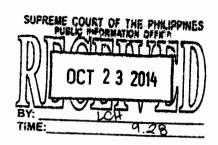


REPUBLIC OF THE PHILIPPINES SUPREME COURT

Manila

SECOND DIVISION

NOTICE



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: *I)* 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.¹

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,

1A. LOURDES CAPERFECTO
Division Clerk of Court by 1/15

(24)SR

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.

PONCE ENRILE REYES & MANALASTAS (reg) (ATTY. LEONARDO B. MENDOZA II) Counsel for Petitioner 3rd Floor, Vernida IV Building 128 Leviste Street Salcedo Village, Makati City

GALVEZ LAW OFFICE (reg) Counsel for Abigail Laza Unit C, Solid Gold Commercial Complex E. Aguinaldo Hi-way Anabu I-A, Imus, Cavite

ATTY. RODOLFO LAT (reg) Counsel for Pioneer Insurance 4/F, Francisco Gold Condominium 784 EDSA, Quezon City

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