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REPUBLIC OF THE PHILIPPINES
REGIONAL TRIAL COURT
NATIONAL CAPITAL JUDICIAL REGION
BRANCH 90, QUEZON CITY

PHILIPPINE LONG DISTANCE
TELEPHONE COMPANY, INC.,
Plaintiff,

- versus -

CIVIL CASE NO. Q-99-38800

PHILIPPINE LEAGUE FOR
DEMOCRATIC TELECOMMUNICATIONS
INC. and GERARDO B. KAIMO,
Defendants.

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ORDER

Brought to the attention of the undersigned during the semestral inventory by the members of the staff is the plaintiff's application or prayer for the issuance of a writ of preliminary prohibitory and mandatory injunction as embodied in the verified Complaint in this case. After carefully considering and evaluating the evidences presented during the hearing and after duly considering the documents adverted to and relevant pleadings including their respective memorandum in so far as they are pertinent to the issue under consideration, this Court finds that, at this point in time, the plaintiff has not been able to show its entitlement to the relief prayed for. This Court is therefore of the considered and humble view that, without necessarily delving on the merits, the paramount interest of justice shall be served better if the application is denied. (*see* Section 4, Rule 58, 1997 Rules of Civil Procedure as amended)

IN VIEW OF THE FOREGOING, the aforecited application or prayer for the issuance of a writ of preliminary prohibitory and mandatory injunction is DENIED. The plaintiff's pleading entitled 'SUBMISSION' dated November 10, 2003, the defendant Gerardo B. Kaimo's "COMMENT/OPPOSITION" dated November 17, 2003 and the plaintiff's "REPLY" dated November 25, 2003 are all duly noted by this Court.

As the records show that issues were already joined, and in the interest of justice, this case is set for pre-trial conference on February 23, 2004 at 8:30 A.M. Let also Notice of Pre-Trial Conference be served upon the parties and counsels.

SO ORDERED.

Quezon City, January 29, 2004.


REYNALDO B. DAWAY
Presiding Judge