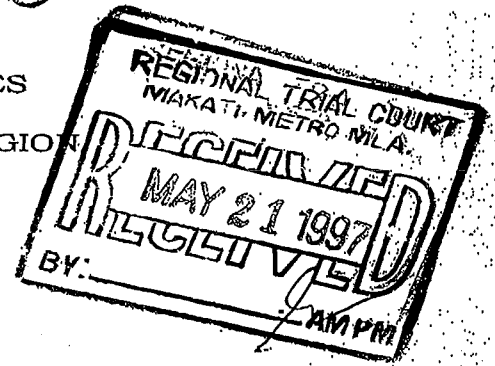


REPUBLIC OF THE PHILIPPINES
REGIONAL TRIAL COURT
NATIONAL CAPITAL JUDICIAL REGION
CITY OF MAKATI
BRANCH _____



PRISCILLA C. MIJARES,
LORETTA ANN P. ROSALES,
HILDA B. NARCISO,
SR. MARIANI DIMARANAN, SFIC
and JOEL C. LAMANGAN,
in their own behalf and on
behalf of the class plaintiffs in
Class Action No. MDL 840,
United States District Court of
Hawaii,

Class Plaintiffs,

- versus -

ESTATE OF FERDINAND E.
MARCOS, through its court
appointed legal
representatives in Class
Action MDL 840, United
States District Court of
Hawaii, namely: Imelda R.
Marcos and Ferdinand R.
Marcos, Jr.,
Defendant.

x ----- x

CIVIL CASE NO. _____

FOR: ENFORCEMENT OF
FOREIGN JUDGMENT

97-1052

COMPLAINT

COME NOW class plaintiffs, through counsel, and unto this
Honorable Court respectfully state that:

PREFATORY STATEMENT

This is a class suit to enforce the final and executory judgment
rendered by the United States District Court, District of Hawaii, in MDL
No. 840 filed therein for compensatory and exemplary damages arising
out of Ferdinand E. Marcos' tortuous violations of international law,

including the torture, summary execution or disappearance of approximately 9,539 citizens of the Philippines, or their heirs, between 1972 and 1986.

The victims of these human rights violations obtained the said historic judgment after eleven (11) long years of arduous litigation in the United States Courts. This proceeding is initiated to collect on that judgment so that the proceeds thereof may be remitted to the United District Court and distributed to qualified and deserving class members.

The class plaintiffs in MDL 840 (Class Action) are represented in U.S. Courts by Mr. Robert A. Swift as Lead Counsel, Ms. Sherry P. Broder as Liaison Counsel and the undersigned, Messrs. Rodrigo C. Domingo, Jr. and Ruben O. Fruto, as co-counsel.

THE PARTIES

2. Plaintiffs Sr. Mariani Dimaranan, SFIC, Loretta Ann P. Rosales, Hilda B. Narciso, Priscilla C. Mijares and Joel C. Lamangan are all Filipinos, of legal age and respectively reside at the following addresses:

<u>Name</u>	<u>Residence</u>
PRISCILLA C. MIJARES	#72 Road 3, Project 6, Quezon City, Metro Manila 1100 Philippines
LORETTA ANN P. ROSALES	130 13th Ave., Cubao Quezon City 1109 Philippines
HILDA B. NARCISO	130 13th Avenue, Cubao Quezon City 1109 Philippines
SR. MARIANI DIMARANAN, SFIC	No. 11 16th St., New Manila, Quezon City 1109 Philippines

JOEL C. LAMANGAN

1393-D Newton Street
Brgy. San Isidro, Makati,
Metro Manila 1100 Phils.

The aforementioned plaintiffs bring and institute this suit in their own behalf and on behalf of the other class plaintiffs in the aforementioned MDL No. 840 (Class Action) who are similarly situated.

