



OFFICE OF THE COMMISSIONER
ROUTING SLIP

BAR CODE # _____

- Commissioner
- Deputy Commissioner, AOCG
- Deputy Commissioner, EG
- Deputy Commissioner, IAG
- Deputy Commissioner, IG
- Deputy Commissioner, MISTG
- Deputy Commissioner, RCMG
- Assistant Commissioner, PEAG
- Director, Administration Office
- Director, CIIS
- Director, ESS
- Director, Collection Service
- Director, Financial Management Office
- Director, Financial Service
- Director, Legal Service
- Director, Import & Assessment Service
- Director, Port Operations Service
- District Collector _____
- Sub-Port Collector _____
- Chairman, CBW Committee
- Head, TCC Secretariat
- Head, TF-REACT
- Head, ICARE
- Head, XIP
- Others/CC/ATTN: _____

- For approval
- For signature
- For appropriate action
- Please attend
- For compliance
- For comment/recommendation
- For consideration
- For dissemination/CMC
- Please handle
- For information
- For instructions
- For review
- Please prepare reply
- Submit feedback
- For monitoring
- For File
- Others

PRIORITY

the Philippines
nt of Finance
OF CUSTOMS
District II - B

IONAL CONTAINER PORT

orsement
y 22, 2014



to HON. JOHN P. SEVILLA, Manila, the within Order of Presiding Bench 11, Regional Trial Court-Manila 14-131261, inviting attention to the Order granting the issuance of and enjoining Bureau of Customs, the Manila, North Harbor and South in their behalf from seizing and owned and acquired by Mr. Danilo RAINS ENTERPRISES. Said copy of by the undersigned, in compliance 06 January 2014, requiring that all parts shall be reported to the Office of on shall be taken on any such court id order has been duly verified.

91
ATTY. GENIEFELLE P. LAGMAY
Chief of Staff

[Signature]
MGEN. ELMIR S. DELA CRUZ
District Collector of Customs





Republic of the Philippines
Department of Finance
BUREAU OF CUSTOMS
Collection District II - B

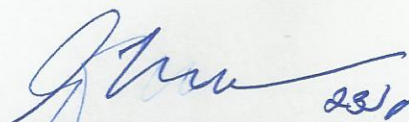
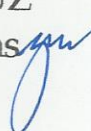


MANILA INTERNATIONAL CONTAINER PORT

1st Indorsement
January 22, 2014

Respectfully forwarded to HON. JOHN P. SEVILLA, Commissioner of Customs, Manila, the within Order of Presiding Judge Cicero D. Jurado, Jr. of Branch 11, Regional Trial Court-Manila covered by Civil Case No. 14-131261, inviting attention to the dispositive portion of the same Order granting the issuance of Temporary Restraining Order and enjoining Bureau of Customs, the District Collectors of Ports of Manila, North Harbor and South Harbor and all persons acting in their behalf from seizing and alerting the rice shipments owned and acquired by Mr. Danilo Galang of ST. HILDEGARD GRAINS ENTERPRISES. Said copy of the TRO is hereby transmitted by the undersigned, in compliance with your Memorandum dated 06 January 2014, requiring that all receipt of court orders in all ports shall be reported to the Office of the Commissioner and no action shall be taken on any such court order until the authenticity of said order has been duly verified.

For his consideration.


MGEN. ELMIR S. DELA CRUZ
District Collector of Customs 



DISTRICT COLLECTOR
RECEIVED: *JA*
DATE: _____ Time: *5:25*

JAN 16 2014

BUREAU OF CUSTOMS
MICP

**REPUBLIC OF THE PHILIPPINES
REGIONAL TRIAL COURT
National Capital Judicial Region
Branch 11, Manila**

CIVIL CASE: 14-131261

**DANILO G. GALANG, doing business
Under the name and style ST. HILDEGARD
GRAINS ENTERPRISES**

- Plaintiff/s

-versus-

Notice of ORDER/DECISION

Two (2) Orders

**BUREAU OF CUSTOMS—THE DISTRICT
COLLECTORS OF THE PORTS OF MANILA,
NORTH HARBOR AND SOUTH HARBOR, in their
Capacityies as the Incumbent District Collectors
For the Ports of Manila, North and South Harbor,
Defendant/s.**

