



Republic of the Philippines  
 Department of Labor and Employment  
**NATIONAL LABOR RELATIONS COMMISSION**  
**NATIONAL CAPITAL REGION**  
 Quezon City



**SAMAHAN NG MGA MANGGAWA  
 SA EDM PRINTING CORP., SMEDMPC  
 (IND) & BIENVENIDO LALISAN, ET. AL.,**  
*Complainant/s,*

-versus-

NLRC NCR Case Nos. **05-04207-06**  
**06-04978-06**  
**05-04387-06**  
**07-05959-06**

**EDM PRINTING CORP. / EUSEBIA D.  
 MENDOZA,**  
*Respondent/s.*

x-----x

**NOTICE OF RE-SCHEDULING OF  
 PUBLIC AUCTION**

**TO: THE MANAGEMENT  
 EDM PRINTING CORP. / EUSEBIA D. MENDOZA  
 19 1<sup>ST</sup> AVENUE MAÑALAC INDUSTRIAL ESTATE,  
 BAGUMBAYAN, TAGUIG CITY**

**GREETINGS:**

Pursuant to the Writ of Execution issued in the above-entitled case by the Honorable **IRENE CASTRO DE QUIROZ**, Labor Arbiter, National Labor Relations Commission, National Capitol Region, Quezon City, dated 08 June 2021. Copy of which is hereto attached for ready reference. The public auction of the levied (**see attached Notice of Levy/Sale on Execution of Personal Property**) is hereby re-scheduled on **December 28, 2022 at 9:00 o'clock in the morning** or soon thereafter due to suspension of work in the government offices, at **NATIONAL LABOR RELATIONS COMMISSION (NLRC) - SHERIFF'S OFFICE, G/F #373 BOOKMAN BUILDING, QUEZON AVENUE, QUEZON CITY** in order to satisfy the judgment award of **P36,363,771.68** plus execution fee of **P353,137.72** and deposit fee of **P176,924.85**.

All prospective bidders are hereby invited to verify and investigate for themselves the property subject of sale.

Quezon City, Philippines, December 21, 2022.

BY AUTHORITY OF THE COMMISSION

  
**VICENTE M. RAMOS, JR.**  
 Sheriff III



**MODE OF SALE:**  
**"AS IS WHERE IS BASIS"**

**WARNING:**  
 It is absolutely prohibited to remove, deface or destroy this Notice of Levy on or before the date of sale under penalty of the



Republic of the Philippines  
 Department of Labor and Employment  
**NATIONAL LABOR RELATIONS COMMISSION**  
 National Capital Region  
 Quezon City

**SHERIFF'S NOTICE OF LEVY/SALE**  
**ON EXECUTION OF PERSONAL PROPERTY**

WHEREAS, by virtue of an Order of Execution issued by **HON. IRENE CASTRO DE Q QUIROZ-Labor Arbiter** of this Commission on **JUNE 08, 2021**, copy of which is hereto attached for ready reference, in **NLRC NCR CASE NO. 05-04207-06, et al.** wherein **SAMAHAN NGB MANGAGAWA SA EDM PRINTING CORP., SMEDMPC, (IND) & BIENVENIDO LALISAN, ET AL.**, is/are the complainant/s and **EDM PRINTING CORP./EUSEBIA D. MENDOZA**, are the respondent for the recovery by way of distraints the sum of **Php:16,363,771.68,** and **Php353,137.72** as Execution Fee and **Php176,924.85** as deposit for with interest and costs, **LEVY/ATTACHMENT** was made on **December 15, 2021** by the undersigned sheriff upon the personal property(s) of Respondent/s which are more particularly described as follows:

- 1.) Polar MOAR - RESOLUTE 320793
  - 2.) SCHNEIDER SENATA
  - 3.) Heidelberg Druckmaschinen Serial No. 50074
  - 4.) Heidelberg Druckmaschinen Serial No. 526-775
  - 5.) Heidelberg Spindelmatte
- NOTHING FOLLOWS ----- X

**NOW THEREFORE**, by virtue of the said Order of Execution and in accordance with Rule 39, Sec. 18 of the New Rules of Court of the Philippines, the undersigned will sell at **PUBLIC AUCTION** to the highest bidder for CASH and in Philippine Currency on **December 21, 2021** at **10:00 o'clock in the MORNING** or soon thereafter, at the above-described **LEVIED/ATTACHED** property(s) in order to satisfy said order of execution together with interest, costs, Sheriff's Fees and expenses of sale.

