FRANCIS N. TOLENTINO,
      Protestant,

                                          SET Case No. 001-16

-versus-

LEILA M. DE LIMA,
      Protestee.

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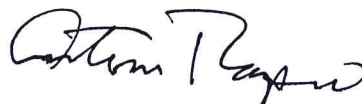
RESOLUTION NO. 16 – 139

The Tribunal resolves to **CONFIRM** the following Resolutions issued by the Executive Committee:

1. **Resolution No. 16-134** dated 08 October 2018, which:

   a. **REQUIRED** the Commission on Elections (COMELEC) to immediately seek authority from the Presidential Electoral Tribunal (PET) to access all the six CCS laptops which were retained in its custody upon the request of Protestant Tolentino, with proper listing of the areas or municipalities/cities where the said laptops were deployed during the conduct of the 2016 National and Local Elections, copy of the list furnished to the Tribunal, and manifest to the Tribunal its compliance within three (3) days from receipt of the Resolution;

   b. **GRANTED** the request of the COMELEC that the period of fifteen (15) days given to it by the Tribunal to comply with Resolution No. 16-124, dated 05 September 2018, be counted from its receipt of the PET approval for the access and generation of the audit logs of the CCS laptops; and

   c. **DIRECTED** Protestant Tolentino to inform the COMELEC as to the number of CCS laptops that the latter must access for the generation of the audit logs, copy furnished the Tribunal, within three (3) days from receipt of this Resolution.

2. **Resolution No. 16-135** dated 24 October 2018, which **REQUIRED** the COMELEC to Comment on Protestant Tolentino's *Motion for the Return of Payments* dated 01 October 2018, within ten (10) days from receipt of the Resolution.

3. **Resolution No. 16-136** dated 13 November 2018, which **REQUIRED** Protestant Tolentino to file a Reply to the COMELEC's *Comment (on Protestant Francis N. Tolentino's Motion for the Return of Payments)*, within five (5) days from receipt of the Resolution.

4. **Resolution No. 16-137** dated 14 November 2018, which:

   a. **LIFTED** the Precautionary Order on all CCS Laptops and the Memory Configuration Room located at the COMELEC Warehouse in Sta. Rosa, Laguna which were used during the 2016 National and Local Elections;

   b. **ALLOWED** the COMELEC to back-up the data contained therein in the presence of representatives of the Tribunal and the parties;

   c. **DIRECTED** the COMELEC to maintain custody and preserve the integrity of the backed-up data; and

   d. **ALLOWED** the COMELEC to use the said CCS Laptops and Memory Configuration Room in the 2019 Automated National and Local Elections.

5. **Resolution No. 16-138** dated 14 November 2018, which:

   a. **ALLOWED** the COMELEC to back-up the secured logs of the server for the Municipality of Tugaya, Lanao del Sur in the presence of representatives of the Tribunal and the parties; and

   b. **DIRECTED** the COMELEC to maintain custody and preserve the integrity of the backed-up data.

SO ORDERED.
22 November 2018.

ANTONIO T. CARPIO
Senior Associate Justice
Chairperson

LUCAS P. BERSAMIN
Associate Justice
Member

ESTELA M. PERLAS-BERNABE
Associate Justice
Member

RICHARD J. GORDON
Senator
Member

MARIA LOURDES "NANCY" S. BINAY
Senator
Member

JOEL VILLANUEVA
Senator
Member

EMMANUEL "MANNY" D. PACQUIAO
Senator
Member

FRANKLIN M. DRILON
Senator
Member

ANTONIO "SONNY" F. TRILLANES IV
Senator
Member