

The GMA logo features the letters 'GMA' in a blue, sans-serif font. To the right of the letters is a stylized, multi-colored heart shape composed of several overlapping curved lines in shades of red, orange, and yellow.

SPECIAL EDITION

Kapuso

JANUARY 2008

FACT SHEET:

Re: ABS-CBN's Malicious
Accusation that GMA-7 is Behind
the Ratings Manipulation

Background

Exchange of Letters Between AGB Nielsen Media Research and GMA Network, Inc.

“On December 3, 2007 AGB Nielsen Media Research’s General Manager, Maya F. Reforma, sent a letter to Ms. Sheila Tan, Vice President (Research) of GMA Network, Inc. In her letter she stated, among others:

It has come to our attention that certain activities being conducted by your company in Visayas have led to some of our panel homes being contacted by your employees or representatives.

.....

To assist us in our inquiry, I would be grateful if you could provide answers to the following questions:

1. What types of promotional activities have been conducted by GMA in Visayas?
2. In what specific barangays and municipalities /cities have these activities been conducted?
3. Since when have these activities been conducted?
4. Have the same or similar activities been conducted in Mindanao? In what specific areas and when?
5. Do you agree that protecting the identity of the panel homes is of utmost importance to maintaining a credible TAM service?
6. Is GMA prepared to endorse any industry initiatives to protect the identity of panel homes?”

GMA Network’s response to Ms. Reforma’s letter was quick and straight-forward. On December 6, 2007, Atty. Dick Perez, GMA’s Vice President, Legal Affairs, replied to Ms. Reforma:

“In your letter you state that “certain activities of GMA in Visayas have led to some of our panel homes being contacted by employees or representatives of GMA”. The message one gets from your letters about which we have gotten numerous calls from the industry, is that GMA has deliberately or intentionally (i.e. with prior knowledge of panel homes) contacted these panel homes. You also chose to irresponsibly write the industry a letter informing them of what GMA had allegedly done without first getting GMA’s side on the matter, and even as you say that your company has “just commenced an investigation to better understand the extent of the panel breach.

We protest in the strongest terms your accusation, or the insinuation contained in your letters, that GMA deliberately

contacted panel homes. We shall hold you and your company responsible for any damage GMA may suffer as a result of your actions concerning this matter.

GMA conducts “field promo activities” (your use of the unqualified word “activities” has a disparaging tone) in the Visayas which consist of repeated house visits. However, such activities are directed at the general population of some locality (i.e. barangay) and not at panel homes. Our promo representatives who are not GMA employees but independent contractors do not look for panel homes because neither they nor our Network has that information.

For your information, field promo activities are also being done by ABS-CBN. It is therefore possible that ABS-CBN’s activities could also lead to some of the panel homes being contacted, even unintentionally, by employees or representatives of ABS-CBN. But you singled out GMA’s activities as though these are only the ones that could lead to panel homes being contacted.

It is neither the policy of our network nor our desire to interfere with the obtention of accurate program ratings. We also do not have the capability or the opportunity to know your panel members because GMA does not operate a cable system anywhere in the Philippines. Assuming arguendo that we are interested in getting panel homes data and assuming further that it can be done, we should be doing it in Mega Manila where as you also well know (because we have consistently complained of it) very great, illogical and unexplainable disparities between cable and non-cable ratings of the same programs of ABS-CBN and GMA occur.

We also want to get to the bottom of this. Ms. Tan had earlier requested from you the names of the supposed GMA employees or representatives who you claim have contacted some panel homes. We want to ascertain, among other things, whether they are indeed GMA employees or representatives and not persons deliberately posing as such just to discredit GMA. We hope you can provide us their names and other details related to the alleged incident.

We also fully support a thorough investigation of panel home intervention (which should include Mega Manila/Luzon as well) by AGB. We are even willing to shoulder part of the cost of such investigation. More than anybody, you should know by now that considering our repeated complaints to you about the very great and unexplainable disparities in cable and non-cable ratings – we are interested in protecting the identity of panel homes from those who may have the capability and/or opportunity to determine whether they are in order to maintain a credible TAM service.”

Five days later, AGB Nielsen responded to GMA's letter by reiterating questions posed on their first letter, Maya F. Reforma, General Manager, wrote:

"We appreciate your expression of support for the efforts we are taking to maintain the integrity of our panel. Allow us then to reiterate our request for answers to the following questions:

1. What types of promotional activities have been conducted by GMA in Visayas?
2. In what specific barangays and municipalities /cities have these activities been conducted?
3. Since when have these activities been conducted?
4. Have the same or similar activities been conducted in Mindanao? In what specific areas and when?

Also, allow us to ask these additional questions:

5. Who are these "independent contractors" whom GMA hired to conduct "field promo activities"?
6. How did they carry out the "field promo activities"?
7. Who did your contractors approach to participate in your "field promo activities"?
8. Of those who were approached, who agreed to participate in your "field promo activities"?
9. Have these "field promo activities" led to any contact with any AGB Nielsen panel homes?
10. As a matter of policy/practice, do you exclude our panel homes from your "field work activities"?

We shall make available to you, at the appropriate time, all relevant information and evidence we have in our possession concerning the matter."

GMA immediately responded to AGB Nielsen's letter.

On December 13, Atty. Perez wrote to Ms. Reforma as follows:

"In our letter to you dated 6 December 2007, we requested for details related to your allegation that certain activities of GMA in the Visayas have led to some panel homes being contacted by GMA employees or representatives. It was a fair request, given the serious accusation against GMA and given your precipitate announcement to the industry of the matter.

You state, however, that you will only make available all relevant information and evidence in your possession concerning the matter "at the appropriate time". You request us anyway to answer several questions related to the incident.

We would have answered your questions to the extent that we would, but considering your own refusal to give us the information we

requested – including the evidence you say you have – which we are entitled to be given as a matter of fundamental fairness, we have decided to refuse to answer your questions at this time and until you cooperate with us in getting at the bottom of this report. You cannot expect us to cooperate with you when you refuse to cooperate with us regarding this matter.

We understand that aside from your letter dated 3 December 2007 to the industry, you also made presentations to advertisers and advertising agencies of GMA's alleged panel home intervention and continued to do so even after receipt of our letter dated 6 December 2007 protesting your accusation that GMA deliberately contacted panel homes. Such act is further proof of your malicious intent to besmirch the reputation of GMA for which we reserve the right to take such action against you as may be proper in the premises."

ABS-CBN files civil case against AGB Nielsen

On December 14, 2007, ABS-CBN convened a press conference to announce that they have filed a civil case against AGB Nielsen. In their official statement, ABS-CBN alleged that they "have discovered what can only be viewed as a systematic, organized, and well funded attempt to cheat in the ratings."

ABS-CBN alleged that they "have been approached by someone who confessed that he was hired to locate and bribe metered households to change the programs they are watching." They said they informed AGB Nielsen of what they learned and provided them with all the information.

They asked AGB Nielsen to stop the release of what they alleged to be erroneous data. "Even as we continue to lead nationwide, we asked them (AGB Nielsen) to stop the release of erroneous data, check their panel nationwide, and resume release only when they can guarantee the integrity of the data," ABS-CBN said.

When AGB Nielsen refused to comply with their demand, ABS-CBN filed a multi-million peso civil case for damages, injunction, with an application for a temporary restraining order. Last December 20, the Quezon City Regional Trial Court issued a Temporary Restraining Order which orders AGB Nielsen to "cease and desist from pursuing its nationwide TAM gathering activities **from corrupted home panels** and delivering, releasing or making known the resulting TAM data to its clients or the general public with 20 days from the issuance of the order." (copy of the TRO is on page 10)

AGB Nielsen continued to send Mega Manila ratings data on December 19 and 20 to clients and advertisers much to the disappointment of ABS-CBN.

ALLEGED ABS-CBN INFORMANTS

The ABS-CBN informants alleged that they were hired by a network to look for meter devices in Bacolod and bribe the households to shift the TV channel from ABS-CBN to the other station.

Although the name of the network was withheld in the interview conducted by ABS-CBN, it was very obvious that the informant was referring to GMA-7. And in the affidavit submitted by the informants in court, they referred to GMA Network as the station that they took orders from (copy of the affidavit on page 9).

The informant alleged that they offered P500 plus groceries per month to the households in exchange for shifting the channel. He also claimed there were seven (7) of them who moved around the barangays in Bacolod to look for the meter devices.

The informant and his companions allegedly trailed AGB Nielsen people who installed the meter devices and during their involvement with the operation in Bacolod, they were allegedly able to identify eighty-nine (89) households with meter devices.

The informant alleged further that they were each given a monthly salary of P6,200 plus an allowance for cell phone load of P115.

ABS-CBN's Malicious Accusations

Several programs of ABS-CBN (both in radio and in television) named GMA Network, Inc. as the party behind the alleged ratings tampering in Bacolod.

On December 19, 2007, Junrie Hidalgo of DZMM said "*Tahasang inamin na ngayon ng AGB Nielsen Media Research na ang GMA Network ang siyang nasa likod ng sinasabing pagmamaniplula ng survey ng television ratings sa Bacolod.*"

On the same day, Jobert Sucaldito and Cristy Fermin on Teleradyo made the following statements:

Jobert Sucaldito: "*Sa isang panayam matapos ang pagdinig ng injunction case na isinampa ng ABS-CBN sa sala ni Judge Charito Gonzales ng Quezon City Regional Trial Court, tahasan pang itinuro ni AGB Nielsen general manager Maya Reforma ang GMA Network na siyang nasa likod ng sinasabing pagmamaniplula ng survey ng TV ratings.*"

Cristy Fermin: "*Ang linaw eh, eto, sa isang panayam matapos ang pagdinig ng injunction case na isinampa ng ABS-CBN doon sa sala ni ano, tahasan pang itinuro ni AGB Nielsen General Manager Maya Reforma ang GMA Network na siyang nasa likod ng sinasabing pagmamaniplula ng survey ng TV ratings.*"

On December 20, Korina Sanchez made the following remarks on the program *Bandila*: "*Sa isinumite ring mga dokumento ng AGB sa korte, inamin nito na 79 sa 532 nilang panel homes ang*

na-expose sa mga gawain o efforts ng GMA 7 network. Batay sa statistical tests ng AGB lumalabas na 16 na panel homes ang kinakitaan ng malaking epekto at pumanig sa GMA 7. Para sa ABS CBN, ito'y malinaw na manipulasyon ng data at malaki ang epekto nito sa ABS CBN."

Showbiz program *The Buzz*, in its December 23 episode, aired a report on the issue which included an interview with the General Manager of AGB Nielsen, Maya (Chaie) Reforma. Reforma's interview excerpt was cut to make it appear like she has named GMA-7 as the one behind the ratings rigging. This excerpt of an ambush interview with Reforma can mislead viewers that it was AGB that identified GMA-7.

Full transcripts of the said shows and various other ABS-CBN shows pertaining to the alleged ratings manipulation in Bacolod can be found as annexes of the civil case filed by GMA Network against ABS-CBN on January 3, 2008. (pages 42 - 63)

Excerpts of the complaint filed by ABS-CBN against AGB Nielsen on December 13, 2007

2.7 Recently, Plaintiff ABS-CBN received reports that some of Defendant's Panel Homes were identified and approached by certain individuals in order to corrupt the resulting TAM Data to make it appear that a particular broadcasting network is more watched than it actually is by the viewing public. These Panel Homes were enticed to change their TV viewing behaviour and favor this broadcasting network's programs and shows in exchange for monetary and other valuable considerations.

....

2.9 On 3 December 2007, Plaintiff ABS-CBN, through a letter sent by counsel, informed the Defendant of the reports of infiltration and that the integrity of their pool of Panel Homes was seriously compromised thereby polluting the TAM Data sent to advertisers and television networks.⁶ Plaintiff demanded for the shutdown of Defendant's TAM Data polling operations nationwide within five (5) days from receipt of the letter until such time that Defendant is able to indubitably establish that the integrity of the Panel Homes covered by both the National Urban TAM (NUTAM) and the Mega Manila TAM (MEGATAM) services is beyond reproach. Plaintiff also demanded that Defendant disclose to all of its clients, i.e., advertisers, media planners and television networks, that the integrity of its Panel Homes was seriously compromised and that ABS-CBN was not involved or responsible for the infiltration of these Panel Homes.

....

2.11 On 7 December 2007, Plaintiff received a letter⁸ from Defendant's counsel which evaded the demand and simply outlined the steps Defendant would undertake to supposedly address the problem. Worst of all, Defendant considered that it was still appropriate for it to continue delivering the TAM Data to the market.

2.12 On 11 December 2007, the parties met again to discuss Defendant's inadequate response to the demand. During the meeting, Plaintiff furnished the Defendant with the affidavit of Mr. Mark Dumago,⁹ who had acted in behalf of the concerned broadcasting network and had personal knowledge of how the Panel Homes were identified and how they would entice the Panel Homes to favor viewing the programs and shows of said broadcasting network. Plaintiff further offered to arrange for Mr. Dumago to meet with Defendant's lawyers for the purpose of verifying his story.

⁷ A copy of Defendant's 3 December 2007 letter is hereto attached and made an integral part hereof as Annex "D".

⁸ A copy of defendant's 7 December 2007 letter is hereto attached and made an integral part hereof as Annex "E".

⁹ A copy of the affidavit of Mr. Mark Dumago written in his dialect and the english translation thereof is hereto attached and made an integral part hereof as Annexes "F" and "G".

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that it will provide TAM Data to its clients despite the infiltration of its Panel Homes.

Mark Dumago's Affidavit

ENGLISH VERSION

I am Mark Dumago, 23 years old, single, working as field coordinator and residing at Purok Mahimulaton, Barangay Banago, Bacolod City:

That I am residing at Purok Mahimulaton Barangay Banago, Bacolod City, finished my high school education at Domingo Lacson National High School and I am working before with GMA Bacolod last 2006 as surveyor and was terminated on the same year after working with the said company for six months.

Whereas, it was my job to monitor gadgets and metered devices installed by AGB Nielsen in the houses, and giving us orders was GMA Kapuso. We are seven moving around barangays. We look for the device. We ask each household where the device is. When we find out that the house has one, we go there. Then we make a monthly offer. AGB gives them groceries or other things they can use in the household. After that we approach the house and make a counter-offer of 500 pesos cash or groceries. If they accept our offer, which almost always happens because of poverty. They will accept and we convince them to shift the channel to the other station.

Whereas, When I was still working with them, we've spotted around 89 meter devices so far, ; these including out-of-town households. When I left this job, I really don't know but I've heard there's more than that. That's as far as I know.

Whereas for instance in Taculing. If we're assigned there, we go as often as the schedule is assigned to us. But we double check if the meters are still installed. And if we have time, we set a date for giving the 500 pesos. It's really scheduled. We make sure the household really sticks to what we have earlier agreed upon, that is , really tuning in to GMA 7.

