

KAIZEN BUILDERS, INC. (FORMERLY KNOWN AS MEGALOPOLIS PROPERTIES, INC.) AND CECILLE F. APOSTOL, PETITIONERS, VS. COURT OF APPEALS AND THE HEIRS OF OFELIA URSAIS, RESPONDENTS.

G.R. No. 226894. September 03, 2020

Ponente: LOPEZ, J.

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LOPEZ, J.:

The nature and effects of a suspension order are the core principles applied in this consolidated petitions assailing the Court of Appeals' (CA) Resolution[1] dated December 8, 2015 and Decision[2] dated October 1, 2018 in CA-G.R. CV No. 102330.

ANTECEDENTS

In 2004, Ofelia Ursais (Ofelia) purchased from Kaizen Builders, Inc. (Kaizen builders) (formerly Megalopolis Properties, Inc.) a house and lot situated in White Pine Street, Camp 7, Baguio City.[3] In 2007, the parties executed a contract to sell where Kaizen Builders bought back from Ofelia the property for P2,700,000.00 and swapped it with another house and lot in Kingstone Ville, Camp 1, Baguio City. They deducted from the price the P300,000.00 unpaid balance of Ofelia in White Pine property and the P2,200,000.00 value of Kingstone Ville property. The remaining P200,000.00 shall be paid in cash. Later, the parties replaced the contract to sell with another agreement where Ofelia invested the P2,200,000.00 in Kaizen Builders' development of the Kingstone Ville project.[4] In 2008, however, the parties rescinded the investment agreement where Ofelia received P320,000.00 from Kaizen Builders. The parties then stipulated that the amount of P380,000.00 will be paid on installment basis while the remaining P1,500,000.00 shall bear an interest of 1.5% or P22,500.00 per month.[5]

Despite repeated demands, Kaizen Builders stopped remitting the monthly interest beginning November 2009 and refused to deliver the P380,000.00.[6] In 2011, Ofelia filed against Kaizen Builders and its chief executive officer Cecille F. Apostol (Cecille) a complaint for sum of money before the Regional Trial Court (RTC) docketed as Civil Case No. 7426-R.[7] On May 8, 2013, the RTC in its Decision[8] ordered Kaizen Builders and Cecille solidarity liable to pay Ofelia the following amounts, to wit:

WHEREFORE, all the foregoing premises considered, the Court rules in favor of plaintiff OFELIA URSAIS. Defendants MEGALOPOLIS PROPERTIES INCORPORATED and CECILLE F. APOSTOL are solidarily liable to pay the Plaintiff the following:

- the amount of ONE MILLION FIVE HUNDRED THOUSAND PESOS (P1,500,000.00), which is the amount invested by Plaintiff Ursais, with legal interest to be computed from June 17, 2009 until the same is fully paid; and
- the amount of ONE HUNDRED SEVENTY-EIGHT THOUSAND SEVEN HUNDRED FIFTY PESOS (P178,750.00), as previously computed, representing the unpaid interest of 1.5% per month or P22,500.00

from October 2009 until June 2010, with legal interest to be computed from June 17, 2010 until the same is fully paid.

The parties bear their own cost, of suit and attorney's fees, considering the absence of bad faith and fraud, moral and exemplary damages is [sic] not awarded.

SO ORDERED.[9]

Ofelia sought partial reconsideration claiming that the RTC failed to include the P3 80,000.00 and the payment of monthly interest up to the present. Later, Ofelia died and was substituted by her heirs. On November 15, 2013, the RTC granted the motion and amended its Decision,[10] thus:

WHEREFORE, all the foregoing premises considered, the dispositive portion of the assailed Decision of the Court is amended as follows:

Defendants MEGALOPOLIS PROPERTIES INCORPORATED and CECILLE F. APOSTOL are held solidarity liable to pay the Plaintiff Heirs of Ofelia Ursais the following:

- the amount of ONE MILLION FIVE HUNDRED THOUSAND PESOS (P1,500,000.00), which is the amount invested by Plaintiff Ursais, with legal interest to be computed from June 17, 2010 until the same is fully paid;
- the amount of THREE HUNDRED EIGHTY THOUSAND PESOS (P380,000.00) as contained in their Rescission Agreement dated July 25, 2008, with legal interest to be computed from July 25, 2008 until the same is fully paid; and
- the amount of ONE HUNDRED SEVENTY-EIGHT THOUSAND SEVEN HUNDRED FIFTY PESOS (P179,750.00), as previously computed, representing the unpaid interest of 1.5% per month or P22,500.00 from October 2009 until June 2010, with legal interest to be computed from June 17, 2010 until the same is fully paid.

