



REPUBLIC OF THE PHILIPPINES
SENATE ELECTORAL TRIBUNAL

COA-NCR Bldg., Batasan Road, Quezon City

FRANCIS N. TOLENTINO,
Protestant,

-versus-

SET Case No. 001-16

LEILA M. DE LIMA,
Protestee.

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RESOLUTION NO. 16 - 138

On 12 November 2018, the Commission on Elections (COMELEC), thru its Law Department, filed a *Manifestation with Motion* dated 09 November 2018, seeking clearance from the Tribunal to back-up the secured logs of the servers used during the 2016 National and Local Elections, particularly in the Municipalities of Libon, Albay and Tugaya, Lanao del Sur on 21 November 2018, 10:00 o'clock in the morning, at the COMELEC Warehouse, Sta. Rosa City, Laguna.

The COMELEC's *Motion* was necessitated by the letter of Senate President Vicente C. Sotto III, dated 19 September 2018, requesting for a copy of the secured logs of all the servers used during the 2016 elections, specifying therein three Municipalities, namely: Libon, Albay; Angono, Rizal; and Tugaya, Lanao del Sur.

Tribunal records show that Libon, Albay and Angono, Rizal are not contested in the instant case and were not covered by the Tribunal's Precautionary Order. The Municipality of Tugaya, Lanao del Sur, however, is among the protested areas of Protestant Tolentino.

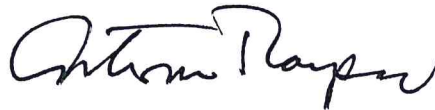
Be that as it may, the Tribunal interposes no objection to the proposed back-up of the secured logs of the server for the Municipality of Tugaya, Lanao del Sur, subject, however, to the following conditions: (a) The COMELEC shall have the data backed-up in the presence of the representatives of the Tribunal and the parties; and (b) The COMELEC shall maintain custody, and preserve the integrity of the backed-up data.

WHEREFORE, the Executive Committee of the Tribunal Resolves to:

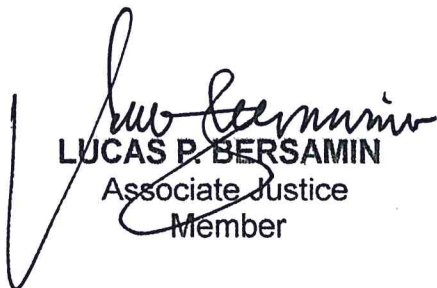
1. **ALLOW** the COMELEC to back-up the secured logs of the server for the Municipality of Tugaya, Lanao del Sur in the presence of representatives of the Tribunal and the parties; and
2. **DIRECT** the COMELEC to maintain custody and preserve the integrity of the backed-up data.

SO ORDERED.


14 November 2018.



ANTONIO T. CARPIO
Senior Associate Justice
Chairperson



LUCAS P. BERSAMIN
Associate Justice
Member



ESTELA M. BERLAS-BERNABE
Associate Justice
Member