in order for the rest of us to enjoy our freedom. They will not be forgotten."

The creation and presentation of the plaque and the medals are in fulfillment of Public Law 30-193, authored by Speaker Won Pat and Sen. Ben Pangelinan.

## Probe...

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agricultural purposes," he said.

"Many of these people and their ancestors didn't have mastery of the English language. Some of them couldn't even read, but a lot of their properties were deeded to the federal government and used for military purposes. They were very patriotic people and we are very patriotic people," the governor added.

The governor believes DOJ officials should focus on other areas of more concern to the island and the United States instead of a program beneficial to the community.

The DOJ has asked Attorney General Lenny Rapadas to investigate Guam's land use policies after a complaint was filed by Arnold "Dave" Davis, who claims he went to apply for CLT land but was turned away because he is not a "native Chamorro."

**Mafnas**

Also questioning the

investigation is Department of Land Management Director Monte Mafnas, who said the Chamorro Land Trust Act is "constitutional and organic."

Mafnas said the law is patterned after Hawaii's program.

"In addition to that, CLTA considers a native Chamorro to be everyone living on Guam prior to August 1950 which was the signing of the Organic Act," he said.

He adds that for now, the issue is in the hands of the legal system.

## Davis...

continued from page 1

General's Office wants a delay until that matter is resolved.

Court documents were filed yesterday in the District Court of Guam by an attorney for Arnold "Dave" Davis in response to the AGO's motion to stay discovery, which requests the court to suspend the trial setting and other dates ordered by the court until the issue of Davis' objection to a recommendation of a dismissal of his case is determined by the chief judge.

Just last week, the AGO filed the motion to stay discovery, reminding the court of the magistrate judge's recommendation that the case is due to be dismissed, "because the plaintiff has failed to articulate a proper basis for the court's exercise of jurisdiction."

The motion, filed by Assistant Attorney General Robert M. Weinberg, further stated the issues presented by the government's motion to dismiss and Davis' objections to the report and recommendations "easily satisfy both prongs of the analysis suggested by the district court for the Eastern District of California when determining whether discovery should be stayed pending resolution of a motion potentially dispositive of the entire case."

### Opposition

In opposition, Davis' attorney, J. Christian Adams, pointed out the government's motion was filed merely two days after Davis had provided the court with extensive supplemental disclosures.

In other words, Adams wrote, "after plaintiff diligently prepared for trial by

collecting evidence and providing such evidence to the defendants, defendants now seek to freeze the process, blocking plaintiffs from further diligently pursuing this case and providing defendants a respite from diligently preparing a defense." Adams then argued it would be unfair if the court granted the government's motion because Davis has been complying with deadlines while the government seeks an excuse.

"Granting the motion would produce the severely prejudicial result of seeing the plaintiff comply with expert deadlines and exchange a completed expert report, while the defendants bask in the luxury of frozen time, blissfully unburdened by the need to diligently exchange an expert report which should have been completed on Aug. 31, 2012," Adams stated. "It is manifestly unfair for the plaintiff to comply with the deadlines in the scheduling order and then the defendants enjoy peace and contemplation while time stands still." Adams went on to say that Davis has been preparing for a trial in April 2013, "and to stay discovery in this matter will result in an unjust and severe prejudice to the defendants."

Davis filed a class action suit in November of last year, claiming he was denied from registering in the Decolonization Registry which was to be used for a plebiscite on Guam's political status. He filed his complaint against the government of Guam and the Guam Election Commission alleging racial discrimination because he did not have the ancestral ties of a "native inhabitant" required to register. Months later, Magistrate Judge Joaquin Manibuan issued a report and recommendation of a dismissal of the case because the matter was not ripe for judicial review.

## Child Support Awareness



Chief Deputy Attorney General Phil Tydingco reads the Child Support Awareness Month Proclamation before Gov. Eddie Calvo signs it. Calvo signed two proclamations Monday morning in the Cabinet Conference Room of the Ricardo J. Bordallo Governor's Complex at Adelup. David Castro / For Variety