The parties bear their own cost of suit and attorney's fees. No award as to moral and exemplary damages.

SO ORDERED.[11]

Aggrieved, Kaizen Builders and Cecille elevated the case to the CA docketed as CA-G.R. CV No. 102330. Meantime, Kaizen Builders filed before the special commercial court a petition for corporate rehabilitation docketed as Special Proceedings Case No. 2466-R. On August 12, 2015, the rehabilitation court issued a Commencement Order[12] which consolidated all legal proceedings by and against Kaizen Builders and suspended all actions for the enforcement of claims against it.

Accordingly, Kaizen Builders and Cecille moved to consolidate the appealed case with the rehabilitation proceedings. On December 8, 2015, however, the CA denied the motion and explained that the appeal would not affect the rehabilitation case since the two proceedings involved different parties, issues and reliefs.[13] Unsuccessful at a reconsideration,[14] Kaizen Builders and Cecille filed a Petition for Certiorari and Prohibition[15] under Rule 65 before this Court docketed as G.R. No. 226894. They argued that the CA acted with grave abuse of discretion in denying the motion for consolidation and prayed that the proceedings before the CA be suspended within the duration of the rehabilitation case.

On February 14, 2018, the CA resolved to hold in abeyance the proceedings in CA-G.R. CV No. 102330. Yet, the resolution was subsequently recalled.[16] On October 1, 2018, the CA rendered a Decision[17] on the merits of the appeal, viz.:

WHEREFORE, premises considered, the instant appeal is PARTIALLY GRANTED. Accordingly, the 8 May

2013 Decision and the 15 November 2013 Order of the Regional Trial Court of Baguio City, Branch 60, in Civil Case No. 7426-R are AFFIRMED with MODIFICATION such that the appellants are hereby ORDERED to pay the plaintiffs-appellees the following:

- One Million Five Hundred Thousand Pesos (Php 1,500,000.00) with legal interest of twelve percent (12%) per annum to be computed from 1 July 2010 to 30 June 2013 and legal interest of six percent (6%) per annum from 1 July 2013 until this Decision becomes final and executory. The sum of the interests shall be subject to interest of twelve percent (12%) per annum to be computed from the date of judicial demand, or from 7 May 2012, to 30 June 2013 and interest of six percent (6%) per annum from 1 July 2013 until this Decision becomes final and executory, as interest due earning legal interest;

- Three Hundred Seventy Five Thousand Pesos (Php 375,000.00) with legal interest of twelve percent (12%) per annum to be computed from 7 May 2012 to 30 June 2013 and legal interest of six percent (6%) per annum from 1 July 2013 until this Decision becomes final and executory. The total of the interests shall be subject to interest of twelve percent (12%) per annum to be computed from the date of judicial demand, or from 7 May 2012, to 30 June 2013 and interest of six percent (6%) per annum from 1 July 2013 until this Decision becomes final and executory, as interest due earning legal interest;

- One Hundred Seventy Eight Thousand Seven Hundred Fifty Pesos (Php 178,750.00) with legal interest to be computed from 1 July 2010 to 30 June 2013 and legal interest of six percent (6%) per annum from 1 July 2013 until this Decision becomes final and executory. The total of the interests shall be subject to interest of twelve percent (12%) per annum to be computed from the date of judicial demand, or from 7 May 2012, to 30 June 2013 and interest of six percent (6%) per annum from 1 July 2013 until this Decision becomes final and executory, as interest due earning legal interest; and

- Interest of six percent (6%) per annum on the total of the above monetary awards from the finality of this Decision until full payment thereof.

SO ORDERED.[18]

Dissatisfied, Kaizen Builders and Cecille filed a Petition for Review on Certiorari[19] under Rule 45 docketed as G.R. No. 247647 on the ground that the CA committed reversible error in holding them liable to pay Ofelia's heirs.

