pls file

2 September 2021

MS. LITA LEYSON
Mawmawan, Brgy. Babag
Cebu City

Dear Ms. Leyson:

We write in connection to your letter dated 21 July 2021 in reply to our demand from you to return the amount stated in TIEZA's PNB Check No. 0074345365 as it is more than what should have been given to you in consideration of your agreement with your counsel on record, Atty. Ramon Ceniza.

We must emphasize that as basis for the distribution of the payment awarded to you by the Commission on Audit in Decision No. 2019-237 dated 11 June 2019, TIEZA relied on the Extrajudicial Settlement and Special Power of Attorney duly signed by all the heirs of Spouses Demetrio Labrador and Fructuosa Tabora and your counsel. The Extrajudicial Settlement and Special Power of Attorney were entered into by said heirs and Atty. Ceniza, TIEZA had no hand on the same.

It must be explained that having spent the amount already is never a valid excuse not to return an over payment. To agree with your statement will result to your unjust enrichment to the detriment of the government, TIEZA in this case. More importantly, being the authorized representative of the heirs as stated in the SPA, you have the burden of collecting the amount from the rest of the heirs, and this cannot be passed on to TIEZA who is not a privy to said Extrajudicial Settlement and SPA.

In light of the foregoing, we are serving you this FINAL DEMAND to return the excess payment made to you and co-heirs in the amount of **EIGHT HUNDRED ONE THOUSAND TWO HUNDRED THIRTY PESOS AND 39/100 (Php 801,230.39)** within a period of **FIFTEEN (15) DAYS** from receipt of this letter, otherwise, we have no other recourse but file/undertake the necessary legal cases/action to protect the interest of TIEZA.

We are hoping that you give utmost importance and urgency to this demand. Thank you.

Sincerely,

ATTY. NIÑO RUPERTO F. AQUINO
OIC, Legal Department

RODOLFO E. ANCHETA
Manager, Financial Services Department

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