


FILED
SUPERIOR COURT
OF GUAM

2026 JUN 17 AM 9:06

CLERK OF COURT

By: 

IN THE SUPERIOR COURT OF GUAM

RON HOCOG and TIFFANY HOCOG,
individually and as parents of Beau
Jermaine Iba Hocog, deceased,

Plaintiffs,

vs.

DR. MARIANA COOK-HUYNH, GUAM
MEMORIAL HOSPITAL AUTHORITY,
and DOES 1 – 20,

Defendants.

CIVIL CASE NO. CV0140-25

FORM ONE – DISQUALIFICATION
7 GCA § 6106 Memorandum

The undersigned has knowledge of facts which, under the provisions of 7 GCA § 6105, disqualify me from sitting or acting as the judge in this case.

On May 7, 2026, the undersigned issued a Form Three – Disqualification notice which disclosed a relationship within the third degree with Attorney Joseph McDonald, the new in-house attorney for Defendant Guam Memorial Hospital Authority. The undersigned revealed she had no personal knowledge of Attorney McDonald's capacity as a lawyer acting in this proceeding, and therefore did not see a basis for an automatic disqualification under 7 GCA § 6105(b).

Subsequent to that disclosure, Plaintiffs filed an Objection to the undersigned's competency. The Court struck the objection for procedural and substantive reasons, and stated it reserved the right to amend the disqualification notice should facts reveal Attorney McDonald is

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acting as a lawyer in this proceeding. Plaintiffs recently renewed their objection, claiming to have cured the procedural defects.

To date, GMHA has offered no further information to clarify whether Attorney McDonald is acting as an attorney in this proceeding. However, GMHA’s enabling legislation (a source not referenced in Plaintiffs’ Objection), defines the scope of its in-house counsel’s duties. As part of those responsibilities, the attorney must “advise the Board in all civil matters in which the Hospital is a party or in which the Hospital is legally interested.” 10 GCA § 80114. The Court reads this language as requiring GMHA’s in-house attorney, such as Attorney McDonald, to render advice to GMHA related to this litigation, apart from its retained outside counsel. For this reason, the undersigned finds that her disqualification is now warranted under section 6105(b)(5)(B).

I will not accept agreements to continue to hear this matter. The case will be reassigned to another judge.

In accordance with 7 GCA § 6106, a copy of this Memorandum shall be transmitted by the clerk to each party or attorney who has appeared in this action.

SO ORDERED this 16 June 2026.

Elyze M. Iriarte

HON. ELYZE M. IRIARTE
Judge, Superior Court of Guam

SERVICE VIA EMAIL
I acknowledge that an electronic copy of the original was e-mailed to:
M SMITH, TORRES LAW
ARQUILLA LAW
Date: 6/16/26 Time: 9:10 AM
Scott E. Sermosilla
Deputy Clerk, Superior Court of Guam

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Deputy Clerk, Superior Court of Guam

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