Whereas, we follow their tracks. The first guy is Eduard who's from Cebu. He's the one installing the gadget. We trail him ; where he stays we were able to locate him. Then there's a pick up they brought from Cebu , a multicab colored blue with plate number GMU 107. That's what we follow

Whereas, then we keep following him when he is in the area. We don't find it hard to locate which household has been installed with the meter. When he leaves, that's the time we go inside.

Whereas, we follow it in every barangay it goes to. from the time he leaves HQ near the corner; there's one motorbike bike stationed ahead and one behind so as not to lose track of Eduard everywhere he goes. We trail him ; where he stays we were able to locate him. Then there's a pick up they brought from Cebu , a multicab colored blue with plate number GMU 107. That's what we follow

Whereas, then we keep following him when he is in the area. We don't find it hard to locate which household has been installed with the meter. When he leaves, that's the time we go inside.

Whereas, this activities of GMA started last year, until now. They're monitoring two devices. TNS and AGB. They transferred to AGB because the (GMA people) are after the ratings. They want to get 40 % , 40 for GMA and ABS 60 %. This is fine for them

Whereas, they get the budget from Manila; through our backchecker from Iloilo. That's where they get the budget and when he comes here, he brings the budget. He himself distributes to the specific barangays where the devices are placed.

Whereas, there are officials of GMA 7 from Iloilo that visited Bacolod and met with us on what to do and ask for updates on the things they are ordering us what to do.

Whereas, we are given a salary of 6 thousand two hundred (pesos). Plus an allowance for cellphone load of 115 pesos, plus another 50 pesos for transportation:

FOR THE RECORD

The sworn statement of ABS-CBN's "informer" translated in English

Excerpts of the Temporary Restraining Order (TRO)

REPUBLIC OF THE PHILIPPINES
REGIONAL TRIAL COURT
NATIONAL CAPITAL JUDICIAL REGION
BRANCH 80 – QUEZON CITY

ABS-CBN BROADCASTING
CORPORATION,

Plaintiff.

- Versus -

AGB NIELSEN MEDIA RESEARCH
(PHILIPPINES), INC.,

Defendant.

CIVIL CASE NO. Q-07-61665

x-----x

ORDER

For resolution is plaintiff's prayer for the issuance of a temporary restraining order (TRO) which was set for summary hearing yesterday, during which the lawyers of both parties appeared and argued on their respective stands.

....

WHEREFORE, AS PRAYED FOR, the defendant, its employees, agents or representatives and those acting for and its behalf are hereby ordered to cease and desist from pursuing its nationwide TAM data gathering activities from corrupted home panels and delivering, releasing or making known the resulting TAM data to its clients or the general public within twenty (20) days from the issuance of this Order.

Excerpts of the Transcript of ABS-CBN's TV Patrol World Report (Dec 21,2007)

“Sinuway ang TRO”

Sinuway ng AGB Nielsen Media research ang utos ng korte na itigil muna ng dalawampung araw ang pagpapalabas nito ng TV ratings sa harap ng akusasyong may tampering ng kanilang data, at dahil dito ipapacontempt of court ng ABS CBN ang nasabing reseach agency. Nababahala naman ang advertisers sa alegasyong may anomalya ang TV ratings. Nagpapatrol Jing Castañeda

Report proper – sa inilabas na TRO ng korte, inuutos na ihinto ng AGB neilsen media research ang kanilang nationwide TV ratings measurement activity sa corrupted o naexpose na panel homes at ang pagrelease ng mga resulta nito sa loob ng dalawampung araw. Ibig sabihin tatlong linggong mawawalan ng TV ratings. Pero kanina naglabas na naman ng TV ratings ang AGB. Ang hindi lang nila nilabas ay ang ratings mula sa bacolod kung nasaan ang naexpose na panel homes.

Sabi ng ABS-CBN, tahasang pagsuway ito sa utos ng korte.

Atty Maxim Uy (ABS Legal counsel) – kakasuhan namin ng contempt of court ang AGB at lahat ng mga tauhan nito na may kinalaman sa paglabag ng utos ng korte

Depensa ng AGB, ang sakop ng utos ng korte ay yaon lamang pagkolekta ng datos at paglabas ng resulta mula sa corrupted homes o mula sa 79 na tahananang natukoy nilang tinamaan ng promotional activities. Kaya naniniwala ang AGB na pwede silang magrelease ng inpormasyon basta't hindi kasama ang mga datos mula sa bacolod

Giit naman ng ABS-CBN, hanggat hindi iniisa-isa ang lahat ng panel homes sa buong bansa, hindi maaring matiyak ng AGB kung gaano kalawak ang tampering o pagmamaniipula ng datos, kayat hindi pa nila dapat ito nilalabas.

Letter of AGB to its Clients and to Advertisers (A True Copy)

December 17, 2007

Re: Case filed by ABS-CBN against AGB Nielsen Media Research

Dear Clients and Colleagues,

By now, you have most probably read about or heard of the press conference held by ABS-CBN last Friday, December 14, 2007, announcing that they have filed a lawsuit against AGB Nielsen Media Research for “damages and injunction with an application for a temporary restraining order”. Although we have yet to receive a copy of the complaint and will not be able to make any comment on the case itself until we are able to secure a copy, we feel the need to share with you the facts regarding ABS-CBN’s complaints.

AGB Nielsen Media Research has been in constant contact with ABS-CBN regarding their claim that there was a “systematic, organized, and well-funded attempt to cheat in the ratings.”

On November 20, 2007, ABS-CBN showed us a tape of their informant in silhouette (the same one being aired over the weekend in their various programs) claiming the activities purported to be done by GMA. In response, we initiated an exhaustive investigation on the matter. Initial results of our panel audit showed that certain activities being conducted by yet unidentified parties have led to some of our panel homes being contacted by their representatives. This information prompted us to formally inform all stakeholders on the investigation that we have started to conduct.

On 03 December 2007, we wrote GMA for its comments on the above claims in order to assist us in our inquiry, including requesting GMA for confirmation whether it was responsible for the activities being committed mainly in Iloilo and Bacolod as claimed by ABS-CBN, and which activities were confirmed by some of our panel members. We also notified the industry stakeholders of what we had so far discovered and what action we plan to take moving forward to thwart even any such attempts at influencing the data, to further ensure the integrity and dependability of our TAM service.

On the same day, ABS-CBN wrote us to demand that we completely shut down our TV ratings service on the basis of the allegations made regarding the “systematic, organized” and well-funded attempt to cheat in the ratings.” In our response on 07 December 2007, we asked ABS-CBN to allow us to complete the investigation as well as requested it to provide us with the evidence that will support its claim. We also asked ABS-CBN to answer the following queries:

1. Who furnished them with the reports of the alleged tampering with the panel members?
2. In what areas did the alleged tampering take place and when?
3. Have they verified the accuracy of their reports?

At a meeting requested by ABS-CBN held on 11 December 2007, we reiterated our earlier request for its response to our previous request for evidence, and agreed to interview the unidentified informant shown in the videotape. In accordance with the terms of our agreement with ABS-CBN, we also confirmed the steps we were undertaking to properly investigate and address any of the claims of intrusion, and inform ABS-CBN that we were prepared to correct, if and when deemed necessary, any data which may have become compromised by these intrusions. For its part, ABS-CBN stated that it had overwhelming and

irrefutable evidence of GMA's activities which tainted the data which it then undertook to transmit to us on the same day, while furnishing us with a copy of the statements of its informant in Iloggo, with an English translation it had prepared.

On 13 December 2007 and as proposed by ABS-CBN, we sent our representative to Bacolod to interview its informant. ABS-CBN even videotaped this interview with its informant. We likewise followed up on the evidence which ABS-CBN said it will deliver to us 2 days prior thereto. To date, ABS-CBN has not furnished us with these evidence.

In the meantime, we also called for an industry meeting on 06 December 2007 to ask for the support of the industry in establishing a data user group which would help us evaluate the significance of the said activities complained about, the possible effect on the ratings data and if necessary, develop guidelines to protect the security and privacy of the panel members.

Based on our investigations so far, we found no evidence that our TAM service was materially influenced by the activities which ABS-CBN complained about. We therefore stand by our decision that until there is indubitable proof that ABS-CBN's allegations against GMA, or any other party for that matter, are true and that whatever activities it complained about are actually affecting the results of the survey, we will not embargo any television viewing data. To claim at this point that the data is anomalous has not been proven by ABS-CBN and is simply conjecture on their part.

To find out through mass media that ABS-CBN have already filed a case against AGB-Nielsen Media Research and to hear them bombarding the airwaves with outright allegations that our data is anomalous is quite disappointing especially since it is stipulated in our contract that they should give us "a reasonable period not exceeding one month to submit a written explanation on issues regarding data quality." We feel that their inaction is ill-directed and unhelpful in remedying the situation. We would have expected them to work constructively with the industry

rather than respond with threats and intimidation. We believe that ABS-CBN should be pursuing a legal action against their competitor, GMA Network, who they claim is responsible for tracing, contacting, and influencing the panel homes. ABS-CBN in fact admitted that this remedy was available to it, but was not prepared to initiate the proper action itself despite the irrefutable and overwhelming evidence it claimed it possessed.

We are prepared to suspend the data if it is found that viewing behavior has been unduly influenced by GMA's activities. But such action should be based on hard evidence. The result of our investigation will be shared to the industry representatives in a meeting scheduled for December 18, 2007 (separate invitation shall be provided).

Rest assured that we are managing this difficult situation in a very responsible and professional way, with support from you, our partners in the industry which include key industry bodies, agencies and advertisers. In a way, we welcome the opportunity to present this matter before all stakeholders so that everyone can participate and provide the much needed cooperation to ensure the security and privacy of panel homes from any broadcaster's activities intended to influence the results.

Thank you for your unwavering support and we shall keep you posted on the developments.

Yours truly,

(Sgd.) Maya F. Reforma
General Manager



GMA-7 refutes ABS-CBN's accusations

As early as December 14, GMA Network began issuing statements to the press to counter allegations that were clearly pointing to the Network. In its initial statements that were published in newspapers and broadcast in its news programs, GMA made clear that the allegations were erroneous and false and that it was equally interested in getting at the bottom of the issue.

GMA-7 strongly stated that there is no truth to allegations by ABS-CBN that GMA was involved in tampering with the AGB ratings. *24 Oras*, *Saksi*, *Unang Balita* and QTV newscasts aired stories on GMA-7's denial as well as interview with AGB lawyer, Atty. Francisco Rivera who noted two important things :

- the promo activities being questioned are common to other networks, not just to GMA-7 (meaning ABS-CBN also does these regional promos) ; and
- the informants of ABS-CBN who said they worked for GMA were asked by the AGB lawyer to present identification as proof but the ABS-CBN informants could not provide any means of identification to prove that they were /are from GMA 7

A specially produced plug has been airing on all GMA platforms (GMA-7, GMA Radio, QTV and GMA Pinoy TV). The plug belies ABS-CBN's claim that AGB named GMA as the Network behind alleged ratings tampering in Bacolod City. It also reiterates GMA's commitment to produce quality news and entertainment program for its viewers.



Full-page advertisement placed by GMA in a major newspaper stating the network's official stance regarding the rival network's accusations.



GMA NETWORK CATEGORICALLY DENIES THE REPORT THAT IT IS BEHIND ALLEGED AGB NIELSEN RATINGS MANIPULATION.

In its radio report, ABS CBN/ DZMM erroneously broadcast that AGB NIELSEN named GMA 7 as the network that allegedly funded an operation to bribe metered homes in Bacolod City to watch GMA shows and influence the ratings.

DZMM reporter Junrie Hidalgo angled the story as: AGB NIELSEN UMAMIN SA DAYAAN, GMA NETWORK TAHASANG ITINURONG NASA LIKOD NG DAYAAN.

However, the affidavit in court submitted by Maya Reforma of AGB Nielsen belied such accusation against GMA Network.

The affidavit of AGB's Maya Reforma states: "There is no evidence that shows any significant impact on NUTAM data as a result of the activities PURPORTEDLY launched by GMA Network".

When asked what she can say about ABS CBN's request to the Regional Trial Court to restrain AGB from distributing its ratings data – Reforma stated: "There is no basis for it. The data is accurate and reliable."

GMA 7 points out that this only proves there is no truth to allegations by ABS CBN that GMA was involved in tampering with the AGB ratings.

ABS CBN just filed a multi-million peso civil case against the survey firm AGB Nielsen. The brouhaha started when ABS-CBN was approached by an informant who divulged that they allegedly worked with GMA.

GMA categorically denies that the ABS CBN informant ever worked with or for GMA.

GMA has referred the matter to its outside legal counsel for appropriate action.

Apart from being improbable --- the informant's claims as bandied about by ABS-CBN – is also **NOT LOGICAL.**

GMA Network's ratings in the provinces - particularly in the Visayas and Mindanao – have not had any significant improvement since July of 2007 when it started to subscribe to the ratings of AGB. If there were any involvement in the alleged tampering of panel homes in the area by GMA Network, then its ratings there should have experienced significant increases.

GMA does not conduct manipulative promo efforts anywhere in the country. What it does is conduct legitimate field promo activities that are not deliberately directed AT PANEL HOMES but at the general television population of a certain locality.

While GMA Network promotes heavily in the Visayas and Mindanao, ABS CBN does even more aggressive and wide scale promos in these areas.

GMA has been spending considerable amounts of money to strengthen its signal, expand its reach and **for legitimate promos** to promote its programs in the Visayas and Mindanao. GMA values integrity and hardwork as reflected by the credibility of its programs and its corporate core values. **It is not GMA's style to play dirty.** GMA programs are preferred and trusted by viewers in Luzon, Mega Manila and Metro Manila as proven by the ratings. A trial by publicity is not only unfair and damaging to GMA Network but also to its millions of loyal viewers.

Also, for more than four years now, GMA Network has been complaining to AGB about the very big, highly illogical and unexplainable disparity between the cable and non-cable ratings of GMA's programs. ABS CBN's programs do not exhibit such disparity.

It is only in the Philippines that the ratings of programs on non-cable or free TV households exhibit a very different behavior from the cable households. Coincidentally, the Philippines is also the only country in the world where a competing free-to-air TV station also operates or controls the dominant cable company. The owners of ABS CBN directly or indirectly operate the country's largest cable company.

GMA Network has been sending letters to AGB long before ABS-CBN's complaint. These letters show how much the Network wants to find out if there are indeed irregularities in the ratings data gathering process. GMA cited that ABS CBN --- through the dominant cable operator --- can gain undue advantage because cable personnel, in the course of their work, can come across which homes AGB Nielsen has placed its meters.

GMA is determined to get at the bottom of this allegation.

GMA reserves the right to take such action as may be warranted, to protect its interests and reputation.



NOTHING TO HIDE

GMA Management in a general assembly on December 27 briefed GMA Network employees on the Network's position on the issue.

The transcript of the speech of GMA Chairman, President, and CEO Atty. Felipe L. Gozon is as follows:

Good afternoon. Itong meeting natin ngayon ay tunay na meeting, wala tayong entertainment. Everything else will be serious sapagkat ang issue na kumo-confront sa atin ngayon ay medyo serious din. Kaya ako nagpatawag ng meeting na ito ay para maintindihan ng lahat kung ano ang puno't dulo at kung ano ang posisyon ng ating kompanya sa mga malisoyong accusation na binabato sa atin.