RULING

It is the policy of the courts to consolidate cases involving similar parties and affecting closely related subject matters. The purpose of this rule is to settle the issues expeditiously and to avoid multiplicity of suits and the possibility of conflicting decisions.[20] Here, the petitions in G.R. Nos. 226894 and 247647 involve similar parties and common questions of law and fact. Hence, it is imperative upon this Court to consolidate these cases. As will be discussed, the petitions are dependent on each other such that the Decision in G.R. No. 226894 is determinative of the outcome in G.R. No. 247647. Specifically, in G.R. No. 226894, Kaizen Builders and Cecille ascribed grave abuse of discretion on the CA in not consolidating CA-G.R. CV No. 102330 with Special Proceedings Case No. 2466-R or at least suspending the decision on the merits of the appeal pending the rehabilitation case. We find merit in this argument.

Republic Act (RA) No. 10142 or the Financial Rehabilitation and Insolvency Act of 2010 statutorily defined "rehabilitation" as the restoration of the debtor to a condition of successful operation and solvency, if it is shown that its continuance of operation is economically feasible and its creditors can recover by way of the present value of payments projected in the plan, more if the debtor continues as a going concern than if it is immediately liquidated.[21] Case law explains that rehabilitation is an attempt to conserve and administer the assets of an

insolvent corporation in the hope of its eventual return from financial stress to solvency.[22] A corporate rehabilitation case is a special proceeding in rem[23] where the basic issues concern the viability and desirability of continuing the business operations of the distressed corporation.[24] The purpose is to enable the company to gain a new lease on life and allow its creditors to be paid their claims out of its earnings.[25] The rationale is to resuscitate businesses in financial distress because assets are often more valuable when so maintained than they would be when liquidated.[26]

To achieve these objectives, Sections 16 and 17 of RA No. 10142 authorizes the rehabilitation court to issue a Commencement Order that includes a Stay Order, which have the effects of suspending all actions for the enforcement of claims against the debtor and consolidating the resolution of all legal proceedings by and against it, to wit:

SECTION 16. Commencement of Proceedings and Issuance of a Commencement Order. — The rehabilitation proceedings shall commence upon the issuance of the Commencement Order, which shall:

x x x x

(q) include a Stay or Suspension Order which shall:

(1)

suspend all actions or proceedings, in court or otherwise, for the enforcement of claims against the debtor;

x x x x

SECTION 17. Effects of the Commencement Order. — Unless otherwise provided for in this Act, the court's issuance of a Commencement Order shall, in addition to the effects of a Stay or Suspension Order described in Section 16 hereof:

x x x x

(e)

consolidate the resolution of all legal proceedings by and against the debtor to the court: Provided, however, That the court may allow the continuation of cases in other courts where the debtor had initiated the suit.

Attempts to seek legal or other recourse against the debtor outside these proceedings shall be sufficient to support a finding of indirect contempt of court. (Emphases supplied.)

Indeed, an essential function of corporate rehabilitation is the mechanism of suspension of all actions and claims against the distressed corporation.[27] Notably, RA No. 10142 makes no distinction as to the claims that are suspended once a Commencement Order is issued. Apropos is Section 4(c) which provides an all-encompassing definition of the term "claim," thus:

SECTION 4. Definition of Terms. — As used in this Act, the term:

x x x x

(c)

Claim shall refer to all claims or demands of whatever nature or character against the debtor or its property, whether for money or otherwise, liquidated or unliquidated, fixed or contingent, matured or unmatured,

disputed or undisputed, including, but not limited to: (1) all claims of the government, whether national or local, including taxes, tariffs and customs duties; and (2) claims against directors and officers of the debtor arising from acts done in the discharge of their functions falling within the scope of their authority: Provided, That, this inclusion does not prohibit the creditors or third parties from filing cases against the directors and officers acting in their personal capacities. (Emphases supplied.)

To clarify, however, creditors of the distressed corporation are not without remedy as they may still submit their claims to the rehabilitation court for proper consideration so that they may participate in the proceedings, keeping in mind the general policy of the law to ensure or maintain certainty and predictability in commercial affairs, preserve and maximize the value of the assets of these debtors, recognize creditor rights and respect priority of claims, and ensure equitable treatment of creditors who are similarly situated. In other words, the creditors must ventilate their claims before the rehabilitation court. Any attempt to seek legal or other resource against the distressed corporation shall be sufficient to support a finding of indirect contempt of court.[28]