3. Defendant Estate of Ferdinand E. Marcos is a legal entity created by operation of law upon the death of said person on September 28, 1989 in the State of Hawaii, U.S.A., which was his residence at the time of his death. The said Estate is represented by IMELDA R. MARCOS and FERDINAND R. MARCOS, JR., who were named by the United States District Court of Hawaii and upon mutual agreement between the class plaintiffs and said persons in MDL 840 as the Estate's legal representatives. Both persons are of legal age, and may be served with summons at their respective addresses, to wit::

- | | |
|-----------------------------|---|
| a) Imelda R. Marcos | Pacific Plaza
Ayala Avenue, Makati City
Philippines |
| b) Ferdinand R. Marcos, Jr. | 1559 Princeton Street
Wack-Wack Subdivision
Mandaluyong City
Philippines |

**ALLEGATIONS IN SUPPORT OF
CAUSE OF ACTION FOR
ENFORCEMENT OF FOREIGN JUDGMENT**

4. After Ferdinand E. Marcos fled from the Philippines to the State of Hawaii, U.S.A. in February, 1986 at the height of the now historic EDSA Revolution, and upon his arrival thereat, he was served with summons on various complaints for human rights violations.

5. Under United States law, the Federal Court had personal jurisdiction over Ferdinand E. Marcos since he was present and served with summons and complaint in the State of Hawaii. The Court also possessed subject matter jurisdiction pursuant to the Alien Tort Act, 28 U.S.C. Sec. 1350.

6. The various complaints aforesaid, after appropriate proceedings, were subsequently consolidated after the death of Ferdinand E. Marcos. The Clerk of Court was then ordered to maintain a master docket and case file under the style In re: Ferdinand E. Marcos Human Rights Litigation, MDL 840 for the consolidated case.

7. Thus, on or about May 9, 1991, the class plaintiffs filed with the U.S. District Court of Hawaii in MDL 840 a Consolidated Amended Complaint, a photocopy of which is hereto enclosed and made as an integral part hereof as ANNEX "A".

8. On August 1, 1991, the defendant Estate filed in MDL 840 its "Defendant's Answer to Consolidated Amended Complaint", a copy of which is hereto enclosed and made as an integral part hereof as ANNEX "B".

9. On April 15, 1991 the United States District Court certified the case as a class action, defining the class as:

"All current civilian citizens of the Republic of the Philippines, their heirs and beneficiaries, who between 1972 and 1986 were tortured, summarily executed or disappeared while in the custody of military or para-military groups."

and created three (3) sub-classes of torture, summary execution and disappearance victims. The District Court also appointed certain of the below-named as legal counsel to the plaintiff class.

10. Following a jury trial held in three (3) stages, the plaintiff class received a verdict and an award of compensatory and exemplary damages. On February 3, 1995 the United States District Court entered judgment on behalf of the plaintiff class in the total amount of \$1,964,005,859.90. A copy of the Final Judgment, certified by the US Court and Philippine Consulate in Hawaii, is enclosed hereto and made an integral part hereof as ANNEX "C". With accrued interest, which attaches automatically under U.S. laws, the Final Judgment today is in excess of U.S. \$2,250,000,000.

11. The defendant Estate then appealed to the United States Court of Appeals for the Ninth Circuit. After several months of deliberation, the said appellate Court entered its OPINION (Decision) on December 17, 1996 affirming the Final Judgment of the U.S. District Court of Hawaii, the conclusion or dispositive portion of which reads:

"The district court had jurisdiction over Hilao's cause of action. Hilao's claims were neither barred by the statute of limitations nor abated by Marcos' death. The district court did not abuse its discretion in certifying the class. The challenged evidentiary rulings of the district court were not in error. The district court properly held Marcos liable for human rights abuses which occurred and which he knew about and failed to use his power to prevent. The jury instructions on the Torture Victim Protection Act and on proximate cause were not erroneous. The award of exemplary damages against the Estate was allowed under Philippine law and the Estate's due-process rights were not violated in either the determination of those damages or of compensatory damages. The judgment of the district court is therefore AFFIRMED." Hilao vs. Estate of Marcos, 103 F.3d 767, 787 (9th Circuit 1996)

A copy of the said OPINION (Decision) is hereto attached and made an integral part hereof as ANNEX "D".

12. The defendant Estate failed to file a petition for certiorari with the United States Supreme Court and the period of ninety (90) days within which to do so already expired.

13. The Final Judgment of February 3, 1995 (Annex "C" hereof) entered by the U.S. District Court of Hawaii is now UNAPPEALABLE, FINAL and EXECUTORY. And, having been rendered by a court of competent jurisdiction, with due notice to the defendant Estate which actively participated in the trial before the U. S. Court and jury and prosecuted its appeal to the Ninth Circuit Court of Appeals up to the United States Supreme Court, the said Final Judgment should now be RECOGNIZED and ENFORCED in and throughout the Philippines, pursuant to Section 50, Rule 39 of the Rules of Court of the Philippines.