Quezon City, Philippines, **December 18, 2021**

FOR THE COMMISSION:  
  
**VICENTE M. RAMOS, JR.**  
 Sheriff III

**WARNING:**

IT IS ABSOLUTELY PROHIBITED TO REMOVE  
 DEFACE OR DESTROY THIS NOTICE OF SALE ON OR  
 BEFORE THE DATE OF SALE UNDER PENALTY OF LAW.

**N.B.**

Properties levied herein  
 Are still in the possession of  
 Respondent/s and will be made  
 Available at the time of the  
 Auction Sale

Republic of the Philippines  
Department of Labor and Employment  
NATIONAL LABOR RELATIONS COMMISSION  
NATIONAL CAPITAL REGION  
Quezon City



SAMAHAN NG MGA MANGGAWA  
SA EDM PRINTING CORP., SMEDMPC,  
(IND) & BIENVENIDO LALISAN,  
ET AL., Complainants,

-versus-

NLRC NCR Case Nos.  
05-04207-06  
06-04978-06  
05-04387-06  
07-05959-06

EDM PRINTING CORP./ EUSEBIA D.  
MENDOZA,  
Respondents.

x-----x

WRIT OF EXECUTION

TO : Sheriff VICENTE M. RAMOS, JR.  
NLRC - NCR, Banaue, Quezon City

GREETINGS:

WHEREAS, on November 12, 2007, a Decision was rendered by then Labor Arbiter Ariel Cadiante Santos, the dispositive portion of which reads:

*"WHEREFORE, premises considered, respondents are hereby declared guilty of unfair labor practice for which a criminal complaint maybe filed by complainants. Further respondents are hereby ORDERED to*



*Certified True Copy*  
*Evangelina C. Apanay*  
EVANGELINE C. APANAY  
Labor Arbitration Associate



*reinstate all the complainants to their former position with full backwages from date of dismissal until actual reinstatement.*

*Finally, respondents are ordered to pay complainants all the monetary claims, moral and exemplary damages as contained in the attached approved computation. Annex "A" which is part and parcel of this decision.*

**SO ORDERED"**

**WHEREAS**, aggrieved by the foregoing decision, the respondents filed their respective appeal before the Sixth Division of the National Labor Relations Commission. The appeal is **DISMISSED** in its Decision promulgated on September 11, 2008, the dispositive portion of which reads:

*"WHEREFORE, premises considered, the appeal is hereby **DISMISSED** and the assailed Decision is **AFFIRMED** with **MODIFICATION**. In lieu of reinstatement, and in addition to the payments directed by the Labor Arbiter below, a separation pay of one (1) month pay for every year of service is hereby awarded in favor of complainants-appellees as a consequence of their illegal dismissal. This decision is without prejudice to the prosecution of a criminal case against respondents-appellants for unfair labor practices.*

**SO ORDERED."**

**WHEREAS**, aggrieved by the foregoing resolution, both parties filed a Motions for Reconsideration which were **DENIED** for the respondents and **GRANTED** for the complainants in a Resolution dated December 9, 2008, the dispositive portion of which reads:

*"**ACCORDINGLY**, the Motion for Reconsideration of complainants-appellees is hereby **GRANTED**. Respondents-appellants are directed to reinstate complainants-appellees to their former position. The portion of the decision anent the payment of separation pay is deleted.*

*However, the Motion for reconsideration of respondents-appellants is **DENIED** for lack of merit.*



No further motion of similar nature shall be entertained.

**SO ORDERED."**

On February 16, 2009, the Sixth Division issued an Entry of Judgment declaring the case as final and executory effective February 15, 2009.

**WHEREAS**, on July 29, 2009 the Court of Appeals rendered its Decision **PARTIALLY GRANTED** the petition. The dispositive portion of which states:

*"WHEREFORE, in the light of foregoing, the instant petition is only **PARTIALLY GRANTED**. The challenged decision and resolution are consequently **AFFIRMED** with the only modification that the utterance: "This decision is without prejudice to the prosecution of a criminal case against respondents-appellants for unfair labor practices," is deemed **DELETED**.*

**IT IS SO ORDERED."**

**WHEREAS**, on November 12, 2009 the Court of Appeals **DENIED** the Petitioners Motion for Reconsideration.

**WHEREAS**, on August 19, 2019 the Supreme Court rendered its Decision denying the petition. The dispositive portion of which states:

