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UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR

JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

February 1, 2019

35GL-19-0116
Speaker Tina Rose Muna Barnes
RECEIVED
DATE: 2/1/19
4:11PM

Honorable Tina Muna Barnes
Speaker
I Mina'trentai Singko Na Liheslaturan Guahån
Guam Congress Building
163 Chalan Santo Papa
Hagatna, Guam 96932

2019 FEB -4 AM 8:07

RE: Board Appointment

Dear Madame Speaker:

By virtue of the authority vested in me pursuant to the Organic Act of Guam and the local laws applicable to the following position, I am pleased to transmit the following appointment and supporting documents for:

APPOINTEE:	Dana A. Gutierrez
POSITION:	Member, Guam Solid Waste Authority Board
TERM LENGTH:	**To serve at the pleasure of the Governor**

The appointment is subject to the consent of *I Liheslaturan Guahån*. Please schedule a hearing at your earliest convenience.

Senseramente,

LOURDES A. LEON GUERRERO
I Maga'hågan Guåhan
Governor of Guam

0116

RICARDO J. BORDALLO GOVERNOR'S COMPLEX • HAGÅTÑA, GUAM 96910
P.O. BOX 2950 • HAGÅTÑA, GUAM 96910
671.472.8931 • 671.472.8932/6

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January 31, 2019

Dana Gutierrez
[redacted]

Dear Ms. Gutierrez:

Pursuant to my authority under 10 GCA § 51A105, I am appointing you to serve as a

MEMBER, GUAM SOLID WASTE AUTHORITY BOARD OF DIRECTORS

Appointing you to this position comes with great responsibility because you will have a vital role to perform which will place many demands on your time and energy. Integrity and honesty are virtues that I prioritize for my Administration to exemplify, and I know that you will do the same while in service to the people of Guam. Your responsibilities shall be significant and consequential. I trust that you will fulfill your duties and set a standard for others to follow.

I appreciate your willingness to serve in this position, and I am confident that your time will be spent in a manner to improve the island of Guam.

This appointment is subject to the advice and consent of *I Liheslaturan Guahån.* If you have any questions or concerns, please contact the Office of the Governor.

Senseramente,

LOURDES A. LEON GUERRERO
I Maga'hågan Guåhan
Governor of Guam

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LOURDES A. LEON GUERRERO
Governor

JOSHUA F. TENORIO
Lieutenant Governor

OFFICE OF THE GOVERNOR OF GUAM
Nomination and Appointment Information Sheet

The following information is required for submission to the
Speaker of *I Liheslaturan Guåhan* in accordance with Title 4, Guam Code Annotated Section 2103

NOMINEE INFORMATION

Last Name	***First Name***	***Middle Initial***
GUTIERREZ	DANA	A.

Mailing Address	***Apartment/Unit #***
[redacted]	[redacted]

City	***State***	***Zip Code***
[redacted]	[redacted]	[redacted]

Phone	***E-mail Address***
[redacted]	[redacted]

Position to which Appointment is Made
Member, Board of Directors, Guam Solid Waste Authority

Are you a citizen of the United States? Yes ☑ No ☐

If no, are you authorized to work in the United States? Yes ☐ No ☐

EDUCATION

SCHOOL (Name, City and State)	***DATES OF ATTENDANCE***	***TYPE OF DEGREE***	***YEAR EARNED***
High School Bishop Baumgartner Junior High School Academy of Our Lady of Guam	1985-1986 1986-1989	High School Diploma	1989
College University of Southern California	August 1989 – May 1993	Bachelor of Arts	1993
Graduate School University of Southern California Gould School of Law	August 1994 – May 1997	Juris Doctorate	1997
Other Degree			

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EMPLOYMENT HISTORY

Name of Present/Last Employer and Mailing Address	***Position Title***
Calvo Fisher & Jacob LLP 259 Martyr Street, Ste. 100 Hagåtña, Guam 96910	Of Counsel
	Dates Held September 2016 – Present

Previous Employer and Mailing Address	***Position Title***
Thompson Gutierrez & Alcantara 238 Archbishop Flores St., Ste. 801 Hagåtña, Guam 96910	Partner
	Dates Held January 2014 – June 2015

