

CONSTRUCTION INDUSTRY ARBITRATION COMMISSION

2/F Executive Building Center, 369 Sen. Gil J. Puyat Ave. cor. Makati Ave., Makati City
Telephone No. 897-0853 / Telefax: 897-9313



MEMORANDUM CIRCULAR NO. 03-2009

FOR : ALL ARBITRATORS
FROM : THE COMMISSION
SUBJECT : Holding of "case management conferences" for cases with motions to dismiss
DATE : 16 December 2009

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Section 2.4 (Jurisdictional challenge), Rule 2 of the CIAC Rules provides that "(a) motion to dismiss based on lack of jurisdiction shall be resolved by the appointed arbitral tribunal."

In order to facilitate the resolution of motions to dismiss, the Commission, in its 124th CIAC Regular Meeting held on 14 October 2009, posed no objection to the adoption by arbitrators of the procedure proposed by Atty. Alfredo F. Tadiar, CIAC Legal Counsel, which was favorably endorsed by the PICAM Board of Trustees, for the holding of a "case management conference" for the following purposes:

1. for the arbitrator/s to introduce themselves to the parties;
2. make the necessary disclosures; and
3. to discuss preliminary matters prior to the resolution of the Motion to Dismiss.

All concerned arbitrators are thus directed to apply/implement the above procedure in pertinent cases.

For compliance.


ISAAC S. DAVID
Acting Chairman


SAMSON C. LAZO
Member