

1 G. PATRICK CIVILLE (pciville@civilletang.com)  
SIRENA PEREZ CASSIDY (spcassidy@civilletang.com)  
2 **CIVILLE & TANG, PLLC**  
Suite 200, 330 Hernan Cortez Ave.  
3 Hagåtña, GU 96910  
Tel: (671) 472-8868  
4 Fax: (671) 477-2511

5 *Attorneys for Defendant*  
6 *KEPCO MANGILAO SOLAR, LLC*

FILED  
SUPERIOR COURT  
OF GUAM

2022 FEB 17 PM 4: 58

CLERK OF COURT

BY: 

7  
8 **IN THE SUPERIOR COURT OF GUAM**

9  
10 THE GOVERNMENT OF GUAM

11 Plaintiffs,

12 v.

13 KEPCO MANGILAO SOLAR, LLC and  
14 SAMSUNG E & C AMERICA, INC.

15 Defendants.

CIVIL CASE NO. CV0597-21

**KEPCO MANGILAO SOLAR, LLC'S  
NOTICE OF JOINDER IN SAMSUNG E&C  
AMERICA, INC.'S OPPOSITION TO  
MOTION FOR LEAVE TO AMEND  
COMPLAINT, FILED JANUARY 20, 2022**

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1 KEPCO MANGILAO SOLAR, LLC (“KEPCO”) hereby gives notice that it respectfully joins  
2 in all arguments set forth in Samsung E&C America, Inc.’s (“Samsung”) February 17, 2022  
3 *Opposition To Motion For Leave To Amend Complaint, Filed January 20, 2022.*

4 In its Proposed SAC, the Government of Guam does not distinguish between the conduct of  
5 each of the two Defendants, and generally alleges each of its five causes of action against both  
6 Defendants. Samsung’s Opposition asserts grounds for dismissal as a matter of law, based on a  
7 failure to state a legally cognizable claim and the violation of the doctrine of exhaustion of  
8 administrative remedies. Samsung’s Opp’n to Mot. For Leave to Amend at pp. [6-16]. Because the  
9 Government’s claims against KEPCO are identical and indistinguishable from its claims against  
10 Samsung, the same legal grounds raised by Samsung for dismissal of each of the Government’s  
11 causes of action apply equally to KEPCO.

12 In the interest of judicial economy and to avoid redundancy and unduly burdening the court or  
13 the Government with duplicate arguments, KEPCO joins in all arguments set forth in Samsung’s  
14 Opposition papers to the Government’s motion for leave to amend. KEPCO addresses additional  
15 grounds for dismissal in KEPCO’s opposition to the Government’s motion, filed concurrently  
16 herewith.

17 Dated this 17<sup>th</sup> day of February 2022

18 **CIVILLE & TANG, PLLC**

19 By: /s/ G. Patrick Civile

20 **G. PATRICK CIVILLE**

21 *Attorneys for Defendant*

22 *KEPCO Mangilao Solar, LLC*