Thus, the Commencement Order shall direct all creditors to file their claims with the rehabilitation court at least five days before the initial hearing.[29] A creditor whose claim is not listed in the schedule of debts and liabilities and who fails to file a notice of claim in accordance with the Commencement Order but subsequently files a belated claim shall not be entitled to participate in the rehabilitation proceedings but shall be entitled to receive distributions arising therefrom.[30] The 2013 Financial Rehabilitation Rules of Procedure or A.M. No. 12-12-11-SC echoed the manner of filing the creditors' claims, to wit:

RULE 2
COURT-SUPERVISED REHABILITATION

x x x x

B. Provisions Common to Voluntary And Involuntary Proceedings/Action On Petition And Commencement Proceedings

x x x x

SEC. 12. Notice of Claim. — Every creditor of the debtor or any interested party whose claim is not yet listed in the schedule of debts and liabilities shall file his verified notice of claim not later than five (5) days before the first initial hearing date fixed in the Commencement Order.

If a creditor files a belated claim, he shall not be entitled to participate in the proceedings but shall be entitled to receive distributions arising therefrom if recommended and approved by the rehabilitation receiver, and approved by the court.

x x x x

SEC. 14. Action at the Initial Hearing. — After making a determination that the jurisdictional requirements have been complied with, the court shall:

(A)

determine the creditors who have made timely and proper filing of their notice of claims and issue an order that the creditors not named therein shall not be entitled to participate in the proceedings but shall be entitled to receive distributions arising from the proceedings;

x x x x

Verily, the reason behind the imperative nature of a stay order in relation to the creditors' claims cannot be

downplayed. The indiscriminate suspension of actions for claims is intended to expedite the rehabilitation of the distressed corporation. It enables the management committee or the rehabilitation receiver to effectively exercise its/his powers free from any judicial or extrajudicial interference that might unduly hinder or prevent the rescue of the debtor company. To allow such other actions to continue would only add to the burden of the management committee or rehabilitation receiver, whose time, effort and resources would be wasted in defending claims against the corporation.[31] Corollarily, the date when the claim arose, or when the action was filed, has no bearing at all in deciding whether the action or claim is suspended. The stay order embraces all phases of the suit,[32] except in those instances expressly mentioned in Section 18 of RA No. 10142, viz.:

SECTION 18. Exceptions to the Stay or Suspension Order. — The Stay or Suspension Order shall not apply:

(a)

to cases already pending appeal in the Supreme Court as of commencement date: Provided, That any final and executory judgment arising from such appeal shall be referred to the court for appropriate action;

(b)

subject to the discretion of the court, to cases pending or filed at a specialized court or quasi-judicial agency which, upon determination by the court, is capable of resolving the claim more quickly, fairly and efficiently than the court: Provided, That any final and executory judgment of such court or agency shall be referred to the court and shall be treated as a non-disputed claim;

(c)

to the enforcement of claims against sureties and other persons solidarity liable with the debtor, and third party or accommodation mortgagors as well as issuers of letters of credit, unless the property subject of the third party or accommodation mortgage is necessary for the rehabilitation of the debtor as determined by the court upon recommendation by the rehabilitation receiver;

(d)

to any form of action of customers or clients of a securities market participant to recover or otherwise claim moneys and securities entrusted to the latter in the ordinary course of the latter's business as well as any action of such securities market participant or the appropriate regulatory agency or self-regulatory organization to pay or settle such claims or liabilities;

(e)

to the actions of a licensed broker or dealer to sell pledged securities of a debtor pursuant to a securities pledge or margin agreement for the settlement of securities transactions in accordance with the provisions of the Securities Regulation Code and its implementing rules and regulations;

(f)

the clearing and settlement of financial transactions through the facilities of a clearing agency or similar entities duly authorized, registered and/or recognized by the appropriate regulatory agency like the Bangko Sentral ng Pilipinas (BSP) and the SEC as well as any form of actions of such agencies or entities to reimburse themselves for any transactions settled for the debtor; and

(g)

any criminal action against the individual debtor or owner, partner, director or officer of a debtor shall not be affected by any proceeding commenced under this Act. (Emphasis supplied.)

