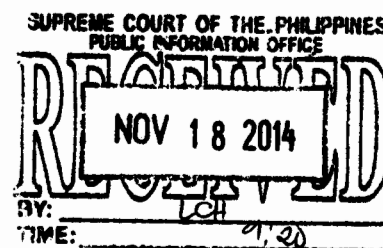




Republic of the Philippines
Supreme Court
Manila
FIRST DIVISION



NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **October 22, 2014** which reads as follows:*

G.R. No. 213045 (Lorencio C. Dy and Boulevard Fastfoods & Restaurant v. Spouses Johnson Yee and Mercedes Yee, and the Asia Brewery, Inc.). - After a careful perusal of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the March 14, 2013 Decision¹ and June 5, 2014 Resolution² of the Court of Appeals (CA) in CA-G.R. CV No. 01646-MIN for failure of petitioners Lorencio C. Dy and Boulevard Fastfoods & Restaurant to show that the CA committed any reversible error in upholding the entitlement of Johnson Yee (respondent) to the prize money of One Million Pesos (₱1,000,000.00), as well as the accrued bank interest thereon, as winner of the promotional campaign of Asia Brewery, Inc.

In this case, the findings of the court *a quo*, as affirmed by the CA, as regards the involuntariness of respondent's execution of the "Undertaking" in which the latter supposedly acknowledged that the prize money should belong to the company by virtue of a standing unwritten policy, is factual and beyond the ambit of a petition under Rule 45. As found by the CA, the said unwritten policy was not duly established.

The petitioners are hereby **DIRECTED** 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 annexes pursuant to the Resolution dated February 25, 2014 in A.M. Nos. 10-3-7-SC and 11-9-4-SC.

- over – two (2) pages

275

¹ *Rollo*, pp. 115-136. Penned by Associate Justice Jhosep Y. Lopez with Associate Justices Edgardo T. Lloren and Henri Jean Paul B. Inting, concurring.

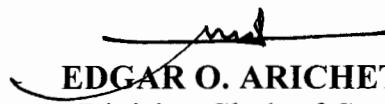
² *Id.* at 138-142. Penned by Associate Justice Henri Jean Paul B. Inting with Associate Justices Romulo V. Borja and Edgardo T. Lloren, concurring.

The Cash Collection and Disbursement Division is likewise hereby **DIRECTED** to **RETURN** to the petitioners the excess amount of ₱ 270.00 paid for filing fees under O.R. No. 0096374-SC-EP dated July 10, 2014.

The Court of Appeals is **DELETED** as party respondent in this case pursuant to Sec. 4, Rule 45, 1997 Rules of Civil Procedure, as amended.

SO ORDERED.”

Very truly yours,


EDGAR O. ARICHETA
Division Clerk of Court
6275

Atty. Wilfred D. Asis
Counsel for Petitioners
2nd Flr., Gloria Bldg.
Rosales St., Butuan City 8600

Cash Collection and Disbursement
Division (x)
Supreme Court

Court of Appeals
9000 Cagayan de Oro City
(CA-G.R. CV No. 01646-MIN)

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The Hon. Presiding Judge
Regional Trial Court, Br. 2
Libertad, Butuan City 8600
(Spl. Civil Case No. 836)

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No. 12-1-7-SC)

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