

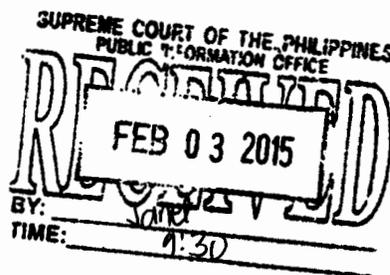
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Republic of the Philippines  
Supreme Court  
Manila

FIRST DIVISION

NOTICE



Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **November 12, 2014** which reads as follows:*

**“G.R. No. 213463 (The Heirs of Luviminda\* Ambanloc, namely: Bonifacio Ambanloc, Imee Ambanloc, and Redentor Ambanloc v. ESO-NICE Transport Corporation, Spouses Onofre Laluan, and Julie Laluan and Arvin Ramos).** - After a careful review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the September 4, 2013 Decision<sup>1</sup> and June 17, 2014 Resolution<sup>2</sup> of the Court of Appeals (CA) in CA-G.R. CV No. 94842 for failure of petitioners Heirs of Luviminda Ambanloc, namely: Bonifacio Ambanloc, Imee Ambanloc, and Redentor Ambanloc to show that the CA committed any reversible error in upholding the liability of respondents Spouses Onofre and Julie Laluan (Spouses Laluan), as operators of Laluan Trans, for breach of contract of carriage with damages for the death of Luviminda Ambanloc and absolving ESO-NICE Transport Corporation (ESO-NICE) from liability.

As correctly ruled by the CA, ESO-NICE did not engage in the pernicious “kabit system,” considering that Spouses Laluan, under the Laluan Trans, was issued a Certificate of Public Convenience to operate a public utility bus service on the line Baguio City – Bangued, Abra and *vice versa*, separate and distinct from ESO-NICE’s franchise. As such, only Laluan Trans and Spouses Laluan should be held liable for the death of Luviminda Ambanloc.

- over – three (3) pages .....

\* “Luzviminda” in some parts of the record.

<sup>1</sup> *Rollo*, pp. 133-146. Penned by Associate Justice Ramon A. Cruz with Associate Justices Noel G. Tijam and Romeo F. Barza, concurring.

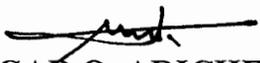
<sup>2</sup> *Id.* at 153-154.

Moreover, the issue of ESO-NICE's liability had already been resolved with finality in the Court's Resolutions dated January 20, 2014 and June 2, 2014<sup>3</sup> in G.R. No. 209351.<sup>4</sup>

The petitioners are hereby required to **SUBMIT** within five (5) days from notice hereof, a soft copy in compact disc, USB or e-mail containing the PDF file of the signed petition for review on certiorari and its annexes pursuant to the Resolution dated February 25, 2014 in A.M. Nos. 10-3-7-SC and 11-9-4-SC, and the Cash Collection and Disbursement Division is hereby directed to **RETURN** to the petitioners the excess amount of ₱470.00 paid for filing fees under O.R. No. 0099403-SC-EP dated August 7, 2014.

**SO ORDERED.** SERENO, C.J., on official travel; DEL CASTILLO, J., acting member per S.O. No. 1862 dated November 4, 2014. BERSAMIN, J., on official travel; VELASCO, JR., J., acting member per S.O. No. 1870 dated November 4, 2014.

Very truly yours,

  
EDGAR O. ARICHETA  
Division Clerk of Court *11/15*  
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Court of Appeals (x)  
Manila  
(CA-G.R. CV No. 94842)

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- over -

<sup>3</sup> Minute Resolution denying Spouses Onofre and Julie Laluan's Motion for Reconsideration with finality.

<sup>4</sup> Entitled "*Spouses Onofre Laluan and Julie Laluan v. Heirs of Luzvminida Ambanloc, namely: Bonifacio Ambanloc, Imee Ambanloc, and Redentor Ambanloc, and Eso-Nice Transport Corporation.*"

The Hon. Presiding Judge  
Regional Trial Court, Br. 60  
2600 Baguio City  
(Civil Case No. 6018-R)

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No. 12-1-7-SC)

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