



Republic of the Philippines
NATIONAL PRIVACY COMMISSION

**IN RE: FYNAMICS LENDING
INC. OPERATING
PONDOPESO ONLINE
LENDING APPLICATION**

NPC 19-910
*For violation of the
Data Privacy Act of 2012*

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RESOLUTION

On 01 October 2020, the Commission conducted a Clarificatory Hearing pursuant to Section 21 of NPC Circular No. 16-04. Respondent Fynamics Lending, Inc. (Fynamics) and the individual respondents ML, CW, and BBS were represented by Atty. LAQ and Atty. EAT from the Gonzales & Quismorio Law Offices, while the individual respondents KF, JCG and HAD were represented by Atty. FG from the law firm of Gorosin, Garcia & Associates.

During the Clarificatory Hearing, counsels for Fynamics were ordered to submit specific documents to the Commission.¹

On 16 October 2020, Fynamics filed a Partial Compliance with an attached Memo from Asiapac Solutions Corp. dated 01 October 2019. Fynamics also requested for an extension of thirty (30) days or until 15 November 2020 to produce and submit the other documents required by the Commission. They state in their Partial Compliance that:

- a. Some of the employees and/or custodians of the said documents are no longer in the Philippines and the Respondent is trying its best to communicate and inquire as to where the said documents were placed; and
- b. Some of the employees and/ or custodians of the said documents have severed ties or has resigned from the company and the Respondent is trying to get a hold of the same.²

¹ Order dated 01 October 2020.

² Partial Compliance by Fynamics Lending, Inc. dated 15 October 2020.

The Commission notes the submission of the Partial Compliance. Considering the circumstances raised by Fynamics and in the interest of an exhaustive investigation, the Commission grants the requested extension for submission of the required documents.

WHEREFORE, the Commission **GRANTS** the request for an extension of thirty (30) days or until **15 November 2020** for Fynamics Lending, Inc. to produce and submit the documents specified in the Order dated 01 October 2020. The Partial Compliance filed on 16 October 2020 is **NOTED**.

Failure to comply with this Order shall cause the Commission to adjudicate the issues on the basis of the evidence on record.

SO ORDERED.

City of Pasay, Philippines
5 November 2020.

Sgd.
LEANDRO ANGELO Y. AGUIRRE
Deputy Privacy Commissioner

WE CONCUR:

Sgd.
RAYMUND ENRIQUEZ LIBORO
Privacy Commissioner

Sgd.
JOHN HENRY D. NAGA
Deputy Privacy Commissioner

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GONZALES AND QUISMORIO LAW OFFICES

*Counsel for Respondents Fynamics Lending, Inc.,
ML, CW, and BBS*

GOROSIN GARCIA & ASSOCIATES

*Counsel for Respondents KFJCG
and HAD*

COMPLAINTS AND INVESTIGATION DIVISION

ENFORCEMENT DIVISION

GENERAL RECORDS UNIT

National Privacy Commission