*"WHEREFORE, premises considered, the Petition is **DENIED**. The Decision dated July 29, 2009 and Resolution dated November 12, 2009 of the Court of Appeals in CA-G.R. SP No. 107252 and the Decision dated September 11, 2008 and Resolution dated December 9, 2008 of the National Labor Relations Commission in NLRC LAC No. 01-+000018-08 are **VACATED**. The Decision of the Labor Arbiter in NLRC-NCR Nos. 00-05-04207-06, 00-06-04978-06 00-05-04387-06 and 00-07-0595906 dated November 12, 2007 is **REINSTATED with MODIFICATION**. All monetary awards in the Decision of the Labor Arbiter shall earn interest at 6% per annum from finality of the Labor Arbiter's Decision until full payment.*



SO ORDERED."

The Second Division of the Supreme Court issued an Entry of Judgment declaring the case as final and executory effective February 26, 2020.

WHEREAS, the complainants' *Omnibus Motion for the conduct of a Pre-Execution Conference, Issuance of a Writ of Execution and Recomputation of the judgment award* received on February 8, 2021 and respondents' *Manifestation* received on February 23, 2021.

On February 16, 2021, the Arbitration Branch received an Indorsement from the office of the Executive Labor Arbiter for Adjudication that the above-entitled case was re-raffled to the undersigned Labor Arbiter.

WHEREAS, on December 10, 2020, an Omnibus Motion for 1) Release of Attorney's Fees; 2) Re-computation of backwages; and 3) Issuance of Alias Writ of Execution filed by the complainant.

WHEREAS, on May 25, 2021, the Computation and Examination Unit of this Commission submitted a computation of complainant's monetary award which is in the amount of PHP 36,363,771.68.

WHEREAS, on JUN 03 2021 the undersigned Labor Arbiter issued an Order GRANTED AND APPROVED the Issuance of Writ of Execution and the Manifestation of the respondents' counsel NOTED.

Thus, the *Motion for Issuance of Writ of Execution* is hereby APPROVED/GRANTED.

WHEREAS, there being no restraining or injunctive order from the Court of Appeals or any higher authority, the issuance of this Writ is in order.

NOW THEREFORE, you are hereby commanded to collect PESOS THIRTY SIX MILLION THREE HUNDRED SIXTY THREE THOUSAND SEVEN HUNDRED SEVENTY ONE AND 68/100 (PHP 36,363,771.68), in accordance with Section XI of the 2011 NLRC Rules of Procedure, as amended, from respondent EDM PRINTING CORP./ EUSEBIA D. MENDOZA at Building 15



C, Panorama Compound Veterans Center, Taguig City, or anywhere in the Philippines where he/she/it may be located, representing complainant's judgment award pursuant to the Resolution August 19, 2019. Moreover, you are also hereby commanded to accompany the complainants to respondents **EDM PRINTING CORP./ EUSEBIA D. MENDOZA** within ten (10) days from receipt hereof, and for the latter to accept them for work without loss of benefits and privileges and if reinstated, to secure from Respondent Corporation a certification or affidavit to the effect that complainants are reinstated.

Further, you are directed to collect from the respondents the execution fee in the amount of **PhP 353,137.72** and deposit fee of **PhP 176,924.85**, pursuant to the Manual on Execution.

In case you fail to collect the said amount in cash from respondents herein, you are hereby directed to cause the satisfaction of this WRIT through their movable or immovable properties not exempt from execution, and to turn over the proceeds to the NLRC Cashier, for proper disposition.

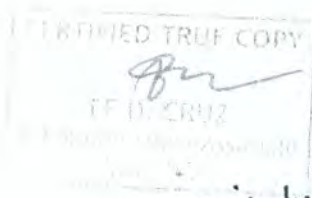
This WRIT shall be effective for a period of five [5] years from the date of entry of judgment, pursuant to Section 7, Rule XI of the 2011 NLRC Rules of Procedure, as amended.

Finally, you are directed to return this WRIT or submit a periodic report on its status, not later than thirty (30) days from receipt hereof, or every thirty (30) days thereafter within its lifespan.

SO ORDERED.

Quezon City, Philippines, JUN 06 2021

*Irene C. De Quiroz*  
IRENE CASTRO DE QUIROZ  
Labor Arbiter



*Certified true copy*

*Evangelina C. Apanay*  
EVANGELINE C. APANAY  
Labor Arbitration Associate

