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News

## Locsin group suit vs teleco junked

THE Sandiganbayan First Division has junked with finality a P1.3 million lawsuit by the group of businessman Enrique Locsin against stockholders and officials of the Philippine Overseas Telecommunications Corp (POTC) and the Philippine Communications Satellite Corp. (Philcomsat) led by Victor V. Africa over control of the two sequestered companies.

"The Court finds no indubitable ground to reverse or set aside its resolution promulgated on August 15, 2007 that dismissed the instant complaint," the ruling said.

Locsin, who claimed to represent Philcomsat and POTC as an appointee of the government, filed the lawsuit on Sept. 25, 2005 in an attempt to stop the Africa group from taking over control of the two firms.

The Africa-led boards were elected by the corporations' stockholders.

The graft court also said the lawsuit is more properly lodged at the Regional Trial Court as it does not have jurisdiction even if the case involves two corporations sequestered by the Presidential Commis-

sion on Good Government.

"The law is clear and unequivocal that for the Sandiganbayan to acquire jurisdiction over a case, the subject matter thereof must ... refer to the recovery of the ill-gotten wealth of late President Ferdinand Marcos, his family and associates, and all incidents arising from, incidental to or related to such cases," the court pointed out.

The court maintained its reprimand on Locsin and his lawyer Sikini Labastilla over the finding that they omitted material facts in the complaint which misled the court into issuing an injunction against the takeover of POTC and Philcomsat by the Africa group.

It noted that the plaintiff and his counsel misrepresented that the case can stand on its own only to petition the court later on to consolidate the complaint with another pending case.

At the same time, the court noted that a similar action had already been raised before the Court of Appeals when the case was brought to the Sandiganbayan. — *Peter J.G. Tabingo*