



Republic of the Philippines
 Department of Labor and Employment
NATIONAL LABOR RELATIONS COMMISSION
 National Capital Region
 Quezon City



JULIAN T. BALOLOY, ET AL.,
 Complainants,

- Versus -

NLRC NCR CASE NO. 08-00492-21

OUR VINEYARD TRANSPORT CORPORATION, ET AL.,
 Respondents.

X-----X

NOTICE OF RE-SCHEDULING OF PUBLIC AUCTION SALE

TO: THE MANAGEMENT
OUR VINEYARD TRANSPORT CORPORATION
 171 Centro St., Guyong, Santa Maria
 Bulacan



GREETINGS:

Pursuant to the 2nd Updated Writ of Execution dated July 15, 2024 issued by the Honorable Labor Arbiter **OMAR CRIS F. CASIMIRO**, copy of which is hereto attached for ready reference, the public auction sale of the levied personal properties more particularly described as follows:

Please see attached Notice of Levy/Sale on Execution of Personal Properties

is hereby re-scheduled on **August 12, 2024 at 11:00 o'clock in the morning or soon thereafter at 171 Centro St., Guyong, Sta. Maria, Bulacan.**

All prospective bidders are hereby enjoined to verify said Notice of Levy and investigate for themselves the properties subject of sale.

Quezon City, Philippines, August 2, 2024.

MANOLITO G. MANUEL
 Sheriff III

Est
 KOH GELSO GUTIERREZ

08-02-2024 11:45 AM

WARNING!!!

**It is absolutely prohibited to remove, deface or destroy this
Notice on or before the date of sale under penalty of law.**

N.B.

**Properties levied herein are still
in the possession of the respondent
and will be made available at the
time of the Auction Sale.**



2:04 PM

Republic of the Philippines
Department of Labor and Employment
NATIONAL LABOR RELATIONS COMMISSION
National Capital Region
Quezon City

NOTICE OF LEVY/SALE ON EXECUTION OF PERSONAL PROPERTY

WHEREAS, by virtue of a Updated Writ of Execution issued by the Honorable J. POTENCIANO F. Napeñas, Jr., Labor Arbiter of this Commission on July 14, 2023 in Case No. o8-00492-21 wherein JULIAN T. BALOLOY, ET. AL. is/are the complainant/s and VINEYARD TRANSPORT INC., ET. AL. is/are the respondent/s for the recovery by way of distraint the sum of Php6,797,428.00 plus Php67,474.28 (Execution Fee) plus Php33,987.14 (Deposit Fee), Less Php120,195.44 (Partial Satisfaction) with interests, and costs, etc., levy was made on January 22, 2024 by the undersigned Sheriff of this Commission upon the Personal Property(s) of Respondents which are more particularly described as follows:

- | | |
|--------------------------------------|--------------------|
| One (1) unit Daewoo Truck Bus | Plate No. NEM-3785 |
| One (1) unit Golden Dragon Truck Bus | Plate No. NDQ-2915 |
| One (1) unit Daewoo Truck Bus | Plate No. NEM-3784 |
| One (1) unit Iveco Truck Bus | Plate No. NBE-9498 |
| One (1) unit Golden Dragon Truck Bus | Plate No. NDW-2913 |
| One (1) unit Golden Dragon Truck Bus | Plate No. NDQ-2916 |
| One (1) unit Golden Dragon Truck Bus | Plate No. NDQ-2914 |
| One (1) unit Golden Dragon Truck Bus | Plate No. NDQ-2917 |

----- Nothing Follows -----
AS IS WHERE IS BASIS

NOW, THEREFORE, by virtue of the said Writ of Execution and in accordance with Rule 39, Section 18, of the New Rules of Court in the Philippines, the undersigned Sheriff will sell at public auction to the highest bidder for CASH and in PHILIPPINE CURRENCY, on February 1, 2024 11:00 o'clock in the morning/afternoon, or soon thereafter at 71 Centro St., Guyong, Sta. Maria, Bulacan the above-described properties in order to satisfy said Order of Execution, together with interests, costs, Sheriff's Fees and expenses of sale.

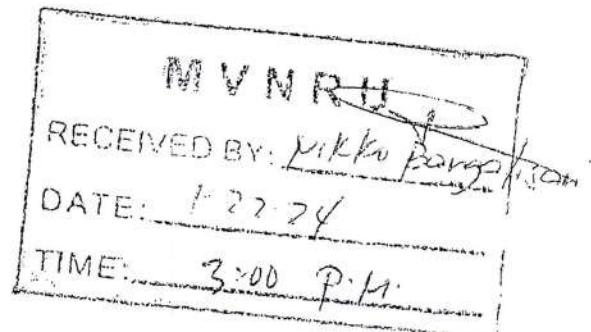
Quezon City, Philippines, January 22, 2024.

FOR THE COMMISSION

CARLOS G. MANUEL
Sheriff III

WARNING

It is absolutely prohibited to remove, deface, or destroy this notice of sale on or before the date of sale, under penalty of the law.



N.B.

Properties levied herein
are still in the possession of
respondent and will be made
available at the time of the
Auction Sale.



Republic of the Philippines
 Department of Labor and Employment
NATIONAL LABOR RELATIONS COMMISSION
 National Capital Region
 Arbitration Branch No. 58
 Quezon City



JULIAN T. BALOLOY, ET. AL.,
 Complainants,

NLRC NCR Case No. 08-00492-21

- versus -

OUR VINEYARD TRANSPORT CORPORATION, et al.,
 Respondents.

