



NOTICE OF LEVY/SALE ON EXECUTION OF PERSONAL PROPERTY



YELLOW DOT TRANSPORT
 208 GUERDON COMM. CENTER, RAINBOW ST., COR.
 KATIPUNAN, SSS VILLAGE CON II, CITY OF MARIKINA
 METRO MANILA 1800,

KNOW ALL MEN BY THESE PRESENTS:

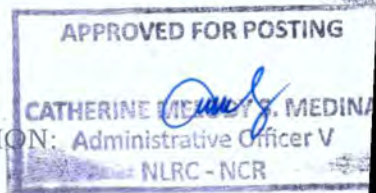
WHEREAS, by virtue of an Order of Execution issued by the Honorable **IRENE C. DE QUIROZ**, Labor Arbiter of this Commission, on **03 JUNE 2022** in NLRC Case No. **01-00398-21** wherein **ARIES C. MENDOZA, ET AL.**, is/are the complainant/s and **YELLOW DOT TRANSPORT, ET AL.**, is/are the respondent/s for the recovery by way of distraint the sum of **P5,254,443.34** as Judgment Award and **P52,044.43** as Execution Fee and **P26,378.21** as Deposit Fee, with interests, and costs, LEVY/ ATTACHMENT was made on 09 JAN 2023 by the undersigned Sheriff of this Commission upon the Personal Property(s) of Respondent/s, **YELLOW DOT TRANSPORT** which are more particularly described as follows:

- ONE (1) UNIT – SHENYANG JINBEI, SY1040DH4SD, JEEPNEY, 2017 MODEL with MV FILE NO. 1380-00001055784
- ONE (1) UNIT – SHENYANG JINBEI, SY1040DH4SD, JEEPNEY, 2017 MODEL with MV FILE NO. 1380-00001055693
- ONE (1) UNIT – SHENYANG JINBEI, SY1040DH4SD, JEEPNEY, 2017 MODEL with MV FILE NO. 1380-00001055724
- ONE (1) UNIT – SHENYANG JINBEI, SY1040DH4SD, JEEPNEY, 2017 MODEL with MV FILE NO. 1380-00001055716
- ONE (1) UNIT – SHENYANG JINBEI, SY1040DH4SD, JEEPNEY, 2017 MODEL with MV FILE NO. 1380-00001055720

(Mode of Sale "AS IS WHEREIS BASIS")

NOW, THEREFORE, by virtue of the said Order of Execution and in accordance with Rule 39, Section 18, of the New rules of Court in the Philippines, the undersigned Sheriff will sell at public auction to the highest bidder for CASH and in PHILIPPINE CURRENCY, on 17 JAN 2023 at 10:00 a.m. or soon thereafter, at 208 GUERDON COMM. CENTER, RAINBOW ST., COR. KATIPUNAN, SSS VILLAGE CON II, CITY OF MARIKINA, METRO MANILA 1800, the above-described properties in order to satisfy said Order of Execution, together with interests, costs, Sheriff's Fees and expenses of sale.

Quezon City, Philippines, 09 JAN 2023



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

Received by PREVIOUS 1-9-2022 11:42am

WARNING
 It is absolutely prohibited to remove, deface, or destroy this notice of sale on or before the date of sale, under penalty of the law.

N.B.
 Properties levied herein are still in the possession of respondent and will be made available at the time of the Auction Sale.

NOTE:

In case of failure of bidding, said sale shall automatically be reset on 24 JAN 2023 same time and place without further re-posting of this notice.