Hindi pa nagtatagal – wala pa sigurong dalawang linggo ang nakalilipas – ng tayo ay mga nagsama ng masasaya nung ating Christmas Party. Naandon ang mga magagandang artista, ang dami kong nakain na sitsaron na Lapid na hanggang ngayong ay aking pinagbabayaran, at ating sinariwa ang ating mga tagumpay noong nakaraang taon na malapit na magtapos.

Nung mga oras na iyon, medyo nakarating sa akin ang balita na meron daw bombang papuputikin na hindi nga kwitis ang ating ka-competensya sa negosyo na ito.

Alam nating lahat na di madali ang ating pinagdaanan at hindi din madali ang ating mga sinuong upang makamtam ang pagiging number one at least sa Mega Manila at sa buong Luzon. Ika nga ang ating pinuhunan ay blood, sweat and tears.

Pero sa angking galing ng mga Kapuso, tayo ay nagtagumpay.

Kung tutuusin, di rin naman naiiba ang pakikipaglaban sa mga panahon ngayon. Ibayong pagsisikap, ibayong pagpupunyagi at ibayong kagalingan ang kailangan pa rin upang patuloy tayong magtagumpay lalo na ngayon na tayo ang number one.

Ang importante sa atin ay makapaghahatid tayo ng tama at responsableng balita at impormasyon at makapagpapasaya tayo ng milyon-milyong manonood sa pamamagitan ng ating mga quality entertainment programs.

We got to where we are today because we remain focused on our shared objective to give the Filipino people a better choice. We, as a group, did not fail our publics... nor ourselves. Instead

of going the safe and easy route of sitting back and relaxing in the comforts of being second best, we rolled our sleeves and fought fair and hard to be number one. The viewing public and the advertisers rewarded us well. We rode high in both ratings and revenues on the wings of the public's trust. *Ito ay maipagmamalaki natin kahit kanino at kahit saanman sa mundo.*

Today, we are going stronger than ever before... *ngunit sabi nga ng mga nakakatanda, "Kapag hitik sa bunga ang isang puno, ito ay pinupukol." Kaya para sa akin, di naman ito isang masamang pangitain, ngunit isang tuwirang pag-amin ng kalaban na sa totoo lang, talagang tinitingala at ginagaya nila tayo ngayon.*

So modesty aside, the competition is most certainly quaking in its boots, running scared so to speak. And this is not only manifested in programming and other changes that they have effected but quite lately, the desperate attempt to discredit GMA Network in the eyes of its advertisers and viewers.

After a few days of merely beating around the bush, ABS CBN has openly mentioned GMA Network as the one responsible for tampering of AGB Nielsen's ratings. They attribute the accusation to AGB Nielsen even as the rating agency's general manager herself denies making such accusation against GMA Network.

We have already categorically denied this false accusation. We are not required to disprove it but ABS-CBN, the one who made the accusation, is required to prove it. It must prove its malicious accusation, and, if it fails to do so, then it must suffer the consequences.

"Courage" as Winston Churchill once said, "is what it takes to stand up and speak; courage is also what it takes to sit down and listen."

Well, we have listened long enough. The time has come for us to stand up and speak. For not only are some people trying to tarnish our reputation, they are also trying to insult the intelligence of millions of Kapusos all over the country, and the world, with lies and malicious accusations.

Amidst all of these, let not emotions cloud our reason, nor heated argument, our good judgment.

As you are clearly in the first line of battle, I called this general assembly to give you nothing less than a full and clearer picture of the issue. We are here together so that within and outside the walls of Studio 3, we can look people in the eye and give honest answers to questions. Together, we will tell people the truth.

ABS-CBN is trying to hit us at the heart of our strength as an organization --- that is our integrity and credibility. This current demolition job, spearheaded by no less than the highest officers of their company, is waged to damage the Kapuso character as it is their hope to humble us both in ratings and in revenues.

But there is nothing to fear, mga Kapuso, we have barely said our piece. And we are certainly not going to take this sitting down.

Let us take comfort in the words of another great man, Plato, who said, "Courage is knowing what not to fear."

We fear not their accusations because we are not guilty. We fear not the possible repercussions of these malicious attacks because our conscience is clear.

We play fair and expect to be treated fairly. We believe in the just discernment and understanding of the public—that they will not be swayed by false and malicious charges; they will not judge with prejudice; and that they will see through the real intent of the people behind the accusations.

Our lawyers will soon file libel charges against ABS-CBN.

We will certainly give them a good fight not just in the courts, but in the hearts and minds of the people.

That is why all of us need to fully understand the issue and what is happening, speak with one voice and move in one direction. The officers and people concerned will walk us through what we did, what we are doing and what we intend to do.

To ABS-CBN, let me say, while "It is true that you may fool all of the people some of the time; you can even fool some of the people all the time; but you can't fool all of the people all the time."

As we all begin to ponder on those words of wisdom from Abraham Lincoln, let us watch the plug we have been airing in all our platforms: radio, TV and GMA Pinoy TV. After which the officers concerned will present to you facts, figures and materials about the issue we are facing in the coming days.

Thank you for your attention.

GMA Plug (December 24, 2007)

Sa affidavit ni Maya Reforma ng AGB Nielsen, walang anumang sinabi o inaming may naganap na dayaan at na GMA ang nasa likod nito.

Patuloy man po ang ibinabatong mga maling paratang sa atin, hindi po matitinag ang buong puwersa ng GMA Network.

Buo po ang loob ng GMA na kasuhan ang ABS-CBN dahil sa mali at malisyoso nitong ulat na GMA ang nasa likod ng umano'y pagmamaniplula sa ratings.

Gaya ng inyong pagkakakilala, hindi po istilo ng GMA ang mandaya.

Lumalaban po tayo nang patas at pinaghihirapan ang bawat panalong ating natatamo - tulad ng ating pangunguna ngayon sa Luzon, Mega Manila at Metro Manila.

Namumuhunan po tayo nang malaki upang mapalakas ang signal at maglunsad ng mga lehitimong promosyon upang mas mapanood at makilala ang mga programa ng GMA sa Visayas at Mindanao.

Sa gitna ng paninira at pagbibintang, patuloy pong maghahatid sa inyo ang GMA ng mga pinakamahuhusay na programa sa entertainment at news and public affairs sa ngalan ng serbisyong totoo.

Lalaban po tayo kung kinakailangan para ipagtanggol sa tamang lugar at paraan ang ating matagal nang iningatan at pinagtibay na reputasyon.

Tayo po ay mananatiling mahinahon, makatuwiran at responsable sa ipinaglalaman nating ito.

Tiwala po kaming mangingingibaw rin ang katarungan at ang katotohanan.

Maraming salamat po sa inyong di-natitinag na pagtitiwala.

GMA Plug (January 06, 2008)**Grfx:**

DAHIL SA MGA MAPANIRANG ULAT AT PAHAYAG NA UMERE SA MGA PROGRAMANG "Walang Preno" (DZMM), "Showbiz Mismo" (DZMM), "Bandila" (ABS-CBN), "Entertainment Live" (ABS-CBN), "The Buzz" (ABS-CBN),

VO:

nagsampa po ng kaso ang GMA laban sa ABS-CBN at labinlimang empleyado at opisyaes nito.

Amin pong pinaninindigan ang nauna naming pahayag na walang sinabi ang AGB Nielsen saan man sa kanilang affidavit o interview na nandaya ang GMA sa ratings o na sangkot ito sa diumano'y pagmamaniplula ng ratings sa Bacolod City.

Paulit-ulit na binabaluktot at hindi inilalabas ng ABS-CBN ang buong pahayag ni Maya Reforma upang palabasing inamin nito na GMA ang nasa likod ng ratings manipulation.

Ipinaglalaman po noon at ngayon ng GMA ang malayang pamamahayag subalit hindig-hindi natin mapalalampas ang mapanirang pagbabaluktot sa katotohanan tulad ng ginagawa ng ABS-CBN.

Grfx:

Isinampa po namin ang kasong ito upang malaman ang buong katotohanan ng sambayanan, kapuso man o kapamilya – hinggil sa diumano'y pandaraya sa ratings.

Wala pong katumbas na halaga ang pangalang pilit na dinudungisan ng mga alegasyon ng kanilang mga nagkukubling impormante na walang ipinapakitang ebidensya.

Gaya ng aming pangako, lumalaban tayo sa tamang lugar at paraan.

Tiwala po kami na sa huli'y
MALALAMAN ANG BUONG KATOTOHANAN.
AT MAKAKAMIT NATIN ANG KATARUNGAN.

ANG PATULOY NINYONG TIWALA AT PAGTANGKILIK
ANG PINAKAMALAKI NAMING KARANGALAN, MGA KAPUSO
Maraming, maraming salamat po.

The real issue on the ratings

Mark Dumago, ABS-CBN's informant, claimed that he worked with GMA Bacolod and was tasked by "GMA Kapuso" to monitor gadgets and metered devices installed by AGB Nielsen. GMA's stand is that apart from being improbable, the claims of ABS-CBN's informant are also illogical.

Dumago claims that he and his team spotted around 89 meter devices in Bacolod. However, Bacolod City TV homes account for only a small percentage of total TV homes in Urban Visayas and Urban Philippines. Based on estimates/projections, they only contribute about 7.9% of total TV homes in Urban Visayas and about 1.5% in Urban Philippines (percentages were computed using TV household population projections as derived from the 2000 NSO Census of Population and Housing, and the 1995-2000 Growth Rate by Area from the ACNielsen Phil. Factbook 2000, Proportion of TV Ownership).

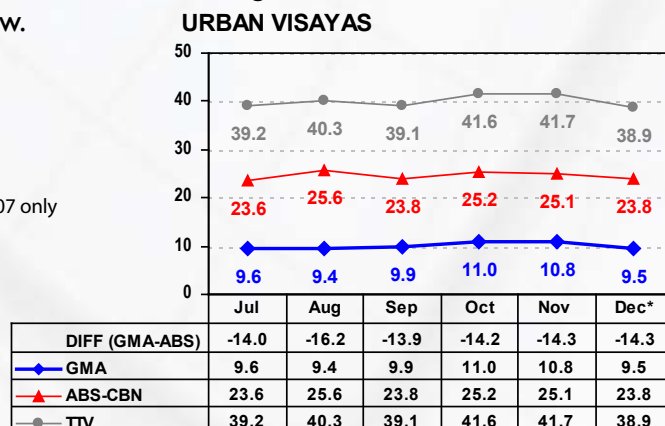
AREA NAME	% TO TOTAL URBAN PHILS. TV HHs (2007)	% TO TOTAL URBAN VISAYAS TV HHs (2007)
TOTAL PHILIPPINES	100	---
TOTAL VISAYAS	14.1*	100
BACOLOD CITY	1.5**	7.9**

* Based on AGB Nielsen Media Research 2007 NUTAM population projections
 ** Percentages were computed using TV household population projections as derived from the following sources:
 - 2000 NSO Census of Population and Housing
 - AC Nielsen Phil. Factbook 2000, Proportion of TV Ownership

Based on these percentages, there should only be around 32 meters in Bacolod City. The alleged number of meter devices – 89, as claimed by ABS-CBN's informant – is more than double the number of metered TV homes that should be in Bacolod.

While there is no ratings service for Bacolod City alone the NUTAM services of AGB provides the ratings for Urban Visayas of which Bacolod City accounts for a small proportion as shown in the above table.

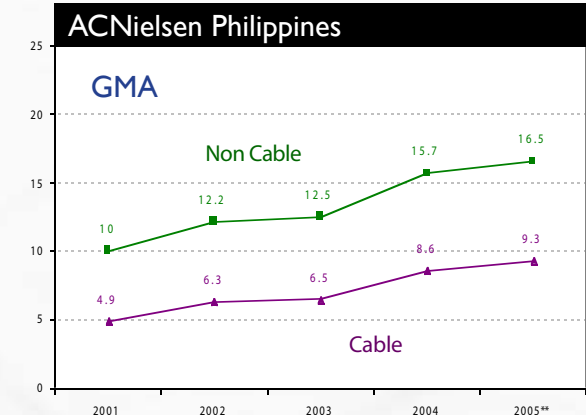
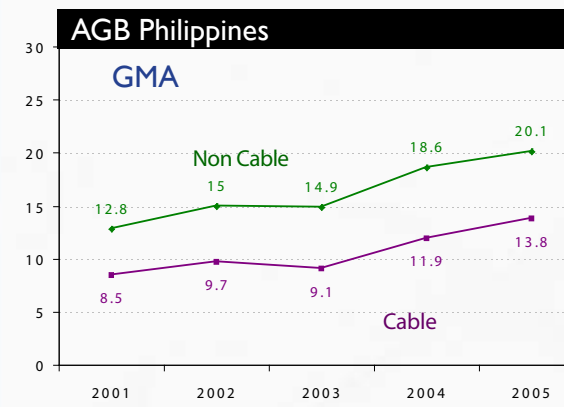
If GMA really paid panel homes to switch channels, then a significant improvement in GMA's ratings should be evident in the area. However, looking at the record of the past 6 months, there has been no substantial ratings movement for both GMA and ABS-CBN in Urban Visayas as shown below.



* Available data until Dec 15, 2007 only

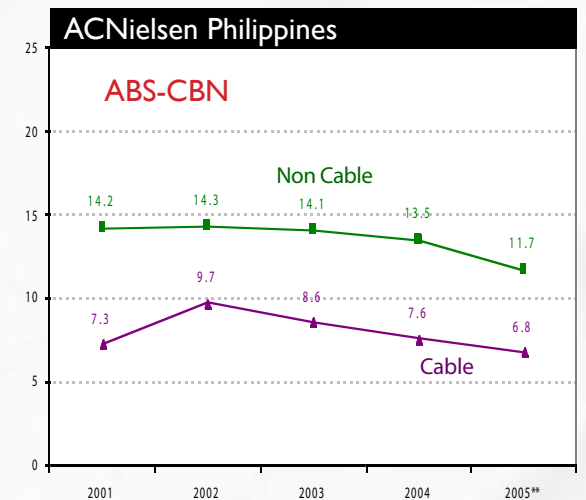
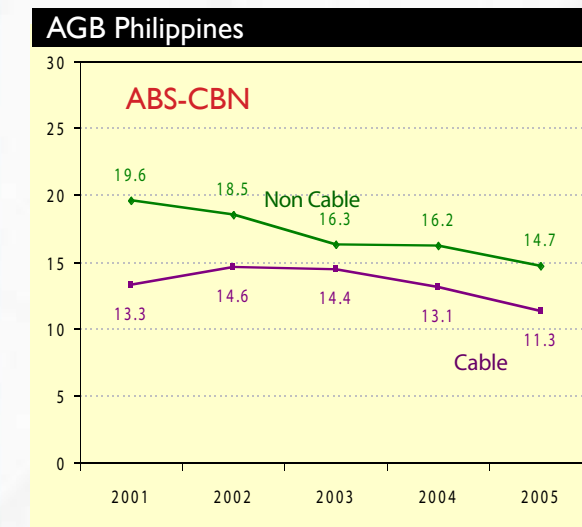
Ratings Differences Between Non-Cable and Cable TV Homes in Mega Manila

From 2001-2005 when there were two existing ratings suppliers, AGB Phils. and ACNielsen Phils., GMA ratings among non-cable and cable TV homes in Mega Manila more or less showed a consistent ratings gap. Understandably, the cable ratings registered lower levels than the non-cable ratings considering that cable homes have more program/channel options than non-cable homes.