X-----X

2nd UPDATED WRIT OF EXECUTION

TO: MANOLITO G. MANUEL
 Sheriff- NLRC-NCR
 6th Floor Branch 58, 1184 Ben-Lor
 Bldg., Brgy. Paligsahan,
 Quezon City

Sheriff M. Manuel:

WHEREAS, on 30 June 2022, a Decision in the above-entitled case was rendered by Labor Arbiter J. Potenciano F. Napeñas, Jr., the dispositive portion of which reads as follows:

"WHEREFORE, premises considered, judgment is hereby rendered finding complainants to have illegally dismissed.

Accordingly, respondent Bus company, Vineyard Transport Inc., is hereby ordered to pay complainants, the following:

- a) Backwages computed from date of their respective dismissal up to finality of this decision;*
- b) Separation pay equivalent to their one month salary per year of service; and*
- c) Attorney's fees equivalent to 10% of the total monetary awards.*

The Computation of which are herewith attached and formed an integral part of this Decision.

*All other claims are hereby denied for lack of factual and legal basis.
SO ORDERED."*

WHEREAS, for failure of Respondents to file an appeal, the above-quoted Decision attained finality on 14 October 2022 as shown by the Certificate of Finality dated 03 November 2022.

WHEREAS, acting on the Motion for Execution filed by Complainants, Labor Arbiter Napeñas, Jr. issued a Writ of Execution dated 21 November 2022.

WHEREAS, acting on the Motion for Clarification filed by Complainants, Labor Arbiter Napeñas, Jr. issued an Updated Writ of Execution dated 14 July 2023 against VINEYARD TRANSPORT, INC./OUR VINEYARD TRANSPORT CORP. with address at 71 Centro St., Guyong, Santa Maria, Bulacan.

WHEREAS, in its Order dated 14 December 2023, Labor Arbiter Napeñas, Jr. ordered that the amount Php120,195.44 be released in favor of Complainants.

WHEREAS, in the 28 May 2024 Decision of the NLRC Sixth Division, Respondent Our Vineyard Transport Corporation's Verified Petition for Extraordinary Remedies (with application for the issuance of Temporary Restraining Order and/or Writ of Preliminary Injunction) was denied for lack of merit. It was declared that VINEYARD TRANSPORT, INC./OUR VINEYARD TRANSPORT CORP. are one and the same entity.

WHEREAS, in a separate Decision dated 28 May 2024 of the NLRC Sixth Division, Columbian Manufacturing Corporation's Verified Petition for Extraordinary Remedies (with application for the issuance of Temporary Restraining Order and/or Writ of Preliminary Injunction) was likewise denied for lack of merit.

WHEREAS, the instant case was re-raffled to this Arbitration Branch by virtue of Memorandum dated 20 May 2024 (Unloading of Cases) and Indorsement dated 04 June 2024. During the 15 July 2024 conference, Respondent manifested that its address is at 171 Centro St., Guyong, Santa Maria, Bulacan. Hence, there is a need to issue a 2nd Updated Writ of Execution to reflect the name of the Sheriff of this Arbitration Branch and Respondent's given address for the orderly conduct of execution proceedings.

WHEREAS, as of this date, no temporary restraining order or injunction has been issued by any court or higher tribunal enjoining the execution of the subject judgment and received by this Arbitration Branch.

WHEREAS, considering the earlier monetary award released to Complainants in the amount of Php120,195.44, the total judgment award left to be enforced is **Php6,778,693.98 inclusive** of execution and deposit fees of Php67,474.28 and Php33,987.14.

NOW, THEREFORE, you are hereby commanded to collect in accordance with Section 9, Rule XI of the 2011 NLRC Rules of Procedure, as amended, the total amount of **SIX MILLION SEVEN HUNDRED SEVENTY-EIGHT THOUSAND SIX HUNDRED NINETY-THREE and 98/100 (Php6,778,693.98), inclusive** of execution and deposit fees, from Respondent **VINEYARD TRANSPORT, INC./OUR VINEYARD TRANSPORT CORPORATION** whose address is located at **171 Centro St. Guyong, Santa Maria Bulacan** or anywhere in the Philippines where it may be located, representing Complainants' remaining judgment award pursuant to the Decision dated 30 June 2022.

In case you fail to collect the amounts above-mentioned in cash from Respondent, or the amount collected is insufficient to satisfy the judgment award, you are hereby ORDERED to cause the satisfaction of the judgment award in accordance with the order of enforcement stated in Section 9 (a), Rule XI of the 2011 NLRC Rules of Procedure, as amended, to wit: (a) Cash bond; (b) Bank deposits; (c) Surety Bond; (d) Personal property of Respondent not exempt from execution; and (e) Real property of Respondent, and to deposit the proceeds from the sale to the Cashier of the Commission, with prior knowledge of the undersigned for further disposition.

If the bonding company refuses to comply with the writ of execution, you may proceed to levy on the personal property, and if insufficient, the real property of the bonding company, without prejudice to contempt proceedings against its officers or authorized representatives.

SO ORDERED.

Quezon City, Philippines, 15 July 2024.


OMAR CRIS F. CASIMIRO
Labor Arbiter