In *Lingkod Manggagawa sa Rubberworld, Adidas-Anglo v. Rubberworld (Phils.) Inc.*,^[33] this Court affirmed the CA's finding that the Labor Arbiter and the National Labor Relations Commission committed grave abuse of discretion when they proceeded with the unfair labor practice case that the petitioner filed against the respondent despite the Securities and Exchange Commission's suspension order. In that case, the decisions and orders of the labor tribunals are void and could not have achieved a final and executory status, thus:

Given the factual milieu obtaining in this case, it cannot be said that the decision of the Labor Arbiter, or the decision/dismissal order and writ of execution issued by the NLRC, could ever attain final and executory status. The Labor Arbiter completely disregarded and violated Section 6(c) of Presidential Decree 902-A, as amended, which categorically mandates the suspension of all actions for claims against a corporation placed under a management committee by the SEC. Thus, the proceedings before the Labor Arbiter and the order and writ subsequently issued by the NLRC are all null and void for having been undertaken or issued in violation of the SEC suspension Order dated December 28, 1994. As such, the Labor Arbiter's decision, including the dismissal by the NLRC of Rubberworld's appeal, could not have achieved a final and executory status.

Acts executed against the provisions of mandatory or prohibitory laws shall be void, except when the law itself authorizes their validity. The Labor Arbiter's decision in this case is void ab initio, and therefore, non-existent. A void judgment is in effect no judgment at all. No rights are divested by it nor obtained from it. Being worthless in itself, all proceedings upon which the judgment is founded are equally worthless. It neither binds nor bars anyone. All acts performed under it and all claims flowing out of it are void. In other words, a void judgment is regarded as a nullity, and the situation is the same as it would be if there were no judgment. It accordingly leaves the party-litigants in the same position they were in before the trial.^[34] (Emphases supplied; citations omitted.)

Likewise, in *La Savoie Development Corp. v. Buenavista Properties, Inc.*,^[35] the respondent filed a complaint for termination of contract and recovery of property with damages against petitioner before the RTC of Quezon City. Meantime, the petitioner filed rehabilitation proceedings before the RTC of Makati City which issued a suspension order. The petitioner then informed the RTC of Quezon City about the order but it had already decided the complaint. Thereafter, the judgment became final and executory. Later, the RTC of Makati City approved a rehabilitation plan which reduced the penalty stated in the decision of the RTC of Quezon City. Undaunted, the respondent questioned the reduction of penalty and argued that the RTC of Makati City cannot amend the final decision of the RTC of Quezon City. The respondent insisted that the cram down power of the rehabilitation court is irrelevant and inapplicable. In that case, we held that a decision rendered in violation of a stay order did not attain finality, viz.:

We see no reason not to apply the rule in *Lingkod* in case of violation of a stay order under the Interim Rules. Having been executed against the provisions of a mandatory law, the QC RTC Decision did not attain finality.

x x x x

Necessarily, we reject respondent's contention that the Rehabilitation Court cannot exercise its cram-down power to approve a rehabilitation plan over the opposition of a creditor. Since the QC RTC Decision did not attain finality, there is no legal impediment to reduce the penalties under the ARRP.

Further, we have already held that a court-approved rehabilitation plan may include a reduction of liability. x x x. (Emphasis supplied.)

Here, it is undisputed that Kaizen Builders filed a petition for corporate rehabilitation. Finding the petition sufficient in form and substance, the rehabilitation court issued a Commencement Order on August 12, 2015 or during the pendency of the appeal in CA-G.R. CV No. 102330. Yet, the CA proceeded with the case and rendered judgment. On this point we find grave abuse of discretion. To reiterate, the Commencement Order ipso jure

suspended the proceedings in the CA at whatever stage it may be, considering that the appeal emanated from a money claim against a distressed corporation which is deemed stayed pending the rehabilitation case. Moreover, the appeal before the CA is not one of the instances where a suspension order is inapplicable. The CA should have abstained from resolving the appeal.[36] Taken together, the CA clearly defied the effects of a Commencement Order and disregarded the state policy to encourage debtors and their creditors to collectively and realistically resolve and adjust competing claims and property rights.[37] Applying the pronouncements in *Lingkod Manggagawa sa Rubberworld and La Savoie Development Corp.*, the CA's Resolution dated December 8, 2015 and Decision dated October 1, 2018 in CA-G.R. CV No. 102330 are void for having been rendered with grave abuse of discretion and against the provisions of a mandatory law. With findings warranting the grant of the petition for certiorari and prohibition in G.R. No. 226894, there is no more reason for this Court to decide the petition for review in G.R. No. 247647 sans a valid judgment.

