

IN THE SUPERIOR COURT THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

UNITED CORPORATION,)
)
Plaintiff,) CASE NO. ST-13-CV-101
)
v.)
)
WAHEED HAMED, a/k/a WILLY, WILLY HAMED,)
)
Defendant.)
_____)

SCHEDULING AND MEDIATION ORDER

The parties having filed a Proposed Stipulated Scheduling Order on July 16, 2013; it is
~~ORDERED~~ that the discovery schedule contained in the Proposed Stipulated Scheduling Order is
hereby approved and adopted as the Scheduling Order in this case, and the parties shall comply with the
deadlines and dates contained therein and should **assume they will not be extended**; and it is

~~ORDERED~~ that, pursuant to Rule 3.2 of the Local Rules of Civil Procedure of the District Court
of the Virgin Islands and Rule 40 of the Rules of the Superior Court of the Virgin Islands, this case is
referred to mediation, subject to the following conditions:

1. By July 1, 2014, the parties may stipulate as to the designation of a certified or qualified mediator. They shall promptly notify the Court if they cannot agree upon a mediator, whereupon Court shall appoint one.
2. After the appointment of a mediator, the Court or its designee, who may be the mediator, shall notify the parties in writing of the date, time, and place of the first mediation conference.
3. Before serving, the mediator shall take the oath or affirmation similar to that administered to officials of the Superior Court.
4. **Mediation shall be completed by September 1, 2014**, unless extended by order of Court.
5. In the absence of a written agreement providing for the mediator's compensation, the mediator shall be compensated at an hourly rate to be determined by the Presiding Judge. Plaintiff shall pay fifty percent (50%) and Defendant shall pay fifty percent (50%) or such proportionate share

of the total charges of the mediator as may be agreed upon, unless the mediator and/or the court determines that one party has not mediated in good faith.

6. Discovery may continue throughout mediation.


7. The parties shall mediate in good faith.

8. The parties shall cause the mediator to file a **Mediation Report** with the Court by **September 5, 2014, failing which the parties shall notify the Court in writing of the outcome of the mediation by that date;** and it is


ORDERED that copies of this Order shall be directed to counsel of record.

Dated: July 18, 2013.

ATTEST: Venetia H. Velazquez, Esq.
Clerk of the Court

by: 
Lori Boyner-Tyson
Court Clerk Supervisor 7/18/13


HON. MICHAEL C. DUNSTON
JUDGE OF THE SUPERIOR COURT
OF THE VIRGIN ISLANDS

CERTIFIED A TRUE COPY
Date: July 18, 2013
Venetia H. Velazquez, Esq.
Clerk of the Court
By: 
Court Clerk

CARL J. HARTMANN III
ATTORNEY-AT-LAW
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Hon. Michael Dunston
Superior Court of the Virgin Islands
Farrelly Justice Center
P.O. Box 70
St. Thomas, VI 00804

By Facsimile and US Mail
(340) 693-6462

RE: Proposed Scheduling Order - Stipulated
United Corp. v. Hamed, 2013-CV-101

Dear Judge Dunston:

As directed, the parties have cooperated in the preparation of a *Proposed Scheduling Order*, a copy of which is attached.

With the permission of your chambers, I am sending a duplicate copy by facsimile.

We thank you for your attention in this matter.

Sincerely,



Carl J. Hartmann
cc: Nizar. A. DeWood, Esq.
Encl. (1)

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS/ST. JOHN

UNITED CORPORATON,

Plaintiff,

v.

WAHEED HAMED,
(a/k/a Willy, Willy Hamed)

Defendant.

Case No.:2013-CV-101

ACTION FOR DAMAGES

JURY TRIAL DEMANDED

PROPOSED STIPULATED SCHEDULING ORDER

COME NOW, the Parties by and through their counsel, and hereby stipulate and agree to the following Scheduling Order:

1. RULE 26 DISCLOSURES

The parties shall serve disclosures, pursuant to Fed. R. Civ. P 26(a)(i), by **September 1, 2013.**

2. FACTUAL DISCOVERY

All factual discovery, including written discovery and fact witness depositions, shall be completed by **April 1, 2014.**

2. PLAINTIFF'S EXPERT REPORTS

Plaintiff's expert disclosures pursuant to Federal Rule of Civil Procedure 26(a)(2), if any, shall be submitted by **May 1, 2014.**

3. DEFENDANT'S EXPERT REPORTS

Defendant's expert disclosures pursuant to Federal Rule of Civil Procedure 26(a)(2), if any, shall be submitted by **June 30, 2014.**

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4. EXPERT DEPOSITIONS

Depositions of experts and other health care providers shall be completed by **July 30, 2014**.

5. MEDIATION

Mediation shall be completed not later than **September 1, 2014**.

6. MOTIONS

All dispositive motions shall be filed by **November 1, 2014**.

7. STATUS CONFERENCE.


A status conference will be held as scheduled by the Court

8. TRIAL DATE

A trial date will be scheduled by the Court.

Counsel for the parties have conferred. Counsel for the Plaintiff, Nizar A. DeWood, Esq., 2006 Eastern Suburb, Suite 101, Christiansted, VI 00820, has agreed to undersigned counsel's the filing of this document for both -- by email dated Mon 7/1/2013

Dated: July 10, 2013


Carl Hartmann, Esq. (#48)
Counsel for the Defendant
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Christiansted, VI 00820
Telephone: (340) 719-8941
Email: carl@carlhartmann.com

CERTIFICATE OF SERVICE

A true and accurate copy of this document was served by email on Plaintiff's Counsel as per the agreement of the parties, this 10th day of July, 2013.