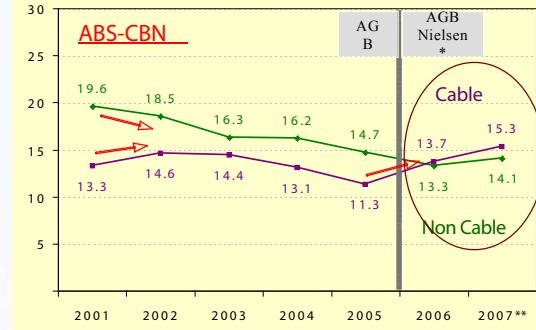
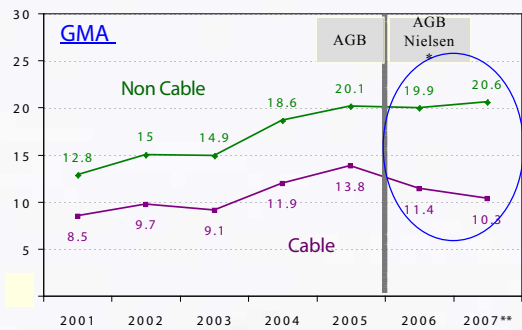
* Coverage Period is until Dec 30, 2005
 ** ACNielsen ratings service was terminated effective Oct. 9, 2005.

ABS-CBN's cable to non-cable ratings in the ACNielsen Phils. data from 2001-2005 also showed a similar ratings gap between cable and non-cable. In contrast, AGB Phils. data showed ABS-CBN having a narrowing gap between cable and non-cable ratings beginning 2002.



* Coverage Period is until Dec 30, 2005
 ** ACNielsen ratings service was terminated effective Oct. 9, 2005.

In 2006, with the merger of AGB Phils. and ACNielsen Philippines' ratings services in Mega Manila using the AGB panel, GMA ratings gap between cable and non-cable homes further widened whereas ABS-CBN's cable ratings started to overtake its non-cable ratings level and still continues to pull-away from the latter.



* AGB Nielsen panel replaced AGB panel beginning Dec 4, 2005
 ** Coverage Period is until Dec 15, 2007 only

Programs/channel preferences of non-cable and cable TV homes in Mega Manila are so disparate in the AGB Nielsen ratings survey. While GMA dominates (18 out of Top 20 programs) in the non-cable TV homes, it captures only 2 out of the Top 20 Programs across cable TV homes as the rest in the list are all ABS-CBN programs.

NON-CABLE TV HOMES

Rank	Program	Chn	Rating%
1	MARIMAR	GMA	50.1
2	KAMANDAG	GMA	46.8
3	ZAIDO	GMA	42.7
4	BITOY'S FUNNIEST VIDEOS YARI KA!	GMA	39.0
5	24 ORAS	GMA	37.4
6	KAPUSO MO JESSICA SOHO	GMA	35.4
7	LA VENDETTA	GMA	35.2
8	KAP'S AMAZING STORIES	GMA	34.5
9	KAKASA KA BA SA GRADE 5?	GMA	34.0
10	TOKI TOKI TOKI ISANG MILYON PASOK	GMA	33.6
11	MEL & JOEY	GMA	31.0
12	KAPUSO SINE SPECIALS	GMA	30.6
13	IMBESTIGADOR	GMA	26.6
14	SINE NOVELA - KUNG MAHAWI MAN ANG ULAP	GMA	26.4
15	DAISY SIETE	GMA	26.2
16	KOKEY	ABS-CBN	26.1
17	WHAMMY!	GMA	26.0
18	HWANG JINI	GMA	25.6
19	EAT BULAGA	GMA	25.1
20	TV PATROL WORLD	ABS-CBN	24.9

CABLE TV HOMES

Rank	Program	Chn	Rating%
1-2	PINOY BIG BROTHER CELEBRITY EDITION 2	ABS-CBN	30.9
	MARIMAR	GMA	30.9
3	TV PATROL WORLD	ABS-CBN	30.6
4	PINOY BIG BROTHER CELEB ED 2: 3RD EVICTION NIGHT	ABS-CBN	29.2
5	PRINCESS SARAH	ABS-CBN	28.3
6	PANGARAP NA BITUIN	ABS-CBN	27.8
7	KOKEY	ABS-CBN	27.4
8	PINOY BIG BROTHER CELEB ED 2: 2ND EVICTION NIGHT	ABS-CBN	26.0
9	YSABELLA	ABS-CBN	25.7
10	LASTIKMAN	ABS-CBN	25.4
11	RATED K: HANDA NA DA KAYO?	ABS-CBN	24.6
12	1 VS 100	ABS-CBN	24.3
13	PINOY BIG BROTHER CELEB ED 2: 3RD NOMINATION NIGHT	ABS-CBN	24.0
14	KAMANDAG	GMA	23.7
15	TV PATROL SABADO	ABS-CBN	23.1
16	XXX EXKLUUSIBONG EXPLOSIBONG EXPOSE	ABS-CBN	22.8
	GOIN' BULIT	ABS-CBN	22.2
17-19	KAPAMILYA DEAL OR NO DEAL	ABS-CBN	22.2
	MAALALA MO KAYA	ABS-CBN	22.2
20	TV PATROL LINGGO	ABS-CBN	21.4

It is only in the Philippines that the ratings of programs of non-cable or freeTV households exhibit a very different behavior from the cable households. Coincidentally, the Philippines is the only country in the world where a competing free-to-air TV station operates or controls the dominant cable company. The owners of ABS-CBN directly or indirectly operate the country's largest cable company.

GMA Network has been sending letters to AGB since 2003, long before ABS-CBN's complaint. These letters show how much the Network wants to find out if there are indeed irregularities in the ratings data gathering process. GMA cited that ABS-CBN – through the dominant cable operator – can gain undue advantage because cable personnel, in the course of their work, can come across homes where AGB Nielsen has placed its meters.

Expanding the Kapuso Reach and Improving Reception Quality

GMA's Major Infrastructure Projects

GMA Network continues to pursue its commitment to provide superior entertainment and responsible delivery of news and information to the Filipino wherever he may be. That is why the Kapuso Network is spending considerable amounts of money and is tireless in its efforts to improve its signal and reach throughout the Philippines.

Upgrading of facilities started in 2004 and the expansion program continues to be implemented. From 2004 to 1st Quarter 2008, GMA Network will spend P665 million to strengthen its reach and signal throughout the Philippines. To date, it has completed the following major TV infrastructure projects:

Major TV Infrastructure Projects of GMA

Davao TV Transmitter Facility Upgrade
 Completed in January 2004
 Covers Davao City and surrounding cities and municipalities
 Project Cost: P44 Million

Tandang Sora TV Transmitter Facility Upgrade
 Completed in November 2005
 Covers Metro Manila and Mega Manila
 Project Cost: P197 Million

Bacolod New TV Relay Station
 Completed in December 2005
 Covers Bacolod City and surrounding municipalities
 Project Cost: P28 Million

Sto. Tomas, Benguet TV Transmitter Facility Upgrade
 Completed in January 2007
 Covers Dagupan City and Baguio City along with their surrounding cities and municipalities
 Project Cost: P45 Million

General Santos TV Transmitter Facility Relocation and Upgrade
 Completed in March 2007
 Covers General Santos City and surrounding municipalities
 Project Cost: P23 Million

Cagayan de Oro New TV Relay Station
Completed in April 2007
Covers Cagayan de Oro City and surrounding municipalities
Project Cost: P21 Million

Legazpi TV Transmitter Facility Rehabilitation and Upgrade
Completed in October 2007
Covers Legazpi City, Daraga and surrounding municipalities
Project Cost: P25 Million

Iloilo Studio Complex
Operational September 2007
Complete broadcast facilities and OB Van
Project Cost: P15 Million

This year, the company is undertaking the following projects:

Naga New Studio Complex
Plan detailing on-going
Complete broadcast facilities and OB Van
Project Cost: P43 Million

Naga TV Transmitter Facility Relocation and Upgrade
For completion in January 2008
Covers Naga City and surrounding municipalities
Project Cost: P56 Million

Batangas TV Transmitter Facility Upgrade
For completion in January 2008
Covers Batangas City, Lipa City and surrounding municipalities
Project Cost: P25 Million

Cebu TV Transmitter Facility Upgrade
For completion in May 2008
Covers Cebu City, Lapu-lapu and surrounding municipalities
Project Cost: P70 Million

Dagupan New Studio Complex
For completion 1st Qtr 2008
Complete broadcast facilities and OB Van
Project Cost: P41 Million

Davao New Studio Complex
For completion 1st Qtr 2008
Complete broadcast facilities and OB Van
Project Cost: P32 Million

GMA Undertakes Regional TV promo activities in provincial areas (on-ground and on-air promotions)

GMA Network's regional promotional activities are legitimate and not specifically targeted at AGB Nielsen panel homes as alleged by ABS-CBN, Regional TV Head and News and Public Affairs AVP Rikki Escudero clarifies.

"All promotional activities engaged in by GMA Regional TV are above board and are not targeted at AGB Nielsen panel homes, but rather, to the general population," Escudero said as she enumerated the promos done in provinces during the December 27 General Assembly.

"Most of our promo activities are in Cebu, Iloilo and Davao where GMA 7 and has originating stations. When compared to GMA's list of activities, it can be seen that GMA is not the only network touring different barangays in various provinces. It can be seen that competition is also aggressive in its promotional activities in various barangays in the provinces, Escudero added.

It is to be noted that ABS-CBN has over 20 regional stations nationwide, including one in Bacolod City.

GMA Network has **no** originating station in Bacolod – as such, no weekly *barangayan* and other field promo efforts were done in that area. GMA promo activities in Bacolod are limited to participation in the Masskara Festival.

Total RTV Promo Cost 2007

1. Sinulog Festival (Cebu)	P2,866,206
2. Dinagyang Festival (Iloilo)	P5,061,432
3. Araw ng Dabaw (Davao)	P1,950,765
4. Kapuso Day Cebu	P5,306,756
5. Kapuso Day & Medical Mission (Iloilo)	P4,586,549
6. Kadayawan Festival & Kapuso Day (Davao)	P7,800,255
7. Masskara Festival (Bacolod)	P5,435,450
8. Medical Mission in Cebu	P2,832,012
9. Medical Mission in Davao	P2,955,479
10. Kapuso Tutok, Suwerte Pasok (On-Air – Cebu, Iloilo and Davao)	P 555,000
11. Kapuso Tutok, Suwerte Pasok (Field – Cebu, Iloilo and Davao)	P1,017,000
12. Weekly Barangayan 2007 (Cebu, Iloilo, and Davao)	P1,200,000
13. Komiks Distribution (Cebu)	P 233,535
14. Bgy. T-shirt Distribution (Cebu, Iloilo, Davao)	P 249,787
15. Tricycle Merchandising (Cebu)	P 282,895
16. Vendor T-shirt Distribution (Cebu)	P 249,040
17. Billboards for 2007 (Outside of Metro Manila)	P18,500,000
18. Print Ads for 2007 (Regional Papers)	P 1,200,000

TOTAL

P62,033,413

Comparative Promo Activities

Area: Davao

	GMA NETWORK, INC.	ABS-CBN BROADCASTING CORPORATION
On-Air Promo	<ul style="list-style-type: none"> Sponsored On-Air Promo: "Kapuso Tutok, Swerte Pasok" Trivia Promo on Testigo 	<ul style="list-style-type: none"> "Kwarta sa TV" Promo on primetime programs "Trivia" Promo through on-air crawlers on primetime programs
Barangay Activities	<ul style="list-style-type: none"> Weekly "Kapuso Barangayan" 	<ul style="list-style-type: none"> "Barangay Kapamilya Patrol"
Events	<p>GMA-7 Regional TV activities:</p> <ol style="list-style-type: none"> Araw ng Dabaw Kadayawan Festival/Kapuso Day Kapuso Serbisyo: Medical Mission 	<ul style="list-style-type: none"> ABS-CBN Regional Network and locally-initiated activities (like mallshows, festival participations, medical missions, etc.)
Outdoor	<ul style="list-style-type: none"> Stationary and Roving Billboards (N&PA and entertainment programs like Kamandag, La Vendetta, Hwang Jini, etc.) 	<ul style="list-style-type: none"> Stationary Billboards (news and entertainment programs like TV Patrol Southern Mindanao, Lastikman, Princess Sarah, etc.)
Other Efforts	<ul style="list-style-type: none"> Sponsored on-ground "Kapuso Suki Cards" Promo (giving away of GMA merchandise) and Radio promo (prizes: household items like laundry soap, noodles, etc.) "Manuod at Manalo (house-to-house)" Promo – August to September 2006, February to April 2007 	<ul style="list-style-type: none"> Field Campaign/House-to-house Promo for TV and Radio (giving away grocery packs, tshirts, bags, sticker campaigns on public utility vehicles)

Cebu:

	GMA NETWORK, INC.	ABS-CBN BROADCASTING CORPORATION
On-Air Promo	<ul style="list-style-type: none"> Sponsored Promo: "Kapuso Tutok, Swerte Pasok" Trivia Promo on Balitang Bisdak 	<ul style="list-style-type: none"> "Catch the Cash" Promo (prizes: Php3,000 – 10 winners every week) "Kwarta'g Ulan sa Primetime" Promo
Barangay Activities	<ul style="list-style-type: none"> Weekly "Kapuso Barangayan" 	<ul style="list-style-type: none"> "Barangay Kapamilya Patrol"

Events	<ul style="list-style-type: none"> GMA-7 Regional TV activities: <ol style="list-style-type: none"> Sinulog Festival Kapuso Day Kapuso Serbisyo: Medical Mission 	<ul style="list-style-type: none"> ABS-CBN Regional Network activities (like Kapamilya Fun Run, Halad sa Kapamilya (job fair), mallshows, festival participation, medical missions, etc.)
Outdoor	<ul style="list-style-type: none"> Stationary and Roving Billboards (N&PA and entertainment programs like Kamandag, La Vendetta, Hwang Jini, etc.) 	<ul style="list-style-type: none"> Stationary Billboards (news and entertainment programs like TV Patrol Southern Mindanao, Lastikman, Princess Sarah, etc.)
Other Efforts	<ul style="list-style-type: none"> Sponsored on-ground "Kapuso Suki Cards" Promo (giving away of GMA merchandise) and Radio promo (prizes: household items like laundry soap, noodles, etc.) "Manuod at Manalo (house-to-house)" Promo –September to October 2006, January to March 2007 	<ul style="list-style-type: none"> Bayan Foundation: Micro-Finance Lending Scheme (3.3-4% interest per month; weekly collection) Field Campaign/House-to-house Promo for TV and Radio (giving away grocery packs, tshirts, bags, sticker campaigns on public utility vehicles)

Iloilo:

	GMA NETWORK, INC.	ABS-CBN BROADCASTING CORPORATION
On-Air Promo	<ul style="list-style-type: none"> "Sponsored On-Air Promo: "Kapuso Tutok, Swerte Pasok" Trivia Promo on Ratsada 	<ul style="list-style-type: none"> "Maria Flor De Luna" Promo (prizes: cash prizes and Maria Flor De Luna merchandise) "Pabuenas sa Bagong Palabas" Promo (prizes: cash prizes)
Barangay Activities	<ul style="list-style-type: none"> Weekly "Kapuso Barangayan" 	<ul style="list-style-type: none"> "Barangay Kapamilya Patrol"
Events	<ul style="list-style-type: none"> GMA-7 Regional TV activities: <ol style="list-style-type: none"> Dinagyang Festival Concert and Medical Mission 	<ul style="list-style-type: none"> ABS-CBN Regional Network activities (mallshows, festival participation, medical missions, etc.)