X----- X

Commissioner of the Bureau of Customs

**As Commissioner of the Bureau
Of Customs. Bureau of Customs , Manila**

**DISTRICT COLLECTOR, BUREAU OF CUSTOMS
PORT OF MANILA, SOUTH HARBOR, MANILA**

**DISTRICT COLLECTOR OF MANILA PORT , MANILA
BUREAU OF CUSTOMS,NORTH HARBOR, MANILA**

SIR/MADAM :

**You are hereby notified by these presents that on the 16th day of January
2014 Order/Decision was issued/ rendered in the above-entitled case, copy of
which is hereto attached.**

Manila, Philippines January 16,2014

/joyce

jam
**JULIE AYLENE D.MENDOZA
Branch Clerk of Court**

07

REPUBLIC OF THE PHILIPPINES
REGIONAL TRIAL COURT
NATIONAL CAPITAL JUDICIAL REGION
BRANCH ELEVEN
MANILA

DANILO G. GALANG, doing
Business Under the name and style
ST. HILDEGARD GRAINS
ENTERPRISES,

Plaintiff,

-vs-

CIVIL CASE NO. CV-14-131261

BUREAU OF CUSTOMS – THE
DISTRICT COLLECTORS OF THE
PORTS OF MANILA, NORTH HARBOR
AND SOUTH HARBOR, in their capacities
as the Incumbent District Collectors for the
Ports of Manila, North and South Harbor,
Defendants.

X-----X

ORDER

When this case was called for hearing, plaintiff Danilo G. Galang, was presented to support his application for temporary restraining order. Witness testified that he is the owner of St. Hildegard Grains Enterprises and identified several documents, to wit: Exhibit "A-TRO", the Complaint; Exhibit "B-TRO", the Certificate of Business Name and Registration issued by the Department of Trade and Industry; Exhibit "C-TRO", Certificate of Registration issued by the Bureau of Internal Revenue; Exhibit "D-TRO", Business Permit issued by the City of Manila; Exhibit "D-TRO" and submarkings, the Grains Business License issued by the National Food Authority; Exhibit "F-TRO" and submarkings, the Certificate of Accreditation issued by the Bureau of Customs; and Exhibit "G-TRO to "G-23", the Bills of Lading. Further, he stated in open court that he bought from Ivy Souza 480 container vans of rice and paid ten (10) percent of 280 Million Pesos or 28 Million Pesos. The witness added that the said 480 containers are still inside the Bureau of Customs compound and are not being released. He alleged that the Philippines is a signatory of the WTO-GATT which includes provisions regarding the importation of rice among member countries. He also alleged that the Bureau of Customs implemented NFA Memorandum Circular NO. AO-2K13-003^{030pm} by stopping the release of his 480 containers despite the said WTO-GATT.

SA 726

stopping the release of his 480 containers despite the said WTO-GATT.

In an application for temporary restraining order, applicant must show to the court that there is an impending danger of irreparable injury. The Court is convinced that he has shown this. As such, the Court is persuaded that a temporary restraining order must be granted so that the issues in the main case would not be considered as *fait accompli*, before the case is even decided.

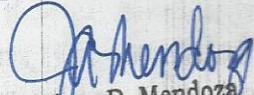
WHEREFORE, foregoing premises considered, the Court GRANTS the application for the issuance of a temporary restraining order. A temporary restraining order is issued enjoining and restraining defendants Bureau of Customs, the District Collectors of the Ports of Manila, North Harbor and South Harbor, in their capacities as the incumbent District Collectors for the Ports of Manila, North and South Harbor and all persons acting for and in their behalf and all their agents from a) implementing NFA Memorandum Circular No. AO-2K13-003; b) seizing, alerting, and/or holding plaintiff's rice shipments referred in this petition, and those shipments, similarly situated as those in this Petition, which the plaintiff may acquire by sale or by importation after the filing of this Petition; c) implementing any Alert Orders, Hold Orders, and issuances and/or refusing to lift any such orders or issuances in relation to Plaintiff's rice shipments referred in this Petition and those shipments, similarly situated as those in the Petition, which the plaintiff may acquire by sale or by importation after the filing of this Petition; and d) doing any act that would prejudice plaintiff while the propriety and validity of its actions as enumerated in the preceding paragraphs, are still at issue and subject to judicial determination.


The bond for the Temporary Restraining Order is set at ONE MILLION PESOS.

SO ORDERED.

Manila, Philippines, January 16, 2014.

