



REPUBLIC OF THE PHILIPPINES  
 SUPREME COURT  
 Manila

SECOND DIVISION

NOTICE

SUPREME COURT OF THE PHILIPPINES  
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Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **15 September 2014** which reads as follows:*

**G.R. No. 210992 (Amtrust Holdings, Inc. v. Abigail Laza and Mark Lucero).** – In our Resolution of June 2, 2014, we denied the petitioner’s Rule 45 petition for review on *certiorari* on the ground that it raised factual issues. Additionally, we also ruled that the petitioner failed to sufficiently show any reversible error in the assailed judgment to warrant the exercise of the Court’s discretionary appellate jurisdiction.

In its present motion for reconsideration, the petitioner raised the following arguments: 1) instead of re-evaluating the trial and appellate courts’ misappreciation and erroneous findings of fact, the Court chose to summarily dismiss the petition without stating its reasons with particularity, in violation of Section 14, Article VIII of the Constitution; and 2) the petitioner raised questions of law, such as the inadmissibility of the respondent’s evidence, the correctness of the ruling that the respondent has proven her claim by preponderance of evidence, the petitioner’s lack of negligence, and the respondent’s non-entitlement to damages.

**The Court’s Ruling**

The requirement under Section 14, Article VIII of the Constitution applies only to decisions, not to minute resolutions.<sup>1</sup>

Furthermore, the remedy under Rule 45 of the Rules of Court does not involve an appeal as a matter of right granted to a party. The Court’s exercise of its power of review under Rule 45 is a matter of sound judicial discretion.

In the present motion, the petitioner’s allegations are mere rehashes of its arguments in its petition. The motion does indeed ask us to reconsider and make another appreciation of the evidence presented. The inadmissibility of the medical documents is of no moment because the trial court considered other evidence in arriving at its decision. On the whole, the trial court’s factual findings, which the Court of Appeals affirmed, should stand as they are entitled to, and we accord them, great weight and respect.

**FOR THESE REASONS, we DENY** with finality petitioner Antitrust Holdings, Inc.’s motion for reconsideration.

**SO ORDERED.**

Very truly yours,

*MA Lourdes C Perfecto*  
 MA. LOURDES C. PERFECTO  
 Division Clerk of Court *by 7/30*

<sup>1</sup> *Nationwide Security and Allied Services, Inc. v. Ronald P. Valderama*, G.R. No. 186614, February 23, 2011, 644 SCRA 299.

\* *Mendoza, J.*, on leave; *Villarama, Jr., J.*, designated as acting member per S.O. No. 1767 dated August 27, 2014.

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HON. PRESIDING JUDGE (reg)  
Regional Trial Court, Branch 90  
Dasmariñas, Cavite  
Sitting in Imus, Cavite  
Civil Case No. 1964 -99

COURT OF APPEALS (x)  
Ma. Orosa Street  
Ermita, 1000 Manila  
CA-G.R. CV No. 91415

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*Please notify the Court of any change in your address.*  
GR210992. 09/15/14 (24)SR <sup>10/15</sup>