Outdoor	<ul style="list-style-type: none"> • Stationary and Roving Billboards (N&PA and entertainment programs like Kamandag, La Vendetta, Hwang Jini, etc.) 	<ul style="list-style-type: none"> • Stationary Billboards (news and entertainment programs like TV Patrol Southern Mindanao, Lastikman, Princess Sarah, etc.)
Other Efforts	<ul style="list-style-type: none"> • Sponsored on-ground "Kapuso Suki Cards" Promo (giving away of GMA merchandise) and Radio promo (prizes: household items like laundry soap, noodles, etc.) • "Manuod at Manalo (house-to-house)" Promo -September 2006, February to March 2007 	<ul style="list-style-type: none"> • Bayan Foundation: Micro-Finance Lending Scheme (3.3-4% interest per month; weekly collection) • Field Campaign/House-to-house Promo for TV and Radio (giving away grocery packs, tshirts, bags, sticker campaigns on public utility vehicles)

GMA House to House promotions (2005-2007)

Dagupan (2005) P 8.2M
 Cebu / Iloilo / Davao (2006) P 9.9M
 Cebu / Iloilo / Davao (2007) P 10.6M
TOTAL P 28.859 M

*No house-to-house promo in Bacolod at anytime

Essential Facts:

FACT #1

House-to-House Promo was NEVER conducted in BACOLOD.

Promo was conducted in Dagupan, Cebu, Iloilo, and Davao.



FACT # 2

Promo efforts are NOT SPECIFIC to identified individuals or TV Panel Homes

The objective is to reach as many viewers to introduce GMA and its programs to the local audience.

FACT # 3

House-to-House Promo was NOT a COVERT operation.

House-to-House Promo was aggressively advertised via TV / Radio / Print and On-Ground for maximum awareness in each locality.

Ikaw na ang sunod nga winner!

GMA

Magtan-aw kag Magdaug, Kapuso?

P 5,000

HUCALLA, SUSANA A.

CELLPHONES

BAUTISTA, RENANTE F.	NALUMEN, GERALD	ESLABAN, ROSEMARIE T.	JULLEZA, NORY E.
GALESA, DOLORES	JARBADAM, MELINDE	DONGUILA, RONALD B.	ANDON, LORLENE S.
GREGORIOS, EMELYN	DOLOSA, MARYJEAN	MENIL, NERISSA	

P 500

GALLENERO, ROGER P.	GUADALUPE, TOMOLTO G.	DEASIS, MA. LELAINE	TAMONAN, ASONCION H.
LENTOCO, ELENA A.	ESMAYA, MA. THERESA	PINEDA, HERMINIA K.	CARO, MAGDALENA
MAPRANGALA, LACILE P.	MEÑEZA, MICHELLER.	FORMACION, JOSEPHINE P.	ADIO, MARY BEE C.
MOLAGA, JECY	GALON, AURELIO M.	VASQUES, DANILO L.	MONTERO, ANGELITITA
JOCABA, CLARITA	GELLO-AGAN, EMILY A.	HOSARIO, DIONISIO SR. S.	POÑATE, SHIRLEY T.
HORILLA, ANABEL	TALLEDO, ZEMONETTE	SOLINAP, WILLIAM P.	TAN, JEFFERSON U.
BELIRAN, ERLINDA	MOSQUEDA, NELMAR D.	RAMIRES, MARTA R.	QUILING, ROSALINA T.
CORDOVA, JULIUS	CUBAY, JASMIN S.	SUPERAL, DOMINGO P.	ALEMARIN, EMELY B.
ALVAREZ, MORITA	LECOBO-AN, ALICE A.	PALMES, ERMA P.	CALIXTRO, LINETTE V.
GARNICA, ANTONIETA	DEGARA, ROTCHEL M.	HELLARES, DECERY	TAGUD, MARITES D.
MENDOZA, ALLAN	BERNADAS, ALICIA N.	VILLALONA, ALFA	BONDOLIAN, PACITA D.
TABUGO, YULY	LEGISLADOR, ALEX R.	AMBOY, NOEMI G.	CARO, ALMA G.
FILAMOR, REMIA J.	ANIMAS, NELSON Y.	SILVANO, MERLINDA S.	ARGEL, EDUARDO JR. F.
GUION, CELSO R	BELLIONES, FIEL M.	MENDIOLA, ALEJANDRO A.	JACOMA, CARMIELO G.
ARCEDE, MA. FE	MARAVILLA, MELANIE S.	JIMENIA, NELLY A.	JAYNOS, VICTORIA P.
ARENAL, JOSEPHINE M.	ANIMAS, NELSON A.	ABAYGAR, ROGIE ROY D.	AGUDELO, REBECCA A.
ELERAN, EILEN ROSE S.	ESTORRENOS, MARY GRACE	LAUREANO, WINNIE B.	ELMAR, FRANCISCO J.
JADERA, MAXIMA D.	PURZUELO, HAZEL M.	SIACON, EXALTACION L.	CALUBID, ROJAN A.
BERMEJO, FELY	TARAS, AIMEE	JONGAY, REY R.	SUPRESENSIA, LERMA P.
PORTUGUESE, GERALDINE P.	PURZUELO, GINA M.	CARISMA, MARY HOPE D	VELADO, SERVINA M.
JIMENEZ, EMMA S.	ALLADO, JOCEY A.	MATUNDING, LIZA J.	BOGO, DELIA L.
MAFFER, JOY C.	DEJONGOY, ELZA R.	GUASIN, ELMER R	PASIGNASIGNA, TESSIE M.
MENDEZ, PATRICIA P.	GOMEZ, HERMINIA P.	SEVILLE, JOSEMARIE A.	PLANDO, GINA A.
GUEVARRA, EREBENTO B.	PIDO, LINDA M.	CARO, ANA G.	DE ASIS, JOYCE
GUEVARA, TERESITA G.	ENRIQUEZ, ALMA E.	MONDARIO, NOEL E.	CHAVEZ, GLORIA
SABAN, AZUCENA V.	MAGUAD, NORA A.	CONLU, VENCENTE	DE CASTRO, GERWIN H.
BAYOGOS, EDITHA G.	ROJO, MARILOU P.	COMODA, ERNA	BITUON, RAUL
BAYOGOS, EVELYN E.	MAGBANUA, ADELENA L.	MENDEZ, JOSELITA S.	PACHEJO, JULIE GRACE
GUMBAN, ANNA MAE P.	PROBIDO, JONEL C.	FANDAGANI, ELIZABETH	EBON, MARIA
RAFAEL, ALBERTO G.	MANIKA, CHRISTY S	DALIVA, MARIBEL	JALANDONI, ARLENE B.
HILARIO, JEANIEVEE D.	ADAVANZAS, ELMER C.	COMODA, JENEFER	PAPELERA, AILYN L.
DEL CARMEN, JERRY	BITO-ON, SALVACION C.	OCA, TARSILLA	YUSON, LEA H.
BELARMINO, JENNIFER	WOPUETO, MAURO W.	LEBUNA, LOILA	SIPE, JOVANI M.
FORMACION, GREG	PEÑAFLORENDA, WILLIANITA V.	PALOMAR, CATALINA P.	DORMIDO, NILA B.
ABANGAN, RUCHELE	TACDORO, MARIA CORAZON	ADELASTE, NONITO H.	

Kag libo-libo pa ang nagdaug sang Kapuso Pa-premyo.

TUTOK LANG SA GMA TV-6

For more details, tune in to

93.5 CAMPUS RADIO

SUPER RADIO

GMA Network files libel case against ABS-CBN

GMA Network filed a civil case for damages for libel against ABS-CBN, its executives and talents on January 3, 2008 at the Quezon City Regional Trial Court.

The case stemmed from alleged erroneous and malicious news reports and commentaries aired by ABS-CBN in its TV and radio programs that pointed to GMA Network as responsible for the alleged TV ratings manipulation in Bacolod.

Included as respondents in the libel case were DZMM station manager Angelo Palmones, DZMM news manager Alona Magtalas, DZMM reporter Junrie Hidalgo, DZMM hosts Cristy Fermin and Jobert Sucaldito, Bandila Over-all-In-Charge of Production Luchi Cruz-Valdes, Bandila Executive Producer (EP) Boyet Agustin, Legal Department Head Atty. Maximilian Uy, Bandila host Korina Sanchez, Entertainment Live Over-all-In-Charge of Production Malou Santos and Luis Andrada, Entertainment Live EP Lani Gutierrez, Entertainment Live and The Buzz headwriter Romer Gonzales, The Buzz EP Nancy Yabut, and The Buzz headwriter Ian Reyno.

GMA Network stated in its complaint that ABS-CBN made it appear in its TV and radio programs that GMA-7, “rigged, manipulated the ratings in Bacolod and that Ms. Reforma admitted in that (DZMM) ambush interview that GMA-7 was behind the ratings manipulation.”

It added that “nowhere in Ms. Reforma’s affidavit submitted in court did she accuse or state that GMA-7 cheated in the ratings nor was it involved in the ‘ratings manipulation’ in Bacolod City...”

“In reckless disregard of truth, with malice and in bad faith, and with obvious intent to defame and ridicule GMA Network before the public, ABS-CBN distorted, spliced off, and suppressed the accurate and complete statements of Ms. Reforma.”

The systematic and repetitious airing of substantially the same malicious statements by ABS-CBN in different programs, by different anchors and talents, and on different dates show the acts were “orchestrated, scripted, and intentionally perpetrated to defame, impeach, and besmirch the reputation of GMA-7.”

GMA Network clarified that it is not preventing the media from doing its job by filing this case against ABS-CBN.

What the Network is preventing is the distortion of the statements, which is being done by ABS-CBN.

GMA Network is being tried through publicity where there are no rules. This is the reason why the Network filed the complaint in court where there is a procedure for the parties to prove

Cristy Fermin: Grabe

Jobert Sucaldito: Inamin na nila ha. Ito'y matapos silang idemanda ng ABS-CBN kasunod ng paglapit ng isang impormante mula sa Bacolod na nagsabing namamanipula umano ang mga resulta kaya hindi nito isinasalamin ang tunay na ratings ng mga programa sa telebisyon.

xxx xxx xxx

Cristy Fermin: Ang linaw eh, eto, sa isang panayam matapos ang pagdinig ng injunction case na isinampa ng ABS-CBN doon sa sala ni ano, tahasan pang itinuro ni AGB Nielsen General Manager Maya Reforma ang GMA Network na siyang nasa likod ng sinasabing pagmamaniplula ng survey ng TV ratings.

(Emphasis supplied)

xxx xxx xxx"

A copy of the transcript of the show/broadcast is hereto attached as **Annex "D"** and made an integral part hereof;

13.3. On **December 20, 2007**, defendant ABS-CBN and defendants Cruz-Valdes, as the Over-all-In-Charge of Production, and Agustin, as the Executive Producer, of ABS-CBN's television program "Bandila", released and aired over said television program an episode in which its host, defendant Korina Sanchez, and guest, defendant Atty. Maximilian Uy, made the following defamatory statements against the plaintiff:

"Atty. Maxim Uy (Director for Legal Services, ABS-CBN): Inaamin ng AGB na merong tinatawag na tampering ng panel homes. Ibig sabihin non ... may mga aktibidades na sadyang ginagawa ng isang tao, ng isang broadcasting network na para maiba yung tamang ratings.

"Korina: Sa isinumite ring mga dokumento ng AGB sa korte, inamin nito na 79 sa 532 nilang panel homes and na-expose **sa mga gawain o efforts ng GMA-7 network.** Batay sa statistical tests ng AGB lumalabas na 16 na panel homes kinakitaan ng malaking epekto at pumanig sa GMA-7. Para sa ABS CBN, ito'y malinaw na manipulasyon ng data at malaki ang epekto nito sa ABS-CBN." (Emphasis supplied)."

A copy of the transcript of the show/broadcast is hereto attached as **Annex "E"** and made an integral part hereof;

13.4. On **December 22, 2007**, defendant ABS-CBN and defendants Santos and

Andrada, both being the Over-all-In-Charge of Production of ABS-CBN television program "Entertainment Live"; Gutierrez, as the Executive Producer; and Gonzales, as the Headwriter thereof, released and aired over the said television program "Entertainment Live" the following defamatory statements against the plaintiff:

"VO: Matatandaang nung nakaraang lingo, nagsampa ng civil case para sa damages at injunction ang ABS-CBN laban sa AGB Nielsen Media Research Philippines kaugnay ng di-umano'y dayaan sa ratings. Noong Miyerkules, December 19, sa hearing na ginanap sa Quezon City Regional Trial Court, **ibinulgar ng AGB Nielsen Media Research na ang GMA-7 ang TV Network na tinutukoy sa pagtunton sa mga household sa Bacolod na nilagyan ng metering panel na siyang ginagamit sa pagkuha ng TV ratings.**

"Maya Reforma (Gen. Manager, AGB Nielsen Media Research Philippines): Investigation really brought us to, you know, establishing that there were some or a few homes that were actually exposed as part of some promotional activities. In this case, the allegations pertain to GMA."

A copy of the transcript of the show/broadcast is hereto attached as **Annex "F"** and made an integral part hereof;

13.5. On **December 23, 2007**, defendant ABS-CBN and defendants Andrada, as the Executive-in-Charge of ABS-CBN's TV talk show "The Buzz"; Yabut, as the Executive Producer; Gonzales, as the Headwriter; and Reyno, another Headwriter, released and aired over the said program similar defamatory statements against the plaintiff, to wit:

"SUPER:
SA PAGLABAS NG BALITA NAGING PALAISIPAN SA MARAMI KUNG ANO NGA BA ANG TV NETWORK NA TINUTUKOY NA(sic) IMPORMANTE NG ABS-CBN NA DIUMANO'Y NANDADAYA NG TV RATINGS!

