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Republic of the Philippines
Supreme Court
Manila
FIRST DIVISION

SUPREME COURT OF THE PHILIPPINES
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NOTICE

Sirs/Mesdames:

*Please take notice that the Court, First Division, issued a Resolution dated **November 10, 2014** which reads as follows:*

“G.R. No. 214298 (Console Farms Corporation and Mrs. Soledad Agbayani v. Anglo-KMU and its members: Reynaldo T. Pizon, Tomas S. Dover, Rudy D. Tanilon, et al.). - The petitioners’ motion for an extension of fifteen (15) days within which to file a petition for review on certiorari (with manifestation stating that the amount of ₱4,730.00 was paid upon filing of said motion representing the docket and other lawful fees) is **GRANTED, counted from the expiration of the reglementary period.**

After a judicious review of the records, the Court resolves to **DENY** the instant petition and **AFFIRM** the April 8, 2014 Decision¹ and August 29, 2014 Resolution² of the Court of Appeals (CA) in CA-G.R. SP No. 130380 for failure of Console Farms Corporation and Mrs. Soledad Agbayani (petitioners) to show that the CA committed any reversible error in holding that they illegally dismissed their employees, herein respondents, when they closed their commercial layer division.

As correctly ruled by the CA, the petitioners failed to prove by convincing evidence that: (a) the closure of its business is *bona fide*; (b) the written notice was served on the employees and the Department of Labor and Employment at least one (1) month before the intended date of closure or cessation of business; and (c) in case of closure of business not due to financial losses, that the affected employees were given separation pay equivalent to one-half (½) month pay for every year of service or one (1)

¹ *Rollo*, pp. 101-111. Penned by Associate Justice Danton Q. Bueser with Associate Justices Rebecca de Guia-Salvador and Ramon R. Garcia, concurring.

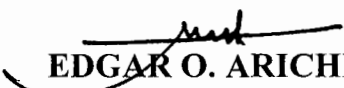
² *Id.* at 113-115.

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month pay, whichever is higher.³ It is well-settled that findings of fact of the labor tribunals, as affirmed by the CA, are generally binding and conclusive upon this Court,⁴ and are not to be disturbed unless they fall under the recognized exceptions,⁵ which do not obtain in this case.

SO ORDERED.” SERENO, C.J., on official travel; **DEL CASTILLO, J.**, acting member per S.O. No. 1862 dated November 4, 2014. **BERSAMIN, J.**, on official travel; **VELASCO, JR., J.**, acting member per S.O. No. 1870 dated November 4, 2014.

Very truly yours,


EDGAR O. ARICHETA

Division Clerk of Court ^{11/10}
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Supreme Court

Court of Appeals (x)
Manila
(CA-G.R. SP No. 130380)

Nationalist and Genuine Labor
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Respondents' Representative
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1100 Quezon City

National Relations Commission
Regional Arbitration Branch No. III
San Fernando City 2000 Pampanga
(NLRC Case No. RAB III-12-18393-11)

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PPSTA Bldg., Banawe St.
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(NLRC LAC No. 09-002704-12)

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³ *Eastridge Golf Club, Inc. v. Eastridge Golf Club, Inc., Labor Union-Super*, 585 Phil. 88, 101-102 (2008); citation omitted.

⁴ *Acevedo v. Advanstar Company, Inc.*, 511 Phil. 279, 287 (2005).

⁵ See *Cirtek Employees Labor Union-Federation of Free Workers v. Cirtek Electronics, Inc.*, G.R. No. 190515, June 6, 2011, 650 SCRA 656, 660.