CERTIFIED TRUE COPY


Julie Aylene D. Mendoza
Branch Clerk of Court


CICERO D. JURADO, JR.
Presiding Judge

grace

CASH BOND P. 1,000,000 OR 2478191
COMMISSION ON 300
DEPOSIT 200
1,000,500
1/16/14

(ORIGINAL)

No 2478191



REPUBLIC OF THE PHILIPPINES
JUDICIARY
OFFICIAL RECEIPT



5770220682

COURT : RTC-MANILA CLERK OF COURT

0002478191

DATE: 16-JAN-14 16:14:40

CASE NUMBER: 14-131261

PAYOR: **DANILO G. GALANG DOING BUSINESS UNDER THE NAME ST. HIDEGARI**

PARTICULARS: **TEMPORARY RESTRAINING ORDER BOND AS PER ORDER DTD 1-16-14
BY HON. CICERO D. JURADO, JR.**

FUND	AMOUNT	PAYMENT DETAILS
FF-CSH/DEPOSIT	1,000,000.00	CASH
***** Nothing Follows *****		
TOTAL AMOUNT PAID: 1,000,000.00		
AMOUNT IN WORDS: One Million AND 00 / 100 ONLY		

Prepared By: *MAT*

MELINDA BABETTE AREOLA TALOSIG

Payment Accepted By:

JENNIFER DELA CRUZ BUENDIA
Clerk of Court VII

CERTIFIED TRUE COPY

J. Mendoza
Julie Aylene D. Mendoza
Branch Clerk of Court

REPUBLIC OF THE PHILIPPINES
REGIONAL TRIAL COURT
NATIONAL CAPITAL JUDICIAL REGION
BRANCH ELEVEN
MANILA

DANILO G. GALANG, doing
Business Under the name and style
ST. HILDEGARD GRAINS
ENTERPRISES,

Plaintiff,

-vs-

CIVIL CASE NO. CV-14-131261

BUREAU OF CUSTOMS – THE
DISTRICT COLLECTORS OF THE
PORTS OF MANILA, NORTH HARBOR
AND SOUTH HARBOR, in their capacities
as the Incumbent District Collectors for the
Ports of Manila, North and South Harbor,
Defendants.

X-----X

ORDER

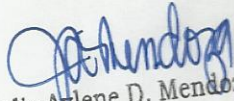
The hearing on the Application for Preliminary Injunction is set on January 23, 27 and 30, 2014 at 8:30 in the morning, so as to enable the Bureau of Customs to present their evidence.

Notify the Bureau of Customs.

SO ORDERED.

Manila, Philippines, January 16, 2014.

CERTIFIED TRUE COPY


Julie Arlene D. Mendoza
Branch Clerk of Court

ORIGINAL SIGNATURE
CICERO D. JURADO, JR.
Presiding Judge

;grace



Republic of the Philippines
Department of Finance
Bureau of Customs
1099 Manila

MASTER COPY

MEMORANDUM

FOR : ALL DISTRICT/PORT COLLECTORS
FROM : JOHN P. SEVILLA
Commissioner
SUBJECT : RICE IMPORTATIONS
DATE : 06 January 2014

As part of the Bureau's measures to STOP RICE SMUGGLING, you are hereby instructed to immediately **ISSUE WARRANTS OF SEIZURE AND DETENTION ON ALL SHIPMENTS OF RICE** that fulfill all the following conditions:

- a. No import permits issued by the National Food Authority for the shipment within 30 days of the entry of the shipment; and
- b. Not covered by an injunction or other court order that prevents the Bureau of Customs from issuing such a warrant of seizure.

In so doing, you are directed to **ENSURE** full compliance with Sections 2301, 2302, and 2303 of the Tariff and Customs Code of the Philippines, as amended, in the issuance of the warrants of seizure and detention.

Further, you shall immediately and without further delay **REPORT** to the Office of the Commissioner any court order that you received regarding any rice importation and shall **TAKE NO ACTION** on any such court order until the Office of the Commissioner has verified the authenticity of the court order and issued the corresponding instructions.

Please submit to this Office thru email, the scanned copies of each Warrant of Seizure and Detention, with proof of receipt by the Consignee, together with the duly accomplished table/matrix (in excel format) shown below at secretary_chiefstaff@yahoo.com (Attention: Atty. Geniefelle P. Lagmay); every FRIDAY of the week.