Previous Employer and Mailing Address	***Position Title***
Mair, Mair, Spade & Thompson 238 Archbishop Flores St., Ste. 801 Hagåtña, Guam 96910	Partner
	Dates Held December 2006 – December 2013

Previous Employer and Mailing Address	***Position Title***
Mair, Mair, Spade & Thompson 238 Archbishop Flores St., Ste. 801 Hagåtña, Guam 96910	Associate
	Dates Held June 2005 – November 2006

Previous Employer and Mailing Address	***Position Title***
Carlsmith Ball LLP 134 W. Soledad Ave., Ste. 401 Hagåtña, Guam 96910	Associate
	Dates Held August 1997 – July 2003

PRIOR GOVERNMENT OF GUAM SERVICE

Agency or Department Name		***Position Title***
Judiciary of Guam		Director of Policy, Planning & Community Relations
Address	***Phone No.***	***Dates Held***
Guam Judicial Center, 120 West O'Brien Drive, Hagåtña, GU 96910	475-3544	July 2015 – September 2016

Agency or Department Name		***Position Title***
University of Guam		Exec. Asst. to the President/EEO Compliance Oversight Official
Address	***Phone No.***	***Dates Held***
UOG Station, Mangilao, Guam 96913	735-2990	November 2003 – May 2005

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PRIOR GOVERNMENT SERVICE (EXCLUDING GOVERNMENT OF GUAM)

Agency or Department Name	***Position Title***	
University of Guam	Legal Counsel	
Address	***Phone No.***	***Dates Held***
UOG Station, Mangilao, Guam 96913	735-2990	July 2003 – October 2003

Agency or Department Name	***Position Title***	
Address	***Phone No.***	***Dates Held***

TRAINING

INSTITUTE/SEMINARS/ON-THE-JOB TRAINING	***DATE***

AWARDS

List all educational, professional, civic awards, and recognition for public service:

PROFESSIONAL INVOLVEMENT

List involvement on a local/national/international level. List organizations, activities participated in, and offices held:
President-Elect, Society for Human Resource Management (Guam) (2019-Present) Vice President (Legislative Affairs), Society for Human Resource Management (Guam) (2015-2018) Member at Large, Guam Bar Association Board of Governors (2013-2016) Treasurer & Trustee, Guam Law Library Board of Trustees (2000-2006, 2015-2017)

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COMMUNITY / CIVIC INVOLVEMENT

List organizations, activities participated in, and offices held:
Member, Board of Directors, Guam Girl Scouts (2012-2013)

PUBLICATIONS AND PRESENTATIONS

List any published articles, papers delivered at professional meetings, etc.:
Articles: "Guam's Fair Chances Hiring Process Act is upon us," Marianas Business Journal (October 16, 2018) "Can You Fire Someone Without Getting Sued?," Guam HR Magazine (2018-2019) "Did You Know . . . Some OOGs for HR in Guam," Guam HR Magazine (2017-2018) Presentations: "Employment Law Update," Society for Human Resource Management (Guam) (May 2, 2018) "Implications of Marijuana Laws in the Workplace," District Court of Guam Conference (February 9, 2017)

MILITARY SERVICE (Please attach Form DD-214)

BRANCH	*DATES OF SERVICE*	*RANK AT DISCHARGE*	*TYPE OF DISCHARGE*

OTHER INFORMATION

(1) Have you ever been found guilty of a felony in any court, whether within or without the United States?

Yes ☐ **No** ☑ **If so, please specify in detail:** _____

Address of the Court: _____

Date(s) of Conviction: _____

Specific Infraction Committed: _____

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(2) Have you ever been declared mentally incompetent by any court, whether within or without the United States?

Yes ☐ **No** ☑ **If so, please specify in detail the reasons and facts related to such declaration:**

_____

_____

_____

_____

_____

(3) Have you ever been found not guilty or not punishable in any criminal proceedings by reason of insanity?

Yes ☐ **No** ☑

(4) Have you ever been confined to a mental institution for any reason?