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



**ARIES C. MENDOZA,
EDWIN G. MUERONG,
EDWIN T. DATOON ,
ERWIN M. FERNANDEZ,
EDWIN FRIGILLANA
MERCADO, REY B. MEÑEZ,
MARLON S. JASTIVA,
FRANCIS F. SERRANO,
GERRY C. ASTRERO,
RONNIOE F. MANATAD,
JESTONI MEDEL BASA,
JESS R. SIMBLANTE,
GINO D. ARESGADO,
AND MICHAEL GEMEROY
GOMEZ,**

Complainants,

-versus-

**NLRC NCR Case No.
01-00398-21**

**YELLOW DOT TRANSPORT
AND/OR JERRY CASTILLO/
JOMARIE MORAL, DANNY
AQUINO AND JOJO SANTILLAN,**

Respondents.

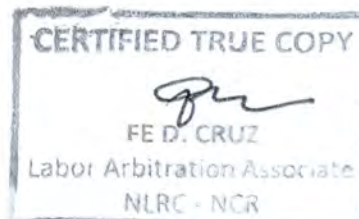
X-----X

ARIES C. MENDOZA,
Complainant,

-versus-

**NLRC NCR Case No.
01-00626-21**

**YELLOW DOT TRANSPORT
AND/OR JERRY CASTILLO/
JOMARIE MORAL, DANNY**



AQUINO AND JOJO SANTILLAN,
Respondents.

X-----X

WRIT OF EXECUTION

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

GREETINGS:

WHEREAS, on November 16, 2021, a Decision was rendered by then Labor Arbiter now Commissioner DONNA C. RAMOS, the dispositive portion of which reads:

"WHEREFORE, premises considered, the complainants are declared as having been **CONSTRUCTIVELY DISMISSED**.

Accordingly, the respondent Yellow Dot Transport Terminal, Inc. is Ordered to pay the FULL BACKWAGES and SEPARATION PAY, in lieu of Reinstatement in the total amount of FOUR MILLION SEVEN HUNDRED SEVENTY SIX THOUSAND SEVEN HUNDRED SIXTY SEVEN PESOS AND TWENTY THREE CENTAVOS (P4,776,767.23), broken down as follows:

