

IN THE SUPREME COURT OF THE VIRGIN ISLANDS

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|-------------------------------------|---|---------------------------------------|
| FATHI YUSUF and UNITED CORPORATION, |) | |
| |) | |
| Appellants/Defendants, |) | |
| |) | |
| v. |) | S. Ct. Civ. No. 2013-0040 |
| |) | Re: Super. Ct. Civ. No. 370/2012(STX) |
| MOHAMMAD HAMED, by his |) | |
| authorized agent, WALEED HAMED, |) | |
| |) | |
| Appellee/Plaintiff. |) | |
| _____ |) | |

APPELLANTS' MOTION FOR LEAVE TO FILE AN OVER-LENGTH BRIEF

COME NOW Appellants/Defendants FATHI YUSUF and UNITED CORPORATION, by and through undersigned counsel, pursuant to VISCR 22(f). In support of this motion for expedited review, the Appellants/Defendants state as follows:

1. Appellants' brief and joint appendix in the above captioned matter are due to be filed by June 13, 2013.
2. Pursuant to VISCR. 22(f), Appellants' brief should be limited to 30 pages.
3. Appellants' brief exceeds the 30-page limit. Appellant's brief contains is currently 35 pages in length.
4. For the following reasons, Appellants request leave to file the brief in excess of the page limitation of VISCR 22(f).
 - a. This case involved a complicated factual background and involved a two day evidentiary hearing with extensive exhibits admitted into evidence.
 - b. The record is quite complex, with over 450 pages of transcripts and 42 exhibits.
 - c. Appellants believe that there are four issues to be discussed, many of which have discrete sub-parts. Undersigned counsel could not do justice to Appellants' arguments in fewer pages than in which that argument is contained.

d. Despite having been through multiple drafts of the brief and significant efforts to edit and truncate the arguments, undersigned counsel believes that he cannot effectively advance Appellants' substantial arguments within the page limitation contained in VISCR. 22(f).

WHEREFORE, in the interests of justice, it is respectfully requested that this Court permit the Appellants to file a brief in excess of the page limitations set forth in VISCR 22(f).

Respectfully submitted,

/s/ Joseph A. DiRuzzo, III

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Counsel for Appellants/ Defendants Fathi Yusuf and United Corporation

Dated: June 9, 2013

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was filed on VISCEFS on June 9, 2013, and the undersigned certifies that Clerk will electronically serve the foregoing pursuant to Rule 15(d) on:

Joel H. Holt, Esq., counsel for Appellee/Plaintiff, 2132 Company St., St. Croix, VI 00820, holtvi@aol.com;

Carl J. Hartmann III, Esq., counsel for Appellee/Plaintiff, 5000 Estate Coakley Bay, L-6, Christiansted, VI 00820, carl@carlhartmann.com.

Respectfully submitted,

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