FOR THESE REASONS, the Petition for Certiorari and Prohibition in G.R. No. 226894 is GRANTED. The Court of Appeals' Resolution dated December 8, 2015 and Decision dated October 1, 2018 in CA-G.R. CV No. 102330 are declared VOID. The proceedings in the Court of Appeals are SUSPENDED during the pendency of the corporate rehabilitation case. Accordingly, Kaizen Builders, Inc. is DIRECTED to quarterly update the Court of Appeals as to the status of its ongoing rehabilitation. The petition for review in G.R. No. 247647 is DISMISSED.

SO ORDERED.

Peralta, C. J., (Chairperson), Caguioa, J. Reyes, Jr., and Lazaro-Javier, JJ., concur.

[1] Rollo (G.R. No. 226894), pp. 26-27; penned by Associate Justice Samuel H. Gaerlan (now a Member of this Court), with the concurrence of Associate Justices Normandie B. Pizarro and Ma. Luisa C. Quijano-Padilla.

[2] Rollo (G.R. No. 247647) pp. 19-55; penned by Associate Justice Samuel H. Gaerlan (now a Member of this Court), with the concurrence of Associate Justices Celia C. Librea-Leagogo and Rafael Antonio M. Santos.

[3] Rollo (G.R. No. 226894), pp. 5 and 44.

[4] *Id.* at 6 and 45.

[5] *Id.* at 6-7 and 45-47.

[6] *Id.* at 46-47.

[7] *Id.* at 48.

[8] *Id.* at 30-36; penned by Judge Edilberto T. Claravall.

[9] *Id.* at 36.

[10] *Id.* at 37-38.

[11] *Id.* at 38

[12] *Id.* at 576-581.

[13] *Id.* at 26-27.

[14] *Id.* at 28-29.

[15] Id. at 3-15.

[16] Rollo (G.R. No. 247647), pp. 40-41.

[17] Id. at 19-55.

[18] Id. at 52-54.

[19] Id. at 3-15.

[20] Spouses Yu, Sr. v. Basilio G. Magno Construction and Development Enterprises, Inc., 535 Phil. 604, 618 (2006); Zulueta v. Asia Brewery, Inc., 406 Phil. 543, 556 (2001); and Caños v. Hon. Peralta, etc., et al., 201 Phil. 422, 426-427 (1982).

[21] Section 4 (gg) of RA No. 10142.

[22] BIR, et al. v. Lepanto Ceramics, Inc., 809 Phil. 278, 286 (2017), citing Bank of the Philippine Islands v. Sarabia Manor Hotel Corp., 715 Phil. 420, 435-436 (2013).

[23] Sections of RA No. 10142.

[24] Phil. Asset Growth Two, Inc., et al. v. Fastech Synergy Phils., Inc., et al., 788 Phil. 355, 374 (2016).

[25] Id. citing BPI Family Savings Bank, Inc. v. St. Michael Medical Center, Inc., 757 Phil. 251, 264 (2015).

[26] Viva Shipping Lines, Inc. v. Keppel Phils. Marine, Inc., et al., 781 Phil. 95, 113 (2016), citing Bank of the Philippine Islands v. Securities and Exchange Commission, 565 Phil. 588, 595-596 (2007).

[27] Castillo v. Uniwide Warehouse Club, Inc. and/or Gow, 634 Phil. 41, 49 (2010).

[28] BIR, et al. v. Lepanto Ceramics, Inc., supra note 22 at 287, citing Sections 2 and 17 of RA No. 10142.

[29] Section 16 (i) of RA No. 10142.

[30] Section 23 of RA No. 10142.

[31] Castillo v. Uniwide Warehouse Club, Inc. and/or Gow, supra note 27 at 51, citing Rubberworld (Phils.), Inc. v. NLRC, 365 Phil. 273, 281 (1999).

[32] Malayan Insurance Company, Inc. v. Victorias Milling Company, Inc., 603 Phil. 791, 803-804 (2009), citing Philippine Airlines, Incorporated v. Zamora, 543 Phil. 546, 567 (2007).

[33] 542 Phil. 203 (2007).

[34] Id. at 212-213.

[35] G.R. Nos. 200934-35, June 19, 2019.

[36] Garcia v. Philippine Airlines, Inc., 558 Phil. 328, 337 (2007).

[37] Section 2 of RA No. 10142.

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