Yes ☐ **No** ☑ **If so, please specify in why the appointing authority believes you that you are not suffering from any mental illness or affliction:**

_____

_____

_____

_____

_____

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LOURDES A. LEON GUERRERO
Governor

JOSHUA F. TENORIO
Lieutenant Governor

OFFICE OF THE GOVERNOR OF GUAM

Statement of Financial Interests

(Required by 4 G.C.A. §13104.1)

TO: The Honorable Lourdes A. Leon Guerrero
Governor of Guam
Ricardo J. Bordallo Governor's Complex
Adelup, Guam 96910

FROM: Dana A. Gutierrez

☑ I have no financial interest in any business

☐ I do have interest(s) in the following business(es):

NAME AND ADDRESS OF BUSINESS INTEREST	TYPE AND AMOUNT OF INTEREST

Signature

1/25/19
Date

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AFFIDAVIT / DECLARATION UNDER PENALTY OF PERJURY

I, the undersigned, do hereby depose and say that: (1) I have read and reviewed the information contained in the attached Appointment/Nomination letter from the Governor of Guam; (2) that the matters contained in the Appointment/Nomination letter, together with all attachments thereto, are true and correct and that I am competent to testify to said matters; and (3) that this Declaration is made for the purpose of complying with the requirements of 4 G.C.A. Section 2103.5.

I declare under penalty of perjury under the laws of Guam (4 G.C.A. Section 4308) that the foregoing is true and correct.

Dana A. Gutierrez _____ 1/25/19

Print Name and Signature — Date

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Government of Guam
GUAM POLICE DEPARTMENT
RECORDS & IDENTIFICATION SECTION
P.O. Box 23909
Guam Main Facility, Guam 96921

January 24, 2019

SUBJECT: CRIMINAL HISTORY RECORD

NAME:	**Dana A. GUTIERREZ**		
DATE OF BIRTH:	[redacted]	**FINGERPRINT #:**	**NONE**
[redacted]	**The individual has no record of criminal conviction(s) in GPD files that are subject to Guam law and rules and regulations of the Department.**		

******************NOTHING FOLLOWS*******************

THIS INFORMATION MAY BE LIMITED TO A LOCAL CRIMINAL OFFENSE ONLY AND IS NOT INTENDED FOR USE FOR ANY LOCAL, STATE, OR FEDERAL LAW ENFORCEMENT AGENCY.

By Direction: priscilla

STEPHEN C. IGNACIO
Acting Chief of Police

The absence of an original GUAM POLICE seal invalidates this police clearance.
REVISED. 01/07/19

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SUPERIOR COURT OF GUAM

Guam Judicial Center • 120 West O'Brien Drive • Hagatña, Guam 96910

Telephone (671) 475-3370/475-3449
Fax (671) 472-2856

DANIELLE T. ROSETE
Clerk of Court

Name: DANA A. GUTIERREZ

SS#:

ID# GUAM DL [redacted] Date of Birth: [redacted]

CERTIFICATE OF SEARCH

The undersigned Clerk hereby certifies the following results of a diligent search of the records of this Court:

Criminal Cases:

A. [X] No Case Found

B. 1. Criminal Case No.
2. Criminal Case No.
3. Criminal Case No.
4. Criminal Case No.
5. Criminal Case No.

Criminal Record: Page 1 of 1

Civil Cases:

A. [ ] No Case Found

B. 1. Civil Case No.
2. Civil Case No.
3. Civil Case No.
4. Civil Case No.
5. Civil Case No.

Civil Record: Page 1 of 1

Request for further information may be addressed at the Records Division of the Superior Court of Guam, Guam Judicial Center, 120 West O'Brien Drive, Hagatña, Guam. Hours of operation are Monday – Friday, 8:00 a.m. to 5:00 p.m. Closed Saturday, Sunday and local/federal holidays. Court Clearances are Non-Refundable.

