

SPECIAL SECOND DIVISION

[A.C. NO. 5246, May 02, 2006]

**EDGAR O. PEREA, COMPLAINANT, VS. ATTY. RUBEN L. ALMADRO,
RESPONDENT.**

R E S O L U T I O N

AUSTRIA-MARTINEZ, J.:

This refers to an offshoot incident in the disbarment case^[1] filed by Edgar O. Perea against Atty. Ruben L. Almadro.

Atty. Ruben L. Almadro engaged the services of the Sua & Alambra Law Offices to represent him in this disbarment case. In their Entry of Appearance with Motion/Manifestation dated November 20, 2000, signed by Atty. Alan Andres B. Alambra, he stated that respondent has yet to receive a copy of the complaint and thus prayed that a copy of the said complaint be furnished him so he can file an answer. Complainant Edgar O. Perea filed a Manifestation dated November 29, 2000, asseverating that he had furnished respondent copies of the complaint through facsimile machine.

In the Resolution dated March 20, 2003, the Court sustained the Integrated Bar of the Philippines' order requiring Atty. Kenton Sua and Atty. Alambra to show cause for their deliberate falsehood and misrepresentation in the preparation of the answer for respondent, and accordingly remanded the case to the IBP for further action on the contempt proceedings.

Before the Court now is the Resolution No. XVII-2005-162 dated December 17, 2005 of the Board of Governors of the IBP finding that Atty. Sua and Atty. Alambra were less than honest and forthright in their representation before the Court and imposing a fine of P2,000.00 each with warning that any further unprofessional conduct will be dealt with more severely.

Let it be emphasized that the subject contumacious act was committed before the Court; thus, the following disposition.

In their Explanation dated September 10, 2002,^[2] Atty. Sua and Atty. Alambra avered that: Atty. Sua, a partner in the Sua & Alambra Law Offices, was not and is not, the partner assigned to handle the case for Atty. Almadro and had no participation whatsoever in the case other than to notarize the Affidavit of Service for Atty. Almadro's Answer; Atty. Alambra acted in good faith upon the express instructions and advise of Atty. Almadro that he never received a copy of the complaint up to the time that he referred the case to their Law Office. To bolster their claim of good faith, they attached a photocopy of the letter of Atty. Almadro dated November 9, 2000^[3] stating that he had not actually received a copy of the complaint of Mr. Perea.