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BEFORE THE
GUAM CIVIL SERVICE COMMISSION
BOARD OF COMMISSIONERS



IN THE MATTER OF:

FRANK SAN NICOLAS,

Employee,

vs.

PORT AUTHORITY OF GUAM,

Management.

ADVERSE ACTION APPEAL
CASE NO.: 20-AA10T

JUDGMENT OF DISMISSAL

The Civil Service Commission hereby dismisses the above captioned case with prejudice pursuant to the signed Stipulation and Order to Dismiss Adverse Action Appeal dated October 19, 2022, attached hereto.

SO ADJUDGED this 3rd day of November, 2022.

Juan K. Calvo

JUAN K. CALVO
Chairman

- ABSENT -

ANTHONY P. BENAVENTE
Vice Chairman

Priscilla T. Tuncap

PRISCILLA T. TUNCAP
Commissioner

John Smith

JOHN SMITH
Commissioner

Robert C. Taitano

ROBERT C. TAITANO
Commissioner

Francisco T. Guerreo

FRANCISCO T. GUERREO
Commissioner

AMM
10-20-22
~

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CIVIL SERVICE COMMISSION
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Counsel for Employee
Frank J. San Nicolas

**CIVIL SERVICE COMMISSION
GOVERNMENT OF GUAM**

ARRIOLA LAW FIRM HAGÁTÑA, GUAM 96910

FRANK J. SAN NICOLAS,)	ADVERSE ACTION CASE NO.: 20-AA10T
)	
Employee,)	
)	STIPULATION AND ORDER
vs.)	TO DISMISS ADVERSE ACTION
)	APPEAL
PORT AUTHORITY OF GUAM,)	
)	
Management)	

WHEREAS, on September 11, 2020, Employee appealed from a Final Adverse Action which terminated his employment at the Port Authority of Guam, to Civil Service Commission ("CSC") in Adverse Action Appeal Case No. 20-AA10T, Frank San Nicolas v. Port Authority of Guam (the "Adverse Action Appeal").

WHEREAS, On January 27, 2021, the Adverse Action Appeal was stayed pending disposition of Criminal Case Nos. CF0306-20 and CF0564-20 (hereinafter the "Criminal Cases");

WHEREAS, the Criminal Cases proceeded to jury trial, in CF0306-20 in December 2021 and then CF0564-20 in June - July 2022. Defendant was acquitted of all charges in both Criminal Cases; and

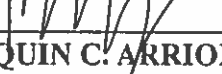
WHEREAS, based on the acquittals rendered by the Superior Court of Guam in the Criminal Cases, Employee and Management desire to resolve the Adverse Action Appeal, without further hearing or action by the Commission;

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties through undersigned counsel:

1. That upon the approval of an affirmative vote of the Civil Service Commission in 20AA-10T, Frank James San Nicolas v. Port Authority of Guam, and pursuant to Rule 9.5 of the CSC Rules for Adverse Action Appeals, this matter shall be dismissed with prejudice.

ARRIOLA LAW FIRM
Counsel for Employee

PORT AUTHORITY OF GUAM
Counsel for Management

By: 
JOAQUIN C. ARRIOLA, JR.

By: 
CHRISTINE CLAVERIA ARRIOLA

Dated: 10/19/22

Dated: 10/19/22

ARRIOLA LAW FIRM HAGÁINA, GUAM 96910