RELIEFS

WHEREFORE, it is respectfully prayed that judgment be rendered for the class plaintiffs and against defendant Estate, as follows:

a. RECOGNIZING and DECLARING as a valid foreign judgment enforceable in and throughout the Philippines the Final Judgment of February 3, 1995 (ANNEX "C" hereof) promulgated by the United States District Court of Hawaii in MDL 840;


b. ENFORCING the aforesaid Final Judgment pursuant to and in the manner prescribed by law and procedural rules;

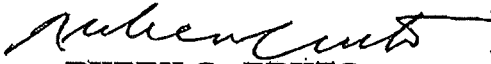
c. AUTHORIZING the class plaintiffs to ENFORCE, IMPLEMENT and/or EXECUTE the said Final Judgment of February 3, 1995 in accordance with Section 39 of the Rules of Court in the Philippines; and,


d. ORDERING the defendant Estate to pay the costs of suit.

Class plaintiffs further pray for such other reliefs as this Honorable Court may deem just and equitable in the premises.

Makati City, May 20, 1997.


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IBP No. 436378-4.03.97-Manila IV


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Honolulu, Hawaii 96813

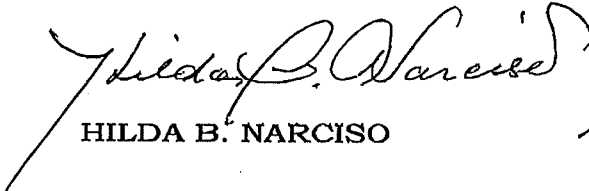
VERIFICATION AND CERTIFICATION


WE, PRISCILLA C. MIJARES, LORETTA ANN P. ROSALES, HILDA B. NARCISO, SR. MARIANI DIMARANAN, SFIC and JOEL C. LAMANGAN, all of legal age, after having been duly sworn to in accordance with law, depose and state that:


1. We are co-plaintiffs and members of the class in the above-entitled case;
2. We caused the preparation of the above-entitled complaint, the contents of which are true and correct of our own personal knowledge;
3. We hereby certify under oath that we have not commenced any other action or proceeding involving the same issues in the Supreme Court, the Court of Appeals, or different Divisions thereof, or any other tribunal or agency, and that to the best of our knowledge, no such action or proceeding is pending in the Supreme Court, the Court of Appeals or different divisions thereof, or any other tribunal or agency. If there is any other pending action, we shall state the status of the same. If we should learn that a similar action or proceedings has been filed or is pending before the Supreme Court, the Court of Appeals or other divisions thereof or any other tribunal or agency, we shall notify the court, tribunal or agency within five (5) days from such notice.


LORETTA ANN P. ROSALES


PRISCILLA C. MIJARES

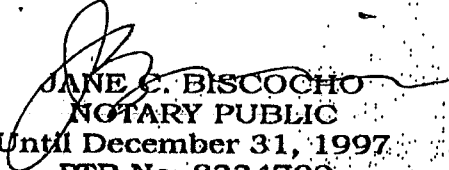

HILDA B. NARCISO


SR. MARIANI DIMARANAN, SFIC


JOEL C. LAMANGAN

SUBSCRIBED AND SWORN to before me this 21 day of May 1997,
affiants exhibiting to me their respective Community Tax Certificate
Nos., to wit:

NAME	CTC NO.	DATE/PLACE ISSUED
PRISCILLA C. MIJARES	13312604	Feb. 20, 1997 - Pasay City
LORETTA ANN P. ROSALES	11739288E	May 15, 1997 - Quezon City
HILDA B. NARCISO	11732490E	May 19, 1997 - Quezon City
SR. MARIANI DIMARANAN, SFIC	13813180	Jan. 8, 1997 - Quezon City
JOEL C. LAMANGAN	1827193	Feb. 17, 1997 - Cavite City


JANE C. BISCOCHO
NOTARY PUBLIC
Until December 31, 1997
PTR No. 8334702
Issued on Jan. 7, 1997
Issued at Quezon City

Doc. No. 451;
Page No. 91;
Book No. I;
Series of 1997.