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SUPREME COURT OF THE PHILIPPINES  
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Republic of the Philippines  
Supreme Court  
Manila

SPECIAL FIRST DIVISION

NOTICE

Sirs/Mesdames:

*Please take notice that the Court, Special First Division, issued a Resolution dated November 13, 2019 which reads as follows:*

**“G.R. No. 229232 (Moldex Land, Inc. v. Alejandra C. Clemente, for herself and as Attorney-in-Fact of Mari-len C. Clemente, and Aileen C. Clemente)**

**G.R. No. 229291 (1332 Roxas Boulevard Condominium Corporation v. Alejandra C. Clemente, for herself and as Attorney-in-Fact of Mari-len C. Clemente, and Aileen C. Clemente)**

In a Resolution<sup>1</sup> dated March 13, 2017, the Court denied the consolidated petitions<sup>2</sup> filed by petitioners Moldex Land, Inc. (in G.R. No. 229232) and 1322 Roxas Boulevard Condominium Corporation (in G.R. No. 229291) (petitioners), and accordingly, affirmed the April 29, 2016 Decision<sup>3</sup> and the January 6, 2017 Resolution<sup>4</sup> of the Court of Appeals (CA) in CA-G.R. SP No. 137420 for their failure to sufficiently show that the CA committed any reversible error in the said rulings.

Subsequently, on May 31, 2017 and June 6, 2017,<sup>5</sup> petitioners separately moved for reconsideration of the said March 13, 2017 Resolution. However, before the Court could act on said motions, petitioners filed a Joint Motion to Render Judgment Based on

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<sup>1</sup> Rollo (G.R. No. 229232), pp. 184-185.

<sup>2</sup> Id. at 3-28. See also *rollo* (G.R. No. 229291), pp. 3-29.

<sup>3</sup> Rollo (G.R. No. 229291), pp. 37-51. Penned by Associate Justice Ramon A. Cruz with Associate Justices Franchito N. Diamante and Carmelita Salandanan-Manahan, concurring.

<sup>4</sup> Id. at 54-55.

<sup>5</sup> See separate Motions for Reconsideration filed by 1322 Roxas Boulevard Condominium Corporation and Moldex Land, Inc.; id. at 637-646 and 609-633, respectively.

Compromise Agreement<sup>6</sup> praying for the Court to: (a) issue an order approving the attached December 12, 2018 Compromise Agreement;<sup>7</sup> (b) render judgment based on the terms thereof; and (c) issue an order reverting the records of the instant case to the Regional Trial Court of Manila, Branch 46, docketed therein as Civil Case No. 13-130935, for proper disposition. Said Compromise Agreement, signed by respondent Alejandra C. Clemente, was duly acknowledged and accepted by petitioners on December 14, 2018.<sup>8</sup> The pertinent portions of the Compromise Agreement read:

“12 December 2018

**MR. JACINTO T. UY**

Moldex Land, Inc., Moldex Building  
No. 3 Ligaya St. corner West Avenue  
West Triangle, Quezon City

Dear Mr. Uy:

I thank you for the opportunity of meeting with you along with our mutual friend, Mr. Jimmy Go, and Atty. Ma. Vergie Lynn N. Cruz of the 1322 Roxas Boulevard Condominium Corporation at Century Park Hotel last 17 November 2018.

To recap and summarize what we agreed during our discussion in the said meeting – in the spirit of the Christmas season, as amicable settlement of *Civil Case No. 13-130935* entitled “*Alejandra C. Clemente, for herself and as Attorney-in-Fact of Mari-Len Clemente and Aileen Clemente vs. 1322 Roxas Boulevard Condominium Corporation and Moldex Land, Inc.,*” I shall pay the principal component of my outstanding obligations to the 1322 Roxas Boulevard Condominium Corporation which includes the monthly condominium dues and special assessments for Unit 39B2. On the other hand, you shall pay for the interest component. A copy of the latest Statement of Account (as of 30 November 2018) is hereto attached for ready reference.

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<sup>6</sup> Dated August 22, 2019; id. at 657-661.

<sup>7</sup> Id. at 665-666.

<sup>8</sup> There was no document showing petitioners' acknowledgment/acceptance of said the Compromise Agreement attached to the Joint Motion, but the same was referenced in last paragraph of page 2 of the said Joint Motion; id. at 658.

Further, thank you for agreeing that Moldex Land, Inc. (MLI) would advance the payment of the principal component in the amount of ONE MILLION EIGHT HUNDRED FIFTY SEVEN THOUSAND SEVEN HUNDRED THIRTY SEVEN PESOS AND 32/100 (₱1,857,737.32). I shall repay MLI in ten (10) equal monthly installments via enclosed post-dated checks, to wit:

X X X X

After the 1322 Roxas Boulevard Condominium Corporation has issued an Official Receipt certifying that all my outstanding obligations (as of November 2018) has been satisfied, I shall cause the immediate withdrawal and dismissal of the complaint in *Civil Case No. 13-130935*.

Let me express my gratitude and appreciation for your generosity and assistance and wish you all the joys in the Holiday season.

Yours sincerely,

(signed)

ATTY. ALEJANDRA C. CLEMENTE”  
(Emphasis and italics in the original)

**WHEREFORE**, finding the above Compromise Agreement to be validly executed and not contrary to law, morals, good customs, public policy, and public order, the Joint Motion to Render Judgment Based on Compromise Agreement is **GRANTED** and the December 12, 2018 Compromise Agreement is hereby **APPROVED** and **ADOPTED**. The parties are enjoined to strictly comply with the foregoing terms and conditions. The instant case is **REMANDED** to the Regional Trial Court of Manila, Branch 46, docketed as Civil Case No. 13-130935, for proper disposition. No pronouncement as to costs.

The separate Motions for Reconsideration filed by petitioners are hereby **NOTED WITHOUT ACTION**.

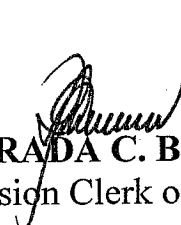
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**SO ORDERED.”** *Caguioa, J., and Lazaro-Javier, J., both on official leave.*

Very truly yours,

  
**LIBRADA C. BUENA**  
Division Clerk of Court

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Court of Appeals (x)  
Manila  
(CA-G.R. SP No. 137420)

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The Hon. Presiding Judge  
Regional Trial Court, Branch 46  
1000 Manila  
(Civil Case No. 13-130935)

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