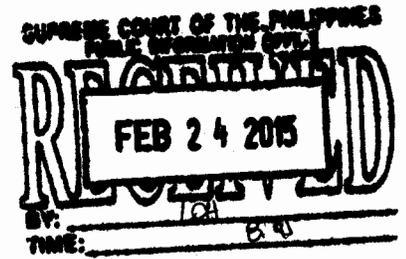




REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila  
SECOND DIVISION



**NOTICE**

Sirs/Mesdames:

Please take notice that the Court, Second Division, issued a Resolution dated **21 January 2015** which reads as follows:

**G.R. No. 209538: PACALNA SANGGACALA, ALI MACARAYA MATO, MUALAM DIMATINGCAL AND CASIMRA SULTAN v. NATIONAL POWER CORPORATION**

X-----X

Considering the allegations, issues, and arguments adduced in the petitions, comments, and replies of the parties, this court resolved to (1) **GIVE DUE COURSE** to the petition; (2) **TREAT** the comment as **ANSWER**; and (3) **REQUIRE** the parties to **SUBMIT** their respective **MEMORANDA** within 30 days from notice thereof.

The memorandum of each party shall contain the following:

- (a) A "Statement of the Case," which is a clear and concise statement of the nature of the action, a summary of the proceedings, the challenged decision, resolution or order of the court below, the nature of the judgment, and other matters necessary to the understanding of the nature of the controversy;
- (b) A "Statement of the Facts," which is a clear and concise statement in a narrative form of the established facts;
- (c) A "Statement of the Issues," which is a clear and concise statement of the issues to be submitted to this court for its resolution. The issues will include but are not limited to the following:
  1. Whether there is conclusiveness of judgment of the case of *National Power Corporation v. Court of Appeals (Ninth Division) and Hadji Abdullaj et al.*, G.R. No. 124378;
  2. Whether respondent National Power Corporation committed environmental tort based on negligence;
  3. Whether petitioners proved their claim for damages against respondent National Power Corporation through preponderant evidence;
  4. Whether the doctrine of *damnum absque injuria* applies in this case; and

- more -

*mdg*

5. Whether petitioners are entitled to the amount of damages awarded by the trial court.
- (d) The "Argument," which is a clear and concise presentation of the argument in support of each issue;
  - (e) The "Relief," which is a specification of the order or judgment which the party seeks to obtain; and
  - (f) A "Table of Authorities," which is a list of the statutes, cases alphabetically arranged, executive issuances, rules and regulations, and books or articles cited with references to the pages in the memorandum where they are cited.

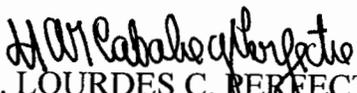
No new issues may be raised by a party in the memorandum, and the issues raised in the pleadings but not included in the memorandum shall be deemed waived or abandoned. The memorandum alone, being a summation of the parties' previous pleadings, may be considered by this court in deciding or resolving this petition.

This court further resolved that the following persons be **APPOINTED** as *amici curiae*: (1) Dean Sedfrey M. Candelaria of the Ateneo de Manila University Law School; and (2) Prof. Rommel J. Casis of the University of the Philippines – Diliman, College of Law. The *amici curiae* are required to submit a memorandum within 60 days from receipt of this resolution.

This court shall furnish the *amici curiae* copies of the pleadings submitted by the parties. (*Brion, J., on leave; Velasco, Jr. J., designated acting member per S. O. No. 1910 dated January 12, 2015.*)

**SO ORDERED.**

Very truly yours,

  
 MA. LOURDES C. PERFECTO  
 Division Clerk of Court *1/21/15*

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Supreme Court, Manila  
[for uploading pursuant to A.M. No. 12-7-1-SC]

*\*with copies of the pleadings submitted by the parties.  
Please notify the Court of any change in your address.*  
GR209538. 01/21/15 (244)SR *2/11*