



Republika ng Pilipinas
Lungsod Quezon
SANGGUNIANG PANLUNGSOD
(City Council)

PR2001-406

RESOLUTION NO. SP- 1690 ^{III}, S-2001

A RESOLUTION AUTHORIZING THE HONORABLE FELICIANO R. BELMONTE, JR., CITY MAYOR, THIS CITY, TO ENTER INTO A COMPROMISE AGREEMENT IN BEHALF OF THE CITY GOVERNMENT WITH MR. ALEJANDRO G. CRUZ-HERRERA, JR., PRESIDENT, LEXBER INCORPORATED FOR THE SETTLEMENT OF CIVIL CASE NO. Q-94-19405 ENTITLED, "LEXBER INCORPORATED VERSUS QUEZON CITY.

Introduced by Councilors JESUS "Bong" C. SUNTAY, WENCEROM BENEDICT C. LAGUMBAY and JULIAN M.L. COSETENG.

WHEREAS, Lexber Incorporated filed a case for Breach of Contract, Specific Performance or Recission of Contract and Damages against the City government in the Regional Trial Court of Quezon City;

WHEREAS, Lexber Incorporated obtained a favorable judgment in the lower Court directing the City government to pay the plaintiff for the amount of the contract, cost of suit, legal interest, etc.;

WHEREAS, the decision of the Court was appealed to the Court of Appeals which, in its decision of October 18, 1999, affirmed in toto the lower Court's judgment. Assailing the decision of the Court of Appeals, the City government brought the case before the Supreme Court by way of a Petition for Review which, in its decision promulgated on March 15, 2001, denied the petition and affirmed in toto the Court of Appeals decision.

WHEREAS, as the judgment has now become final and executory, the City government should explore the possibility of entering into a compromise agreement with LEXBER INCORPORATED in order to minimize or cushion the Court's decision;

WHEREAS, the City Council has deemed it appropriate to authorize the Honorable Feliciano R. Belmonte, Jr., to enter into a compromise agreement with Lexber Incorporated.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED, to authorize, as it does hereby authorize, the Honorable Feliciano R. Belmonte, Jr., City Mayor, this City, to enter into a Compromise Agreement, in behalf of the City government, with Mr. Alejandro G- Cruz-Herrera, Jr., President, Lexber Incorporated, for the settlement of Civil Case No. Q-94-19405 entitled, Lexber Incorporated versus Quezon City.

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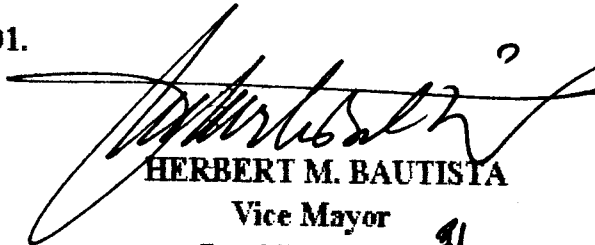

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RESOLVED, FURTHER, that the Compromise Agreement and all documents pertaining thereto shall be made integral part hereof.

RESOLVED, FINALLY, that this Resolution shall take effect upon its approval.

ENACTED: December 18, 2001.



HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer 

ATTESTED:


EUGENIO V. JURILLA
City Council Secretary

CERTIFICATION

This is to certify that this Resolution which was CERTIFIED AS URGENT by the City Mayor was APPROVED on Second Reading on December 18, 2001.


EUGENIO V. JURILLA
City Council Secretary

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