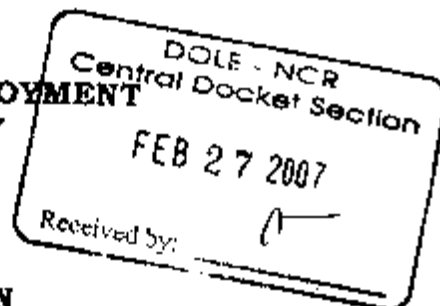


Republic of the Philippines  
DEPARTMENT OF LABOR AND EMPLOYMENT  
OFFICE OF THE SECRETARY  
Intramuros, Manila



IN RE: PETITION FOR CERTIFICATION ELECTION  
AMONG THE RANK AND FILE EMPLOYEES  
AT TOYOTA MOTOR PHILS., CORPORATION

TOYOTA MOTOR PHILS. CORPORATION WORKERS  
ASSOCIATION (TMPCWA)

*Petitioner,*

OS-A-4-27-99  
(NCR-OD-M-9902-001)

TOYOTA MOTOR PHILS. CORPORATION,

*Employer.*

X-----X

## MOTION TO INHIBIT

PETITIONER, by undersigned, unto this Honorable Office, respectfully states:

1. On September 21, 2006 petitioner filed a MOTION FOR ISSUANCE OF WRIT OF EXECUTION as regards the decision in the above entitled case which had become final and executory;
2. That acting on said MOTION, the Office of the Secretary assigned the MOTION to **Med-Arbiter Simonette Calabacal**;
3. That, **Med-Arbiter Simonette Calabacal** was the same Med-Arbiter who issued a RESOLUTION authorizing the conduct of another certification election in violation of the previous certification order in favor of herein Petitioner;
4. That said MED-Arbiter cannot be expected to show impartiality in the issuance of the WRIT OF EXECUTION in favor of herein Petitioner;
5. Thus, the bias that **Med-Arbiter Simonette Calabacal** exhibited in ordering the certification election despite the previous certification order in favor of petitioner which had attained finality, is a ground for inhibition;

**PRAYER**

**WHEREFORE**, it is respectfully prayed that:

Med- Arbiter **Med-Arbiter Simonette Calabucal** inhibit from further hearing the instant case and to re-raffle the case. Other equitable remedies are likewise prayed for.

Sta. Rosa City for Manila, February 27, 2007.

  
ED CUBELO  
Union President- TMPCWA

**Copy furnished:**

**DELA ROSA TEJERO NOGRALES**  
22<sup>nd</sup> Floor, Phil. Stock Exchange Centre  
West Tower Exchange Road  
Ortigas Center, 1605 Pasig City

RR # 1198  
P.O. at ETA PASIG  
Date : FEB 27, 07

**EXPLANATION**

Copy of the foregoing motion will be served to respondent company's counsel through registered mail. Personal service is impractical due to distance constraint.

  
ED CUBELO