VO:
Sa paglabas ng balita, nagging palaisipan sa marami kung ano nga ba ang TV network na tinutukoy ng impormante ng ABS-CBN na diumano'y nandadaya ng TV ratings."

xxx xxx xxx

"VO:
Ilang kabahayang kabilang sa kanilang panel ang nilapitan ng ilang tao mula sa isang istasyon para impluwensiyahan ang panood ng mga ito at sa mismong pahayag ng AGB Nielsen General Research Manager na si Maya Reforma, tinukoy nito ang istasyong nagmamaniplula diumano sa mga kabahayang kinabitan nila ng TV meter."

“Maya Reforma (Gen. Manager, AGB Nielsen Media Research Philippines): Investigation really brought us to, you know, establishing that there were some or a few homes that were actually exposed as part of some promotional activities. In this case, the allegations pertain to GMA.”

A copy of the transcript of the show/broadcast is hereto attached as **Annex “G”** and made an integral part hereof;

14. The aforementioned public statements of defendant ABS-CBN’s reporters and hosts, aired by ABS-CBN, taken in their entirety and full context, portray plaintiff as a fraudster and manipulator of the ratings in Bacolod City by deliberately twisting and distorting the statements of Ms. Reforma, the General Manager of the AGB Nielsen, in the aforesaid ambush interview and in her affidavit when in truth and in fact Ms. Reforma never made the statement that plaintiff GMA-7 cheated and manipulated the ratings in Bacolod City, thereby casting dishonor, discredit, and disrepute to the plaintiff GMA-7. Such similarly malicious statements systematically and repetitiously aired by defendant ABS-CBN over its various programs and defendant talents, hosts and/or reporters show that the same was orchestrated and/or scripted and intentionally perpetrated to defame, impeach and besmirch the reputation of plaintiff GMA-7;

15. Plaintiff has never engaged in the manipulation or rigging of ratings in Bacolod City, as alleged by ABS-CBN, or elsewhere to obtain or secure its No. 1 status in the ratings;

16. Thus, defendants are jointly and severally liable to the plaintiff GMA-7 for moral damages in the amount of P10 Million for defaming and degrading its reputation “on air” in the radio and TV programs of ABS-CBN as above-stated;

As to SECOND CAUSE OF ACTION

17. By way of example, for public good and to serve a lesson to defendants for having acted in bad faith, malice, wanton disregard of truth, defendants are liable, jointly and severally, to the plaintiff in the amount of P2.5 Million by way of exemplary damages;

As to THIRD CAUSE OF ACTION

18. To protect its rights and interest and seek redress, plaintiff was compelled to engage the services of counsel at agreed attorney’s fees of P 1.5 Million for which defendants are liable to plaintiff, jointly and severally;

19. Likewise, plaintiff incurred and stands to incur litigation expenses in the amount of P1 Million for which defendants are liable to plaintiff, jointly and severally;

PRAYER

PREMISES CONSIDERED, it is respectfully prayed that judgment be rendered:

- I. Ordering the defendants, jointly and severally, to pay to plaintiff the following amounts of damages:
 - a. P10 Million as moral damages;
 - b. P2.5 Million as exemplary damages;
 - c. P1.5 Million as attorney’s fees;
 - d. P1 Million as litigation expenses.”

Annexes

Transcripts of ABS-CBN shows accusing GMA

Annex A

DZMM ambush interview with Maya Reforma, General Manager of AGB Nielsen outside the QC RTC Brach 80

December 19, 2007

TRANSCRIPTION

“Upon receipt of the information or upon receipt of the allegation, we immediately went into an investigation... And so ahmm... That investigation really brought us to, you know, establishing that **there were some or a few homes that were unusually exposed as part of some promotional activities**... Ah in this case **the allegation pertains to GMA** and so with that (the Network) the network, yes **through some activities that they have launched**... Ahh they... some of the key... of our panel homes were exposed... So the issue for us is really whether these homes... these alleged homes, which have been exposed... Ahh actually ah has an impact or were able to really change the accuracy of our report... So for us at this point we have established and we have, you know, analyzed that there is hardly an effect on the data... And so for our decision not to stop the data... Ahh that is brought about by ahmm our findings that the data continues to be accurate, credible and **even if there are activities or there were activities that were launched or may have exposed the panel, that does not necessarily mean that the data has been compromised**...”

Ayaw munang... Ito yung sinabi kanina ni AGB General Manager Maya Reforma at kanyang sinabi rin na hindi muna nila babanggitin kung papaano nabatid ng GMA kung saang lugar sa Bacolod sila magsasagawa ng survey sapagkat ongoing pa rin ang kanilang imbestigasyon. Binigyan naman ni Judge Gonzales ang panig ng depensa ng hanggang alas dose mamaya upang makapagbigay ng kanilang affidavit sa injunction case at kahilingang igawad ang temporary restraining order na isinampa ng ABS CBN bago ito magpalabas ng desisyon bukas. Ito ang radio patrol, Junrie Hidalgo ABS CBN News DZMM...

(Enter program jingle... “Walang Preno”)

Annex B Maya Reforma's Affidavit

Republic of the Philippines :
National Capital Judicial Region
REGIONAL TRIAL COURT
Quezon City
Branch 80

ABS-CBN BROADCASTING
CORPORATION,
Plaintiff,

-versus-

Civil Case No. Q-07-61665

AGB NIELSEN MEDIA RESEARCH
(PHILIPPINES), INC.,
Defendant.

x-----x

AFFIDAVIT

I, Maya F. Reforma, Filipino, of legal age, with office address at 5th Floor, Web-Jet Acropolis Building, 88 E. Rodriguez, Jr. Avenue, Libis, Quezon City, after having been sworn, do depose and state –

1. Q. Ms. Witness, can you please state your name and personal circumstances?

A. I am Maya F. Reforma, Filipino, of legal age, with office address at 5th Floor, Web-Jet Acropolis Building, 88 E. Rodriguez, Jr. Avenue, Libis, Quezon City.
2. Q. What is your present employment?

A. I am the General Manager of AGB Nielsen Media Research (Philippines), Inc.
3. Q. Is this the same AGB Nielsen Media Research (Philippines), Inc. which is the defendant in this case?

A. Yes.

4. Q. Can you briefly describe the business of AGB Nielsen Media Research (Philippines), Inc. ("AGB Nielsen" for brevity)?

A. AGB Nielsen is a media research company, specializing in TV Audience Measurement ("TAM"), dedicated to providing accurate, consistent and detailed information about the size and the characteristics about TV audiences for its clients.

5. Q. Who are these clients of AGB Nielsen?

A. AGB Nielsen's clients consist in broadcasters and advertisers.

6. Q. Can you briefly describe how AGB Nielsen obtains information about the size and the characteristics about TV audiences for its clients?

A. AGB Nielsen enlists the help of families that comprise our panel of homes. The panel homes we select are, in aggregate, a representative sample of the particular TV audience we are studying. We install measuring devices known as "PeopleMeters" in the panel homes. These PeopleMeters enable us to monitor the shows and the channels that our panelists watch. We collate and evaluate this data which we then distribute to our clients.

7. Q. What do you mean when you say that the panel homes you select are, in aggregate, a representative sample of the relevant TV audience you are studying?

A. These panel homes are supposed to reflect the viewing habits of a specified TV audience. For instance, our National Urban TAM service ("NUTAM") provides data gathered from selected urban areas, while our Mega Manila TAM service ("MEGATAM")

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provides data gathered from the cities, municipalities and environs of the Mega Manila area.

8. Q. Can you briefly describe your duties and functions as the General Manager of AGB Nielsen?

A. As the General Manager of AGB Nielsen, I run the day-to-day operations of the company, supervise its personnel, negotiate agreements with existing and potential clients, meet and correspond with clients, and respond to the questions and requests of the company's clients.

9. Q. Are you familiar with the plaintiff, ABS-CBN Broadcasting Corporation?

A. Yes, sir. ABS-CBN is one of the company's broadcasting clients.

10. Q. Are you familiar with this case in particular?

A. Yes, sir.

11. Q. How are you familiar with this case?

A. Other than by reading the Complaint, I had also held meetings and exchanged correspondences with ABS-CBN concerning their claim that our panel members were approached by certain individuals to influence their viewing habits.

12. Q. When did you first learn of this claim?

A. Sometime in late November 2007. I also received a letter from ABS-CBN on 03 December 2007 informing AGB Nielsen of these alleged tampering activities.

13. Q. What did you do after you learned of these alleged tampering activities?
- A. Since I wanted to make sure that the data was not affected by the alleged tampering activities, AGB Nielsen immediately conducted an investigation into how the tampering activities took place and, at the same time, evaluated the effect of the tampering activities on the data we had gathered. We are also taking preventive steps to avoid other attempts at tampering our data.
14. Q. Can you briefly describe how you went about your investigation?
- A. Yes. We visited our panel homes and asked them whether they had been contacted by GMA Network. We also interviewed the informants produced by ABS-CBN to determine how widespread the attempted tampering had been.
15. Q. What did you find with regard to your investigation into the tampering activities?
- A. While our investigation is still ongoing at present, the evidence we have so far obtained strongly indicates that the tampering was confined to Bacolod and for the period from July to September 2007. We did not find any evidence that the alleged tampering activities affected any other locality or TAM survey area.
16. Q. Can you elaborate on what you mean when you say that you did not find any evidence that the alleged tampering activities affected any other locality or TAM survey area?
- A. This means that our MEGATAM services are wholly unaffected by the alleged tampering activities and of our NUTAM areas, only the Bacolod survey area was minimally affected.

17. Q. What did you find with regard to the effect of the alleged tampering activities on the data AGB Nielsen had gathered?
- A. We found that the alleged attempt to tamper with our data had no effect on our results.
18. Q. What is your basis for saying so?
- A. We reprocessed the original data we gathered. By original data, I mean our data which we originally gathered. We reprocessed this data, meaning, we excluded from the sample the panel homes which were contacted by GMA Network. Now, having both the original data and the reprocessed data, we compared these two data sets to determine what impact GMA Network's contact had with the results.
19. Q. Can you elaborate?
- A. Yes. I have here our results of the original data (in blue) we gathered plotted against our reprocessed data (in green).
- A COPY OF THE PLOTTED COMPARISON IS ATTACHED HERETO AS ANNEX "I".
20. Q. Can you tell us what these comparisons mean?
- A. Yes. It means that in all the data areas we studied, consisting of NUTAM, Luzon, Visayas Mindanao, Iloilo, and Cebu the results are identical.
21. Q. After having compared your original and reprocessed data, what did you do?
- A. We then confirmed our data by specially commissioning a coincidental survey from an external auditor.

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22. Q. What is this coincidental survey that you specially commissioned?
- A. This coincidental survey is a face-to-face survey involving thousands of survey respondents in various cities and provinces. The purpose of the coincidental survey was to confirm the accuracy of our data.
23. Q. What do you mean when you say that you specially commissioned a coincidental survey?
- A. We do not normally use coincidental surveys to confirm our data. But in the interest of evaluating the effect of the attempted tampering activities, we thought that we should be thorough and comprehensive in our approach.
24. Q. What were the results of the coincidental survey?
- A. The coincidental survey confirmed that our results accurately and reliably represent TV audiences' viewing habits.
25. Q. Briefly, what are your conclusions, then, with regard to the data you gathered?
- A. Based on our evaluation, AGB Nielsen found that viewing data did not significantly change even after the exclusion of the contacted panels from the original data. The coincidental survey confirmed that viewing trends/patters were consistent with panel data in respect to the GMA, ABS and Overall viewing levels. There is no evidence that shows any significant impact on the NUTAM data as a result of the activities purportedly launched by GMA Network.
26. Q. In view of your conclusions regarding your data, what can you say about ABS-CBN's request for this court to restrain you from distributing your data?

- A. There is no basis for it. The data is accurate and reliable. Its accuracy has been checked and confirmed by globally accepted statistical practices and standards. There is no danger that the data will unfairly or inaccurately represent the viewing habits of our subject TV audiences.
27. Q. You also mentioned that you are taking preventive steps to avoid other attempts at tampering your data. What steps are these?
- A. The panel homes which were contacted were immediately replaced. We are also considering removing Iloilo as a sampling point. We are also consulting with industry stakeholders to develop clear guidelines to broadcasters regarding their activities.
28. Q. Ms. Witness, can you tell the court what expenses AGB Nielsen has already suffered by reason of ABS-CBN's allegations?
- A. AGB Nielsen has spent almost Php5 Million in investigating ABS-CBN's allegations and in evaluating and confirming our data.

I have executed this Affidavit at Makati City this 19 December 2007.

MAYA F. REFORMA
Affiant

Sworn and subscribed to before me, a Notary Public in Makati City this 19 December 2007 at Makati City, affiant exhibiting to me her Community Tax Certificate No. 20071740, issued at Quezon City on 18 January 2007.

Doc. No. 231
Page No. 32
Book No. II
Series of 2007.

KENNETH C. DE JESUS
Notary Public for Makati City
Until December 31, 2008
8th Floor, 139 Corporate Center, Valero St.,
Seaside Village, Makati City
Roll No. 51003
IBP No. 695838; 12/27/06; Makati City
PTR No. 0287273; 01/02/07; Makati City

Annex C**Transcript of DZMM report (Junrie Hidalgo - December 19, 2007 DZMM Program "Walang Preno")**

December 19, 2007

TRANSCRIPTION

(Enter program jingle... "Walang Preno")

Female: Sino si AGB ha? Si AGB? Umamin na sa dayaan sa survey.

Male: Anong survey ito? Anong survey ito?

Female: Ito yung ano... May itinuro pa... Ah si Nielsen...

Male: Ah sa Nielsen... Ah sa ABS ito...

Female: Nan... Nanturo pa ay may... may sa makapili ito ha (laughs) okay... So naku... Hindi ito yung kaso with AGB Nielsen yung nagco-conduct ng survey tungkol sa mga rating-rating...

Male: Yun nga... Yun nga...

Female: May kaso tayo...

Male: Me reklamo tayo...

Female: Me reklamo tayo may isinampa tayong kaso... Yun, that's the correct term... Ngayon eh umamin na nga daw po at may itinuro pa... Aba ay naku naman (laughs)...

Male: Ano raw? Ano raw? Ano raw?

Female: Eto, eh Junrie Hidalgo pasok...

JUNRIE HIDALGO: Tahasang inamin na ngayon ng AGB Nielsen Media Research na ang GMA Network ang siyang nasa likod ng sinasabing pagmamaniplula ng survey ng television ratings sa Bacolod. Sa isang panayam matapos ang pagdinig ng injunction case na isinampa ng ABS-CBN Broadcasting Corporation sa sala ni Judge Charito Gonzales ng QC RTC Branch 80, sinabi ni AGB Nielsen General Manager Maya Reforma na may isinagawang promotional activities ang GMA Network upang mahimok ang mga televiewers sa Bacolod na tangkilikin lamang ang naturang istasyon...

