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**THE DISTRICT COURT OF GUAM**

<p>In re:</p> <p>ARCHBISHOP OF AGAÑA, a Corporation Sole,</p> <p style="text-align: center;">Debtor.</p>	<p>Bankruptcy Case No. 19-00010 Chapter 11</p>
<p>ARCHBISHOP OF AGAÑA, a Corporation Sole,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>The U.S. Small Business Administration and Jovita Carranza, solely as the Administrator of the U.S. Small Business Administration,</p> <p style="text-align: center;">Defendants.</p>	<p>Adversary Proceeding Case No. 20-00002</p>

**ORDER GRANTING PLAINTIFF’S MOTION  
FOR A PRELIMINARY INJUNCTION**

THIS MATTER came before the Court on Plaintiff’s Motion for Preliminary Injunction filed on June 16, 2020, ECF No. 8. Hearing was held on June 26, 2020, and after submissions and arguments of the parties and based upon the record,

**IT IS HEREBY ORDERED** that

1. Plaintiff’s Motion is granted as set forth herein.
2. An injunctive order is issued, with notice, and directed to Jovita Carranza in her capacity as Administrator for the United States Small Business Administration, and all agents and employees of the same (collectively, the “SBA”).

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3. Until the expiration of this injunctive order, its scope is as follows:

a. Plaintiff is hereby authorized to submit a PPP loan application to any lender with the words “or presently involved in any bankruptcy” stricken from any requisite form.

b. If Plaintiff satisfies all other conditions in Question No. 1 of the loan application form, Plaintiff may mark the box “no.”

c. If the SBA receives a lender application form prior to the expiration of the PPP program’s loan guaranty window (as defined by Section 4 of this order), the SBA shall consider the PPP application without any consideration of the involvement of Plaintiff in any bankruptcy proceedings.

d. The SBA shall not condition the approval of a PPP loan guaranty to Plaintiff on Plaintiff not being “presently involved in any bankruptcy.”

4. This injunctive order shall be in effect until the expiration of the PPP program’s loan guaranty window, which expires when the SBA ceases to have the authority to guaranty PPP loans. As of this order, absent congressional action, this authority will end on 11:59pm EDT, June 30, 2020.

5. Plaintiff must comply with all other SBA rules and regulations, including those set forth in the SBA Interim Final Rules promulgated pursuant to the CARES Act. Plaintiff is not eligible for a PPP loan solely by virtue of this ruling, but may only avoid complying with the bankruptcy exclusion.

6. No bond is required.

**SO ORDERED.**



**/s/ Frances M. Tydingco-Gatewood**  
**Chief Judge**  
**Dated: Jun 29, 2020**

1 Jointly Submitted by:

2 /s/ Bruce A. Anderson

3 Ford Elsaesser  
4 Bruce A. Anderson  
5 ELSAESSER ANDERSON, CHTD.  
6 320 East Neider Avenue, Suite 102  
7 Coeur d'Alene, ID 83815  
8 208) 667-2900  
9 Fax: (208) 667-2150  
10 ford@eaidaho.com  
11 brucea@eaidaho.com  
12 Counsel for Plaintiff

13 /s/ John C. Terlaje

14 John C. Terlaje  
15 LAW OFFICE OF JOHN C. TERLAJE  
16 Terlaje Professional Bldg., Suite 216  
17 194 Hernan Cortez Ave.  
18 Hagåtña, Guam 96910  
19 Telephone: (671) 477-8894/5  
20 [john@terlaje.net](mailto:john@terlaje.net)  
21 Counsel for Plaintiff

22 /s/ Daniel Martin

23 Trial Attorney  
24 U.S. Department of Justice  
25 Civil Division  
26 Commercial Litigation Branch  
27 Corporate/Financial Litigation Section  
28 Counsel for Defendant Small Business Administration

Shawn N. Anderson  
United States Attorney  
Districts of Guam and NMI

/s/ Jessica F. Wessling

Jessica F. Wessling  
Assistant U.S. Attorney  
Counsel for Defendants