RONNIE F. MANATAD

Backwages

9/17/20-11/16/21

$P537.00 \times 26 \times 14.03 = P 273,585.00$

Separation Pay

$P537.00 \times 26 \times 2 = P 27,924.00$ P 301,509.00

ERWIN M. FERNANDEZ

Backwages

9/17/20-11/16/21

$P806.25 \times 26 \times 14.03 = P 294,103.87$

Separation Pay

$P537.00 \times 26 \times 3 = P 62,887.50$ P 356,991.37



GERRY C. ASTRERO

Backwages

9/17/20-11/16/21

$P788.33 \times 26 \times 14.03 = P 287,567.01$

Separation Pay

$P537.00 \times 26 \times 3 = P 61,489.74 \quad P 349,056.75$

JERIC B. REGALA

Backwages

9/17/20-11/16/21

$P537.00 \times 26 \times 14.03 = P 195,886.86$

Separation Pay

$P537.00 \times 26 \times 2 = P 27,924.00 \quad P 223,810.86$

EDWIN F. MERCADO

Backwages

9/17/20-11/16/21

$P537.00 \times 26 \times 14.03 = P 195,886.86$

Separation Pay

$P537.00 \times 26 \times 3 = P 41,886.00 \quad P 237,772.86$

JESTONI M. BASA

Backwages

9/17/20-11/16/21

$P537.00 \times 26 \times 14.03 = P 195,886.86$

Separation Pay

$P537.00 \times 26 \times 3 = P 41,886.00 \quad P237,772.86$

MARLON S. JASTIVA

Backwages

9/17/20-11/16/21

$P846.15 \times 26 \times 14.03 = P 374,658.29$

Separation Pay

$P846.15 \times 26 \times 3 = P 65,999.70 \quad P440,657.99$

MICHAEL G. GOMEZ

Backwages

9/17/20-11/16/21

$P729.120 \times 26 \times 14.03 = P 265,968.24$

Separation Pay

$P729.12 \times 26 \times 3 = P 37,914.24 \quad P303,882.63$

FRANCIS F. SERRANO

Backwages

9/17/20-11/16/21

$P875.00 \times 26 \times 14.03 = P 319,182.50$

Separation Pay

$P875.00 \times 26 \times 3 = P 68,250.00 \quad P387,432.50$

GINO D. ARESGADO

Backwages

9/17/20-11/16/21

$P729.86 \times 26 \times 14.03 = P 266,238.33$

Separation Pay

$P875.00 \times 26 \times 3 = P 41,228.72 \quad P307,467.05$



JESS R. SIMBLANTE

Backwages

9/17/20-11/16/21

$P829.15 \times 26 \times 14.03 = P 302,457.33$

Separation Pay

$P829.15 \times 26 \times 3 = P 64,673.70$ P367,131.03

EDWIN T. DATOON

Backwages

9/17/20-11/16/21

$P875.00 \times 26 \times 14.03 = P 387,432.50$

Separation Pay

$P829.15 \times 26 \times 3 = P 68,250.00$ P 387,432.50

REY B. MEÑEZ

Backwages

9/17/20-11/16/21

$P875.00 \times 26 \times 14.03 = P 319,182.50$

Separation Pay

$P821 \times 26 \times 3 = P 64,673.70$ P 367,131.03

ARIES C. MENDOZA

Backwages

9/17/20-11/16/21

$P566.07 \times 26 \times 14.03 = P 206,491.01$

Separation Pay

$P566.07 \times 26 \times 3 = P 44,153.46$ P 250,644.47

EDWIN G. MUERONG

Backwages

9/17/20-11/16/21

$P537.00 \times 26 \times 14.03 = P 195,886.86$

Separation Pay

$P566.07 \times 26 \times 3 = P 41,886.00$ P 237,772.86
P 4,776,767.23

In addition to pay the complainants attorney's fees equivalent to ten percent (10%) of the monetary award or in the amount of FOUR HUNDRED SEVENTY SEVEN THOUSAND SIX HUNDRED SEVENTY SIX PESOS AND SEVENTY TWO CENTAVOS (P477,676.72).

The rest of the complainants' claims are Denied, for lack of merit and factual basis.

SO ORDERED."

WHEREAS, aggrieved by the foregoing decision, the complainants filed a Motion for Pre- Execution Conference and for



the Issuance of Writ Of Execution Ad Cautelam on February 23, 2022.

WHEREAS, on February 8, 2022, aggrieved by the foregoing decision, the then Labor Arbiter now Commissioner Donna C. Ramos issued a Certificate of Finality.

WHEREAS, aggrieved by the foregoing decision respondents filed a Petition for Extraordinary Remedies with Application for Injunctive Relief of Temporary Restraining Order before the First Division of the National Labor Relations Commission. The petition was **DISMISSED** on March 23, 2022, the dispositive portion reads:

*"WHEREFORE, premises considered, the Petition is hereby **DISMISSED**.*

SO ORDERED."

On April 11, 2022, 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.

Thus, the Motion for 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 FIVE MILLION TWO HUNDRED FIFTY FOUR THOUSAND FOR HUNDRED FORTY THREE AND 43/100 (Php 5,254,443.34)**, in accordance with Section XI of the 2011 NLRC Rules of Procedure, as amended, from respondent **YELLOW DOT TRANSPORT AND/OR JERRY CASTILLO/JOMARIE MORAL, DANNY AQUINO AND JOJO SANTILLAN** at 208 Guerdon Comm. Center, Rainbow St., cor. Katipunan, SSS Village Con II, Cit6y of Marikina, Metro Manila 1800, or anywhere in the Philippines where he/she/it may be located, representing complainant's judgment award pursuant to the Decision November 16, 2021.

Further, you are directed to collect from the respondents the execution fee in the amount of **Php 52,044.43** and deposit



fee of **PhP 26,378.21** 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 03 2022

Irene C. De Quiroz
IRENE CASTRO DE QUIROZ
Labor Arbiter