"Upon receipt of the information or upon receipt of the allegation, we immediately went into an investigation... And so ahmm... That investigation really brought us to, you know, establishing that there were some or a few homes that were unusually exposed as part of some promotional activities... Ah in this case the allegation pertains to GMA and so with that (the Network) the network, yes through some activities that they have launched... Ahh they... some of the key... of our panel homes were exposed... So the issue for us is really whether these homes... these alleged homes, which have been exposed... Ahh actually ah has an impact or were able to really change the accuracy of our report... So for us at this point we have established and we have, you know, analyzed that there is hardly an effect on the data... And so for our decision not to stop the data... Ahh that is brought about by ahm our findings that the data continues to be accurate, credible and even if there are activities or there were activities that were launched or may have exposed the panel, that does not necessarily mean that the data has been compromised..."

Ayaw munang... Ito yung sinabi kanina ni AGB General Manager Maya Reforma at kanyang sinabi rin na hindi muna nila babanggitin kung papaano nabatid ng GMA kung saang lugar sa Bacolod

sila magsasagawa ng survey sapagkat ongoing pa rin ang kanilang imbestigasyon. Binigyan naman ni Judge Gonzales ang panig ng depensa ng hanggang alas dose mamaya upang makapagbigay ng kanilang affidavit sa injunction case at kahilingang igawad ang temporary restraining order na isinampa ng ABS CBN bago ito magpalabas ng desisyon bukas. Ito ang radio patrol, Junrie Hidalgo ABS CBN News DZMM...

(Enter program jingle... "Walang Preno")

Annex D**TELERADYO
"Showbiz Mismo"**

December 19, 2007 (Wednesday)

TRANSCRIPTION

Jobert Sucaldito - May announcement na po tayo. Heto ha mga kaibigan. Inamin na ng AGB Nielsen Media Research ang anomalya sa survey ng television ratings

Cristy Fermin – Grabe

Jobert Sucaldito – Inamin na nila ha. Ito'y matapos silang idemanda ng ABS-CBN kasunod ng paglapit ng isang impormante mula sa Bacolod na nagsabing namamanipula umano ang mga resulta kaya hindi nito isinasalamin ang tunay na ratings ng mga programa sa telebisyon.

Cristy Fermin – Okay

Jobert Sucaldito – Sa isang panayam matapos ang pagdinig ng injunction case na isinampa ng ABS-CBN sa sala ni Judge Charito Gonzales ng Quezon City Regional Trial Court, tahasan pang itinuro ni AGB Nielsen general manager Maya Reforma ang GMA Network na siyang nasa likod

Cristy Fermin – Oh

Jobert Sucaldito – ng sinasabing pagmamaniplula ng survey ng TV ratings.

Cristy Fermin – Grabe ito

Jobert Sucaldito – May isinagawa anya promotional activities ang GMA Network upang mahimok ang mga televiewers sa Bacolod na tangkilin lamang ang kanilang istasyon. Tumanggi naman ang AGB na banggitin kung paano nalaman ng GMA ang lugar kung saan sila magsasagawa ng survey dahil nagpapatuloy pa rin ang imbestigasyon ukol dito. Binigyan naman ni Judge Gonzales ang panig ng depensa ng hanggang alas dose ngayong tanghali upang makapagbigay ng kanilang affidavit sa injunction case at hirit na temporary restraining order ng ABS-CBN bago ito mapalabas ng desisyon bukas. Unang itinaggi kahapon ng GMA Network na sila nga ang tinutukoy na istasyon na umano'y nandaraya sa ratings na pinamahalaan ng AGB Nielsen. Nakasaad sa statement ng GMA Network na hindi tugma ang sinasabi ng impormante ng ABS-

CBN na sila ang istasyong nandaraya sa mga TV meters para masukat ang ratings sa Bacolod. Yun po ang opisyal na statement natin sa araw na ito.

Cristy Fermin – Yun yung binasa natin kahapon naalala mo? Di ba December 14 nagsampa ng demanda ang ABS-CBN laban sa AGB. Pero as early as December 3 ay nakatanggap na po ng sulat si Ms Sheila Tan , ang vice-president for Research ng GMA Network mula po kay Maya F. Reforma, ang general manager ng AGB Nielsen

Jobert Sucaldito – So hindi po sila inosente

Cristy Fermin - Hindi po sila inosente dahil labing isang araw ang palugit. Parang sinasabi pa nila na determinado kaming malaman ang katotohanan tungkol sa isyung ito

Jobert Sucaldito – Alam nyo na eh

Cristy Fermin – Hindi ang GMA Network ang kanilang tinutukoy, yun daw mga lumantad para magsabi na nagkakaroon ng anomalya dito sa mga bahay-bahay. Diba ...

Jobert Sucaldito – Ayan malinaw na nay

Cristy Fermin – Ang linaw eh, eto, sa isang panayam matapos ang pagdinig ng injunction case na isinampa ng ABS-CBN doon sa sala ni ano, tahasan pang itinuro ni AGB Nielsen general manager Maya Reforma ang GMA Network na siyang nasa likod ng sinasabing pagmamaniplula ng survey ng TV ratings.

Jobert Sucaldito – Ayan

Cristy Fermin – Ayan napakalinaw na

TELERADYO HEADLINES: (supers)

- § AGB NIELSEN, UMAMIN NA SA DAYAAN SA TV RATINGS
- § AGB NIELSEN: GMA NETWORK ANG NASA LIKOD NG PANDARAYA

Annex E **“BANDILA”**

(THURSDAY Dec 20, 2007)

TRANSCRIPTION

Ces Drilon: Tigil Muna Korrina ang paglalabas ng TV ratings ng AGB Nielsen

Korina: Oo Ces, Iniutos ng korte ang pansamantalang pagpapatigil nito base na rin sa kahilingan ng ABS CBN. Nagsalita na rin ang Chairman at President eng ABS CBN broadcasting corporation at kanyang idiniin na hindi titigil ang kompanya hanggat hindi lumalabas ang buong katotohanan sa siyu ng umano’y pagmamani-obra sa TV ratings. Sa susunod na 20 araw ay wala na munang ilalabas na TV ratings ng kompanyang AGB Nielsen Media Research. Naglabas na ang Quezon City RTC ng temporary restraining order laban sa paglabas ng ratings ng AGB. Ang TRO ay hiniling ng ABS CBN matapos mapag-alaman mula sa isang testigo na may nagaganap na manipulasyon ng mga ratings meter ng AGB:

Testigo: Pinupuntahan namin ang mga bahay na may AGB device. Nagbibigay kami ng 500 cash o groceries kada buwan. Madalas tinatanggap nila ito dala ng kahirapan at kinukumbinsi namin sila na lumipat ng kabilang channel.

Korina: Sa desisyong inilabas ng korte kanina, tinukoy nito ang mismong affidavit ng Managing Director ng AGB Nielsen kung saan inamin ng ahensyang may tampering nga ang mga panel homes. Kahit iginiit ng AGB sa nasabing affidavit na sa iisang lugar lang nangyari ang tampering at hindi nito apektado ang resulta ng TV rating survey, naniniwala pa rin ang korte na nakompromiso na nito ang integridad ng resulta ng TV survey.

Atty. Maxim Uy (Director for legal counsel, legal services, ABS-CBN):

Inaamin ng AGB na merong tinatawag na tampering ng panel homes . Ibig sabihin non ... may mga aktibidades sa sadyang ginagawa ng isang tao, isang ng isang broadcasting network na para maiba yung tamang ratings

Korina: Sa isinumite ring mga dokumento ng AGB sa korte, inamin nito na 79 sa 532 nilang panel homes ang na-expose sa mga gawain o efforts ng GMA 7 network. Batay sa statistical tests ng AGB lumalabas na 16 na panel homes ang kinakitaan ng malaking epekto at pumanig sa GMA 7. Para sa ABS CBN, ito’y malinaw na manipulasyon ng data at malaki ang epekto nito sa ABS CBN.

Vivian Tin: This is a significant breach because it’s 15 percent of the homes they’ve checked. In an industry where billions of pesos exchange hands due to the airtime and placement of advertising even 1 percent is big.

Korina: Nauna nang nilinaw ng GMA 7 na hindi tampering kundi promotional activities

lamang ang kanilang isinagawa. Pero giit ng ABS CBN Malinaw sa ebidensya nilang nagkaroon ng bayaran Paliwanag din ng ABS CBN na wala silang balak sirain ang industriya o anumang kompanya . Ang tangi lamang layunin nito ay linisin ang sistema ng TV survey ratings at matiyak na wasto ang inilalabas na resulta nito. Ito kasi ang nagsisilbing bibliya ng buong industriya ng advertising at iba pang kalakal.

Gabby Lopez: I would like to make an appeal to our competitors and say that let's compete on the basis of programming and not on the basis of any other mechanism that compromises the future viability of the industry in which all of us have a stake in. (end of news item)

Annex F

“Entertainment Live”

December 22, 2007 (Saturday)

TRANSCRIPTION

* 1st item on the list

VO: Dayaan! ABS-CBN magsasampa ng panibagong demanda laban sa AGB Nielsen Media Research Philippines. Kahapon, December 21, sa kabila ng Temporary Restraining Order na inilabas ng korte, muling naglabas ng TV ratings ang AGB Nielsen. Ang hindi lang nila inilabas ay ang ratings mula sa Bacolod. Depensa ng AGB, ang sakop ng utos ng korte ay yun lamang pagkolekta ng datos sa seventy-nine na tahanan ng natukoy nilang tinamaan ng promotional activity.

Vivian Tin (Chief Officer, Research and Business Analysis, ABS-CBN): Ang kailangan natin i-pursue na kailangan malinis talaga ang inilabas nila na data. Magtanggap ka lang ng isang lugar, tapos tinotal mo na lang yung natira, inunder-represent mo na yung isang lugar. Pwede ka lang magtanggap sa sample kapag pareho yung proportion ng tinanggal mo all over the Philippines. Ang gusto lang naman ng ABS-CBN ay maging malinis ang ratings.

VO: Dahil sa paglalabas ng AGB Nielsen ng ratings, malinaw na ang ginagawa nila ay pagsuway sa TRO ng korte. Dahil dito, muling magsasampa ng panibagong kaso ang ABS-CBN laban sa research company.

Atty. Maxim Uy (Director for legal counsel, legal services, ABS-CBN): Ang pamunuan ng ABS-CBN ay nagpasya na maghahabla at kakasuhan ang AGB ng contempt of court. Yun ay para sa pagsuway sa utos ng korte. Ginagawa ng ABS-CBN ang hakbang na ito para lang lumabas ang katotohanan, hindi tungkol sa kung sino ang number one at number two sa ratings. Gusto lang namin na tama yung proseso at tama yung impormasyon na lumabas.

VO: Matatandaang nung nakraang lingo, nagsampa ng civil case para sa damages at injunction ang ABS-CBN laban sa AGB Nielsen Media Research Philippines kaugnay ng di-umano'y dayaan sa ratings. Noong Miyerkules, December 19, sa hearing na ginanap sa Quezon City Regional Trial Court, ibinulgar ng AGB Nielsen Media Research na ang GMA 7 ang TV Network na tinutukoy sa pagtunton sa mga household sa Bacolod na nilagyan ng metering panel na siyang ginagamit sa pagkuha ng TV ratings.

Maya Reforma (Gen. Manager, AGB Nielsen Media Research Philippines): Investigation really brought us to, you know, establishing that there were some or a few homes that were actually exposed as part of some promotional activities. In this case, the allegations pertain to GMA.

VO: Nakasaad din sa affidavit ng AGB Nielsen na base sa kanilang imbestigasyon hindi sapat ang bilang ng mga tinutukoy na households upang maapektuhan ang resulta ng TV ratings survey. Ayon naman sa ABS-CBN walang sapat na batayan ang research company para sabihing hindi apektado ng households sa Bacolod ang resulta ng TV ratings.

Vivian Tin (Chief Officer, Research and Business Analysis, ABS-CBN): They have to check each and every panel member home. Hindi mo rin masabi na wala siyang impact o walang effect hangga't hindi mo nakikita kung gaano karami ang tinamaan ng ganung klaseng activity.

VO: Batay sa kwento ng testigong kusang lumapit sa ABS-CBN, hindi promotional activities ang kanilang isinasagawa.

Testigo: Pinupuntahan namin ang mga bahay na may AGB device. Nagbibigay kami ng 500 cash at groceries kada buwan. Madalas tinatanggap nila ito dala ng kahirapan at kinukumbinsi namin silang lumipat ng kabilang channel.

VO: Nung Huwebes, December 20, naglabas na ang Quezon City Regional Trial Court ng Temporary Restraining Order o pagpapatigil sa paglalabas ng ratings ng AGB sa susunod na dalawampung araw.

Atty. Maxim Uy (Director for legal counsel, legal services, ABS-CBN): Inaamin ng AGB na merong tinatawag na tampering ng panel homes. Ibig sabihin noon e merong sadyang, may mga aktibidades na sadyang ginagawa ng isang tao, isang broadcasting network na para maiba yung tamang ratings.

VO: Muli ring nagsalita ang Chairman at CEO ng ABS-CBN na si Eugenio Lopez III tungkol sa usaping ito.

Eugenio Lopez III: I would like to make an appeal to our competitors and say that, you know, let's compete on the basis of programming and not on the basis of any other mechanism that compromises the future viability of the industry in which all of us have a stake in.

VO: Naalarma na rin ang Philippine Association of National Advertisers o PANA sa mga alegasyong may anomalya ang TV ratings. Malaki raw ang epekto nito sa kanilang negosyo dahil ang ratings ang tinuturing nilang bibliya sa pagtukoy kung saang TV program sila maglalagay ng commercial.

Raul Alvarez (Outgoing president, Philippine Association of National Advertisers): Tinitingnan pa namin kung sinong nanonood, babae ba, lalaki ba, anong

age group di ba? Kasi depende sa produkto e. So it's very important to us, yung ratings, no? Kung mali yung nababasa ng media planners namin o nagplaplano, e mali rin yung magiging advertising campaign namin. I think no data would be better ano, kasi I can make, I can make hypothesis and maybe I can verify it through informal calls, informal survey, by friends, ano, rather than using a data which might mislead me.

VO: Patuloy ang paninindigan ng ABS-CBN para sa katotohanan. Kung kayo ay nilapitan at sinuhulan para palitan ang istasyong pinapanood, tumawag at ipagbigay alam ito sa hotline: 411-00-13, 410-40-94, 410-40-14.

Annex G

"The Buzz"

(December 23, 2007)

TRANSCRIPTION

Insert VTR

WHITE TEXT ON BLACK SCREEN:

I WOULD LIKE TO MAKE AN APPEAL...

EUGENIO LOPEZ III:

I would like to make an appeal to our competitors and say that you know let's compete on the basis of programming (*echo editing FX*) and not on the basis of any other uh mechanism that compromises the future viability of the industry...

WHITE TEXT ON BLACK SCREEN:

NAGSIMULA ANG LAHAT SA ISANG PAG-AMIN...

