Republic of the Philippines
Supreme Court
Manila

FIRST DIVISION

NOTICE

Sirs/Mesdames:

Please take notice that the Court, First Division, issued a Resolution dated **January 29, 2020** *which reads as follows:*

"A.C. No. 11363 [Formerly CBD Case No. 17-5259] (*Arturo P. Batac v. Atty. Enrico Quiambao*). - For resolution is a Complaint[1] dated March 23, 2016 filed by complainant Arturo P. Batac against Atty. Enrico P. Quiambao seeking his disbarment for his alleged unethical professional misconduct and willful negligence in providing legal services to the former.

The Report and Recommendation[2] dated May 26, 2017 of Commissioner Eduardo R. Robles, Commission on Bar Discipline (*CBD*), Integrated Bar of the Philippines (*IBP*), follows:

REPORT AND RECOMMENDATION

In his Affidavit of Complaint [dated March 29, 2016] and in his Position Papers [dated May 9, 2017], the complainant [Arturo P. Batac] described herein respondent's [Atty. Enrico P. Quiambao's] conduct to be as follows:

"1. Numerous, multiple and repeated instances of Unprofessional and Unethical Behavior

2. Denied due process due to willful negligence

3. Honesty requirement; prohibition on deception

4. Failed to respond to client

5. Professional misconduct"

- over – three (3) pages ...

1 *Rollo*, pp. 1-5.
2 *Id.* at 235-236.

> The respondent traversed those descriptions through his Comment [dated September 27, 2016], Respondent's Verified Position Paper [dated May 15, 2017] and Amended Respondent's Verified Position Paper [dated May 18, 2017] and there explained his side of the controversy.
>
> The complainant, who resides in the United States of America, failed to have his Affidavit of Complaint and Position Papers properly verified and authenticated by a Philippine Consul in the United States of America where those papers/documents were executed. Neither did the complainant appear before this Commission on Bar Discipline to personally attest to the truth of the contents of those papers/documents.
>
> The Affidavit of Complaint and the Position Papers submitted here by the complainant cannot be given weight and consideration. These are deficient and feeble.
>
> PREMISES CONSIDERED, it is recommended that the case be dismissed.
>
> RESPECTFULLY SUBMITTED.
>
> Pasig City, May 26, 2017.[3]

In a Resolution[4] dated June 29, 2018, the Board of Governors of the IBP adopted the Report and Recommendation of the Investigating Commissioner dismissing the complaint against Atty. Enrico P. Quiambao. No Motion for Reconsideration was filed by either party.

Finding the recommendation of the IBP to be fully supported by the evidence on record and applicable laws, the Court **RESOLVES** to **DISMISS** the case against respondent Atty. Enrico P. Quiambao.

The complainant's electronic mail dated December 19, 2019 seeking guidance on the Resolution dated September 9, 2019 is **NOTED**.

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3 *Id.*

4 *Id.* at 233.

SO ORDERED."

Very truly yours,

LIBRADA C. BUENA
Division Clerk of Court
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Complainant
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U.S.A.

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Respondent
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