Dated: 01/24/2019

DANIELLE T. ROSETE
Clerk of Court

BY: CHRISTIANE CACHERO-XIAO
Deputy Clerk

Prepared By: CCX

The absence of an original Court Seal invalidates this document

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Dana A. Gutierrez

[redacted]
Phone: [redacted]
Email: [redacted]

Professional Experience

Calvo Fisher & Jacob LLP *Of Counsel*	September 2016 – Present
Judiciary of Guam *Director of Policy, Planning & Community Relations*	July 2015 – September 2016
Thompson Gutierrez & Alcantara *Partner*	January 2014 – June 2015
Mair, Mair, Spade & Thompson *Partner*	December 2006 – December 2013
Mair, Mair, Spade & Thompson *Associate*	June 2005 – November 2006
University of Guam *Executive Assistant to the President/* *EEO Compliance Oversight Official*	November 2003 – May 2005
University of Guam *Legal Counsel*	July 2003 – October 2003
Carlsmith Ball LLP *Associate*	August 1997 – July 2003

Representative Work

Acquisitions: Performed and advised on due diligence reviews related to acquisition and sale of business including licensing, permitting and security interests (UCC filings).

Commercial Real Estate: Prepared documentation of the sale and mortgage of real property on behalf of sellers and buyers. Reviewed and prepared lease agreements, amendments and assignments for landlords and tenants.

Corporate: Assisted clients in preparing documentation and obtaining licenses to operate in Guam. Formed, advised and maintained corporations and limited liability companies. Reviewed and prepared documentation related to company merger. Advised corporate clients and boards.

Equal Employment Opportunity: Counseled and represented employers in responding to charges of discrimination and harassment filed with local and federal agencies. Represented employers in mediation. Represented employers in discrimination and harassment lawsuits.

Government: Provided advice to agencies and boards on matters relating to compliance with local and federal laws and regulations. Reviewed and drafted policies, procedures and standard operating procedures. Advised on personnel matters and represented management in grievances, mediations and adverse action appeals. Prepared and defended requests for information under Guam Sunshine Act.

Insurance: Advised client on compliance with federal and local insurance laws and regulations. Reviewed and prepared policies of insurance and related insurance documents. Assisted with negotiations with government for health insurance contracts.

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Investigations: Advised and represented employers in conducting investigation of complaints, including discrimination and harassment cases, and fashioned remedial measures.

Legislation: Reviewed and analyzed proposed legislation. Prepared written testimony in support of and in opposition to legislation.

Personnel Management: Assisted companies with drafting employee handbooks, job descriptions, employment contracts and workplace policies and procedures. Counseled clients on hiring and termination practices.

Procurement: Represented private companies and government entities in protests and in analyzing procurement issues. Negotiated and prepared procurement contracts.

Wage and Hour: Advised companies on overtime payment rules and exempt/non-exempt status of employees to ensure compliance with wage and hour laws. Represented contractors in prevailing wage and back wage investigations.

Wrongful Termination: Represented clients in defending wrongful discharge claims. Drafted separation and release agreements related to termination disputes.

Education

University of Southern California Gould School of Law — August 1994 – May 1997
Juris Doctorate
Activities: Review of Law & Women's Studies

University of Southern California — August 1989 – May 1993
Bachelor of Arts, Political Science & East Asian Studies
Honors: Magna Cum Laude, Phi Beta Kappa, Phi Kappa Phi

Professional/ Civic Activities

Society for Human Resource Management (Guam) — 2019-Present
President-Elect

Society for Human Resource Management (Guam) — 2015-2018
Vice President (Legislative Affairs)

Guam Bar Association Board of Governors — 2013-2016
Member at Large

Guam Law Library Board of Trustees — 2000-2006, 2015-2017
Treasurer & Trustee

Guam Girl Scouts Board of Directors — 2012-2013
Director

Presentations

Society for Human Resource Management (Guam) — May 2, 2018
"Employment Law Update"

District Court of Guam Conference — February 9, 2017
"Implications of Marijuana Laws in the Workplace"

Marianas Business Journal Conference — April 17, 2015
"When Does Your Workplace Qualify as Hostile"

Society for Human Resource Management (Guam) — March 5, 2014
"Employee Disputes in and outside the Workplace"

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	Judiciary of Guam *"Workplace Investigations: How to Conduct an Effective (and Defensible) Investigation"*	July 7, 2011
	Guam Contractors Association *"The Importance of Being Licensed"*	June 15, 2011
Articles	**Marianas Business Journal** *"Guam's Fair Chances Hiring Process Act is upon us"*	October 16, 2018
	Guam HR Magazine *"Can You Fire Someone Without Getting Sued?"*	2018-2019
	Guam HR Magazine *"Did You Know . . . Some OOGs for HR in Guam"*	2017-2018