VO:

Nagsimula ang lahat sa isang pag-amin

Insert VTR

INFORMANT [TRANSLATED INTO FILIPINO]

Pinupuntahan namin ang mga bahay na may AGB device. Nagbibigay kami ng 500 cash or groceries kada buwan. Madalas tinatanggap nila ito dala ng kahirapan. At kinukumbinsi namin sila na lumipat ng kabilang channel (*echo editing FX*)

SUPER:

BIYERNES

DECEMBER 14

VO:

Noong nakaraang linggo, pumutok ang balita ng anomalya diumano sa TV ratings na inilalabas ng AGB Nielsen. Ito'y matapos lumantad ang isang impormante sa ABS-CBN na umaming isa siya sa mga binabayaran dati ng isang istasyon para alamin at suhulan ang mga kabahayang kinabitan ng AGB Nielsen ng TV meter sa Bacolod.

Kasunod nga nito, nagsampa na ang ABS-CBN ng civil case laban sa AGB Nielsen para sa damages at injunction at para sa temporary restraining order na magbabawal sa AGB Nielsen sa paglalabas ng TV ratings hangga't hindi nareresolba ang anomalyang ito.

SUPER:

SA PAGLABAS NG BALITA

NAGING PALAISIPAN SA MARAMI KUNG ANO NGA BA ANG TV NETWORK NA TINUTUKOY NA [sic] IMPORMANTE NG ABS-CBN

NA DIUMANO'Y NANDADAYA NG TV RATINGS!

VO:

Sa paglabas ng balita, naging palaisipan sa marami kung ano nga ba ang TV network na tinutukoy ng impormante ng ABS-CBN na diumano'y nandadaya ng TV ratings.

SUPER:

MARAMI RIN ANG NAGDUDA KUNG DAPAT PA NGA BANG PAGKATIWALAAN

ANG MGA RATINGS NA IBINIBIGAY NG AGB-NIELSEN SA MGA ISTASYON, ADVERTISERS AT SA BUONG SAMBAYANAN!

VO:

Marami rin ang nagduda kung dapat pa nga bang pagkatiwalaan ang mga ratings na ibinibigay ng AGB-nielsen sa mga istasyon, advertisers, at sa buong sambayanan.

SUPER:

DECEMBER 18, 2007

VO:

December 18, umapela ang AGB Nielsen sa Quezon City Regional Trial Court para i-dismiss ang paghingi ng ABS-CBN ng temporary restraining order laban sa kanila.

SUPER:

DECEMBER 19, 2007

December 19, sa hearing na ginanap sa nasabing korte, inamin ng AGB Nielsen na sa kanilang pag-iimbestiga,

LIFTED TEXT:

79 of the 532 homes interviewed from 6 cities were confirmed by panel homes to have been exposed to efforts by GMA.

VO:

Ilang kabahayang kabilang sa kanilang panel ang nilapitan ng ilang tao mula sa isang istasyon para impluwensiyahan ang panonood ng mga ito at sa mismong pahayag ng AGB Nielsen General

Research Manager na si Maya Reforma, tinukoy nito ang istasyong nagmamaniplula diumano sa mga kabahayang kinabitan nila ng TV meter.

Insert VTR

MAYA REFORMA, GEN. MANAGER, AGB-NIELSEN MEDIA RESEARCH PHILIPPINES

That investigation really brought us to you know establishing that there were some or a few homes that were actually exposed as part of some uh promotional activities, uh in this case the allegations pertain to GMA.

SUPER:

DECEMBER 20, 2007

AGB-NMR PHILIPPINES, PINATITIGIL SA PAGKALAP NG DATOS PARA SA PAGLALABAS NILA NG TV RATINGS!

VO:

December 20, matapos mapatunayang napanghimasukan nga ng taga-ibang istasyon ang pangangalap ng datos ng AGB Nielsen,

LIFTED TEXT:

...ordered to cease and desist from pursuing its nationwide TAM data gathering activities from corrupted home panels and delivering, releasing or making known the resulting TAM data to its clients or the general public within twenty (20) days from the issuance of this Order.

VO:

Naglabas na ang Quezon City RTC ng temporary restraining order sa AGB Nielsen na nagbabawal ditong maglabas ng TV ratings sa susunod na 20 araw.

SUPER:

DECEMBER 21, 2007

AGB-NIELSEN, NAGLABAS PA RIN NG RATINGS SA KABILA NG TEMPORARY RESTRAINING ORDER SA KANILA!

VO:

Ngunit kinabukasan, sa kabila ng temporary restraining order mula sa korte, muling naglabas ang AGB Nielsen ng TV ratings. Pero ayon sa research company, hindi daw kasama sa inilabas nila ang TV ratings mula sa Bacolod kung saan nadiskubre ang anomalya.

Pero ayon sa head ng research department ng ABS-CBN na si Vivian Tin, hindi makatwiran ang aksyong ito ng AGB Nielsen.

Insert VTR

MS. VIVIAN TIN, CHIEF OFFICER, RESEARCH & BUSINESS ANALYSIS, ABS-CBN

Kapag nagtanggap ka lang ng isang lugar, tapos tinotal mo na lang yung natira, in-underrepresent mo na yung isang lugar.

Pwede ka lang magtanggap sa sample kapag pareho yung proportion ng tinanggal mo all over the Philippines.

Ang gusto lang naman ng ABS-CBN, ay maging malinis ang ratings.

SUPER:

ABS-CBN MAGSASAMPA NG KASONG CONTEMPT OF COURT LABAN SA AGB-NIELSEN!

VO:

Dahil sa paglabag na ito ng AGB Nielsen sa temporary restraining order na nakahain laban sa kanila, isang panibagong kaso ang isasampa ng ABS-CBN.

Insert VTR

ATTY. MAXIM UY, ABS-CBN CHIEF LEGAL COUNSEL

Ang pamunuan ng ABS-CBN ay nagpasya na maghahabla at kakasuhan ang AGB ng contempt of court, yun ay para sa pagsuway sa utos ng korte.

Ginagawa ng ABS-CBN ang hakbang ito [sic] para lang lumabas ang katotohanan, uh, hindi tungkol sa kung sino ang no. 1 at no. 2 sa ratings. Gusto lang namin na tama yung proseso at tama yung impormasyon na lumabas...

SUPER:

ADVERTISERS, UMAALMA NA RIN SA DIUMANO'Y DAYAAN SA RATINGS!

VO:

Dahil sa kaguluhang ito, maging ang Philippine Association of National Advertisers ay nagpahayag na rin ng kanilang pagkadismaya sa kawalang-kredibilidad ng mga TV ratings na kanilang natatanggap.

Insert VTR

MR. RAUL ALVAREZ, OUTGOING PRESIDENT, PHILIPPINE ASSOCIATION OF NAT'L. ADVERTISERS

It's very important to us yung ratings 'no! Kung mali yung nababasa ng mga media planners namin, o nagpaplano, e mali rin yung magiging advertising campaign. I think more data would at least be better, rather than using a data [sic] which might mislead me.

VO:

Kasabay nito, pumutok din ang balitang magsasampa diumano ang GMA-7 ng kasong libelo laban sa DZMM at ABS-CBN.

SUPER:

GMA-7, MAGSASAMPA NG KASONG LIBEL LABAN SA DZMM AT ABS-CBN?!

VO:

Ito'y dahil daw sa tahasang pagtukoy ng DZMM reporter na si Junie [sic] Hidalgo sa GMA-7 bilang istasyong sangkot diumano sa dayaan sa ratings, base sa pahayag ng AGB.

Pero ayon sa legal department ng ABS-CBN, hindi maaaring sampahan ng kaso ng GMA-7 ang Kapamilya Network dahil ni minsan ay hindi naman nito binanggit ang GMA-7 na siyang responsable sa diumano'y suhulan sa Bacolod.

Ang pagkakadawit nila sa isyung ito ay malinaw na galing mismo sa naging pahayag ng AGB Nielsen.

Insert VTR

ATTY. MAXIM UY, ABS-CBN CHIEF LEGAL COUNSEL

Hindi ABS-CBN ang nagsabing uh GMA, kundi ang AGB. Ang AGB ang nagbanggit na GMA ang, ang istasyon na sangkot dito.

Insert VTR

MAYA REFORMA, GEN. MANAGER, AGB-NIELSEN MEDIA RESEARCH PHILIPPINES

In this case the allegations pertain to GMA.

Insert VTR

ATTY. MAXIM UY, ABS-CBN CHIEF LEGAL COUNSEL

Walang basehan ang, uh, kung magkaso man ang GMA ng libel dahil nga tama naman yung report.

SUPER:

ANG SA AMIN LANG...

SADYANG MAHIRAP INTINDIHIN KUNG BAKIT NAGLABAS PA RIN NG RATINGS ANG AGB NIELSEN, SA KABILA NG TEMPORARY RESTRAINING ORDER NA INISSUE SA KANILA NG KORTE

VO:

Ang sa amin lang, sadyang mahirap intindihin kung bakit naglabas pa rin ng ratings ang AGB Nielsen, sa kabila ng temporary restraining order na in-issue sa kanila ng korte.

SUPER:

HINDI BA NILA ALAM NA ANG KANILANG GINAWA AY ISANG MALINAW NA PAGLABAG SA BATAS?!

VO:

Hindi ba nila alam na ang kanilang ginawa ay isang malinaw na paglabag sa batas?!

SUPER:

ANG SA AMIN LANG...

MAHIRAP BANG INTINDIHIN NA KAILANGAN MUNA NILANG LINISIN ANG PROSESO NG PAGKALAP NILA NG IMPORMASYON PARA SA RATINGS BAGO IPAGPATULOY ANG PAGBIBIGAY SERBISYO SA KANILANG MGA KLIYENTE?

VO:

Ang sa amin lang, mahirap bang intindihin na kailangan muna nilang linisin ang proseso ng pagkalap nila ng impormasyon para sa ratings bago ipagpatuloy ang pagbibigay-serbisyo sa kanilang mga kliyente?

SUPER:

HINDI PA BA NATITINAG ANG AGB-NIELSEN NGAYONG PATI ANG MGA ADVERTISERS AY UMAALMA NA SA IREGULARIDAD NG IBINIBIGAY NILANG TV RATINGS?

VO:

Hindi pa ba natitinag ang AGB-Nielsen ngayong pati mga advertisers ay umaalma na sa iregularidad na [sic] ibinibigay nilang TV ratings?

SUPER:

ANG SA AMIN LANG...

BAKIT SASAMPAHAN NG KASO NG GMA-7 ANG DZMM AT ABS-CBN NG KASONG LIBELO, SAMANTALANG ANG PAGKAKADAWIT NAMAN NILA SA ESKANDALONG ITO AY NANGGALING AT TINUKOY MISMO NG AGB-NIELSEN?

VO:

Ang sa amin lang, bakit sasampahan ng kaso ng GMA-7 ang DZMM at ABS-CBN ng kasong libelo, samantalang ang pagkakadawit naman nila sa eskandalong ito ay nanggaling at tinukoy mismo ng AGB-Nielsen?

SUPER:

ANG SA AMIN LANG...

SA SIMULA PA LANG AY MALINAW NANG SINABI NG ABS-CBN NA ANG KASONG ITO AY LABAN SA AGB-NIELSEN AT HINDI SA KAHIT ANONG KALABANG ISTASYON.

VO:

Ang sa amin lang, sa simula pa lang ay malinaw nang sinabi ng ABS-CBN na ang kasong ito ay laban sa AGB-Nielsen at hindi sa kahit anong kalabang istasyon.

SUPER:

ANG SA AMIN LANG...

HINDI ANG PAGIGING NUMBER I ANG IPINAGLALABAN NG ABS-CBN SA USAPING ITO

VO:

Ang sa amin lang, hindi ang pagiging number I ang ipinaglalaman ng ABS-CBN sa usaping ito.

SUPER:

KUNDI ANG MAPANGALAGAAN ANG KATOTOHANAN AT KALINISAN NG TV RATINGS NA IBINABAHAGI SA BUONG INDUSTRIYA AT SA BUONG SAMBAYANAN.

VO:

Kundi ang mapangalagaan ang katotohanan at kalinisan ng TV ratings na ibinabahagi sa buong industriya at sa buong sambayanan.

SUPER:

SA PATULOY NA PANININDIGAN NG ABS-CBN NA MABIGYAN NG MAPAGKAKATIWALAANG SERBISYO ANG BAWAT PILIPINO, WALANG KASINUNGALINGAN AT PANDARAYA KAMING PALALAMPASIN.

VO:

Sa patuloy na paninindigan ng ABS-CBN na mabigyan ng mapagkakatiwalaang serbisyo ang bawat Pilipino, walang kasinungalingan at pandaraya kaming palalampasin.

SUPER:

AT SA KUNG SINO MANG PATULOY PA RING NILALAPITAN AT SINUSUHULAN PARA PALITAN ANG ISTASYONG INYONG PINAPANOOD, IPAGBIGAY ALAM KAAGAD ITO SA MGA SUMUSUNOD NA NUMERO:

411-0013
410-4094
410-4014

VO:

At sa kung sino mang patuloy pa ring nilalapitan at sinusuhulan para palitan ang istasyong inyong pinapanood, ipagbigay-alam kaagad ito sa mga sumusunod na numero: 411-0013, 410-4094, at 410-4014.

BOY ABUNDA:

Maraming salamat, Liza Endaya. Merry Christmas!

CRISTY FERMIN:

Maraming salamat. Napakaganda ng boses ni Liza talaga.

BOY ABUNDA:

Marami ang nagtatanong, Sino ba yung boses na yan na nagsasalita...

CRISTY FERMIN:

Oo, sa likod ng mga ganyan...sa amin lang.

BOY ABUNDA:

Yan ang aming kaibigang Liza Endaya.

Ang atin lamang mga kaibigan, ay mahalaga po kayo sa amin. You're very important. Kayo po

ang aming buhay. Tayo po ang partners dito sa ating ginagawa.

Mahalaga ang katotohanan. Yan ang sinasabi po ng lahat ng panig, hindi ba?

CRISTY FERMIN:

At ang katotohanan ang dapat ilabas dahil napakalaki ng utang na loob natin sa mga sumusuporta sa ABS-CBN.

RUFFA GUTIERREZ:

At sana malaman lang natin kung ano ba talagang katotohanan dito.

BOY ABUNDA:

That's true dahil lahat naman tayo, ang uh manonood, ang AGB, ang lahat ng mga istasyon nagsasabing ilabas natin ang totoo. Ilabas natin.

CRISTY FERMIN:

Ilabas natin.

BOY ABUNDA:

Ang sa amin lamang, yes, Cristinely, ay ipagpapatuloy po namin sa inyo ang aming commitment na gagawin po namin ang aming makakaya para maihatid po sa inyo ang nararapat po na para sa inyo.

CRISTY FERMIN:

At ang katotohanan.

BOY ABUNDA:

Sa inyong pagmamahal po sa inyong mga kapamilya dito sa ABS-CBN, mula sa aming puso, Merry Christmas. Maraming salamat po.

RUFFA GUTIERREZ:

Merry Christmas!

CRISTY FERMIN:

Maligayang Pasko po at...

