



Republic of the Philippines
Supreme Court
Manila

EN BANC

SUPREME COURT OF THE PHILIPPINES
PUBLIC INFORMATION OFFICE
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FEB 25 2014
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Secretary PROCESO J. ALCALA, as Secretary of the Department of Agriculture and as Chairperson of the National Food Authority Council; and the **BUREAU OF CUSTOMS**, represented by Commissioner John Phillip P. Sevilla,
Petitioners,

G.R. No. 211146

- versus -

TEMPORARY RESTRAINING
ORDER

Hon. EMMANUEL C. CARPIO, in his capacity as Presiding Judge of Branch 16, Regional Trial Court in Davao City and **JOSEPH MANGUPAG NGO**,
Respondents.

X-----X

TO: * HON. EMMANUEL C. CARPIO (reg)
Regional Trial Court, Branch 16
Davao City

* JOSEPH MANGUPAG NGO (reg)
No. 53 Almond Drive
Ecoland Subdivision, Phase 7
Davao City

* ATTY. ANTHONY P. BANZALI and
ATTY. FERDINAND M. TAGLUCOP (reg)
Counsel for Private Respondent
Banzali & Tagluco Law Firm
2/F Suite 01 Lam Bldg.
F. Torres St., Davao City

GREETINGS:

WHEREAS, the Supreme Court, on **February 25, 2014**, adopted a resolution in the above-entitled case, to wit:

* Already furnished with copy of petition

G.R. No. 211146 (Secretary Proceso J. Alcala, as Secretary of the Department of Agriculture and as Chairperson of the National Food Authority Council; and the Bureau of Customs, represented by Commissioner John Phillip P. Sevilla vs. Hon. Emmanuel C. Carpio, in his capacity as Presiding Judge of Branch 16, Regional Trial Court in Davao City and Joseph Mangupag Ngo).- Acting on the Petition for Certiorari (with Application for Temporary Restraining Order, Status Quo Ante Order and/or Writ of Preliminary Injunction), the Court Resolved, without giving due course to the petition, to

(a) **REQUIRE** the respondents to **COMMENT** on the petition within ten (10) days from notice hereof; and

(b) **ISSUE** the **TEMPORARY RESTRAINING ORDER** prayed for, effective immediately and continuing until further orders from this Court, enjoining the (1) court *a quo* from implementing the assailed Orders dated December 12, 2013 and December 13, 2013, and Writ of Preliminary Injunction dated December 13, 2013; (2) court *a quo* from proceeding with the case *a quo* (Civil Case No. 35,354-13); and (3) private respondent Joseph Mangupag Ngo from undertaking any and all action with respect to the subject rice shipments. Brion, J., on leave. (adv56)

NOW, THEREFORE, effective immediately and continuing until further orders from this Court, You, respondent Judge Emmanuel C. Carpio, your agents, representatives, or persons acting in your place or stead, are hereby **ENJOINED** from (1) implementing the assailed Orders dated December 12, 2013 and December 13, 2013, and Writ of Preliminary Injunction dated December 13, 2013 and (2) proceeding with the case *a quo* (Civil Case No. 35,354-13).

FURTHER, effective immediately and continuing until further orders from this Court, You, private respondent Joseph Mangupag Ngo, your agents, representatives, or persons acting in your place or stead, are hereby **ENJOINED** from undertaking any and all action with respect to the subject rice shipments.

GIVEN by the Supreme Court of the Philippines, this 25th day of February 2014.


ENRIQUETA E. VIDAL
Clerk of Court

Hon. Francis H. Jardeleza (x)
Solicitor General
Hon. Sarah Jane T. Fernandez (x)
Asst. Solicitor General
Hon. Henry Gerald P. Ysaac, Jr. (x)
Senior State Solicitor
Office of the Solicitor General
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*Office of the Government Corporate Counsel (x)
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Balara, Quezon City

*Attys. Ma. Theresa S. Villafuerte, Arnold O. Aggala
and Jubal R. Picio (x)
National Food Authority
Legal Affairs Department
7th Floor, PHILSUGIN Building
North Avenue, Diliman, Quezon City

*Hon. Sec. Proceso J. Alcala (x)
Department of Agriculture & NFA Council
Elliptical Road, Diliman, Quezon City

*Hon. Administrator Orlan A. Calayag (x)
National Food Authority
6th Floor, PHILSUGIN Building
North Avenue, Diliman, Quezon City

*Hon. Comm. John Phillip P. Sevilla (x)
Bureau of Customs
Ground Floor, OCOM Building
Port Area, Manila

*The District Collector for the Port of Davao (reg)
Bureau of Customs
Collection District XII
Port of Davao
Sasa Wharf, Davao City

Public Information Office (x)
Supreme Court

* Already furnished with copy of petition

G.R. No. 211146
wmd 2/25/14 (adv56) 2/25/14





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NOTICE

Sirs/Mesdames:

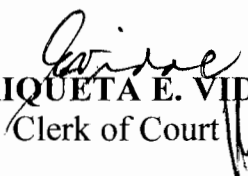
*Please take notice that the Court en banc issued a Resolution dated **FEBRUARY 25, 2014**, which reads as follows:*

“G.R. No. 211146 (Secretary Proceso J. Alcala, as Secretary of the Department of Agriculture and as Chairperson of the National Food Authority Council; and the Bureau of Customs, represented by Commissioner John Phillip P. Sevilla vs. Hon. Emmanuel C. Carpio, in his capacity as Presiding Judge of Branch 16, Regional Trial Court in Davao City and Joseph Mangupag Ngo).- Acting on the Petition for Certiorari (with Application for Temporary Restraining Order, Status Quo Ante Order and/or Writ of Preliminary Injunction), the Court Resolved, without giving due course to the petition, to

(a) **REQUIRE** the respondents to **COMMENT** on the petition within ten (10) days from notice hereof; and

(b) **ISSUE** the **TEMPORARY RESTRAINING ORDER** prayed for, effective immediately and continuing until further orders from this Court, enjoining the (1) court *a quo* from implementing the assailed Orders dated December 12, 2013 and December 13, 2013, and Writ of Preliminary Injunction dated December 13, 2013; (2) court *a quo* from proceeding with the case *a quo* (Civil Case No. 35,354-13); and (3) private respondent Joseph Mangupag Ngo from undertaking any and all action with respect to the subject rice shipments.” Brion, J., on leave. (adv56)

Very truly yours,


ENRIQUETA E. VIDAL
Clerk of Court

OW

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Hon. Sarah Jane T. Fernandez (x)
Asst. Solicitor General
Hon. Henry Gerald P. Ysaac, Jr. (x)
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