

**IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

MOHAMMAD HAMED, by his authorized agent WALEED HAMED,)	
)	
Plaintiff,)	CIVIL NO. SX-12-CV-370
)	
v.)	ACTION FOR DAMAGES, INJUNCTIVE AND DECLARATORY RELIEF
)	
FATHI YUSUF and UNITED CORPORATION,)	
)	
Defendants.)	JURY TRIAL DEMANDED
)	

**PLAINTIFF'S INTERROGATORIES
TO DEFENDANT YUSUF: FIRST SET**

Plaintiff Hamed, by undersigned counsel, propounds the following interrogatories pursuant to Rule 33 of the Federal Rules of Civil Procedure, as well as Local Rule 22 on the Defendant Yusuf.

If any of the following Interrogatories cannot be answered in full, please answer to the extent possible, specify the reason for your inability to answer the remainder and state whatever information or knowledge you have concerning the unanswered portion. Where your investigation is incomplete, give all information known as of the date of signing your answer. Where exact data is unavailable, supply estimated data, indicate that you have done so, and explain the basis on which the estimate was made.

If you decline to answer any interrogatory, or portion of any interrogatory, on a claim of privilege or other basis for withholding an answer, such as the work product doctrine, state each privilege or other basis for withholding claimed and describe in detail all foundational facts upon which you base such claim of privilege or basis for withholding.

It is requested that all copies of all documents identified in response be attached to the answers to the responses to these Interrogatories as an exhibit.

Please take notice that these Interrogatories are deemed to be continuing up to and including the first day of trial of this action. If at any time you or any person acting on your behalf obtains additional information called for by these Interrogatories between the time of your response and the time set for trial, please serve supplemental sworn answers setting forth such information.

The words "**and**," as well as "**or**," shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the specifications all responses which might otherwise be construed to be outside its scope.

Terms in the plural include the singular and terms in the singular include the plural; the use of one gender shall include all others as appropriate in the context. These interrogatories are continuing in nature so as to require **you, the Defendant**, to file supplemental answers if any additional or different information responsive to these interrogatories is discovered or obtained subsequent to the filing of answers to these interrogatories.

TERMS AND MEANINGS

The terms used in this Discovery have the following meaning:

As used herein, the term "**document(s)**" is used in its broadest sense to include, by way of illustration only and not by way of limitation, all originals and non-identical copies of any writing or any other tangible thing or data compilation in the custody, possession or control of the Defendant - whether printed, typed, reproduced by any

process, written or produced by hand, including any graphic matter however produced or reproduced, or produced by any other mechanical means and all data, either electronic, magnetic, chemical, mechanical, or other form of data storage capable of being transformed into written or oral matter, including, but not limited to, CD-ROMs, DVDs, computer disks, Hard-drive computer storage mediums — including e-mails, letters, affidavits, filings, engineering studies and/or tests, reports, agreements, communications, correspondence, permits, accounting records, business records, contracts, letters of agreements, telegrams, mailgrams, memoranda, summaries and/or records of personnel or telephone conversations, diaries, calendars, forecasts, photographs, tape recordings, facsimiles, models, statistical statements, graphs, charts, plans, drawings, service and/or pump data, logs, minutes or records of meetings, minutes or records of conferences, reports and/or summaries of interviews, reports, conversations, summaries of investigations, opinions or reports of consultants, topographical or geological maps or surveys, appraisals, records, reports or summaries of negotiations, drafts of any document, revisions of drafts of any document, purchase orders, invoices, receipts, original or preliminary notes, financial statements, accounting work papers, promissory notes, film, microfilm, microfiche, punch cards, slides, pictures, videotapes, moving pictures, computer programs, laboratory results, magnetic tapes or any other matter which is capable of being read, heard or seen with or without mechanical or electronic assistance.

The parties have consented, pursuant to Fed. R. Civ. P. 5(b)(2)(E), to electronic service of all documents in this action including discovery requests and responses.

"Communication" means any correspondence, contact, discussion, exchange, contract, or agreement between any two or more persons. Without limiting the foregoing, "communication" includes all documents, as defined above, telephone conversations, internet communications, e-mail, facsimile transmissions, voice mail, face-to-face conversations, meetings, and conferences.

"Relevant time period" means 1986 to present.

"United" or "United Corp" shall mean the defendant United Corporation.

"Yusuf" shall mean defendant Fathi Yusuf.

"Hamed" shall mean the plaintiff herein Mohammad Hamed.

INTERROGATORIES

1. State all of the specific terms as you understand them of the "oral agreement" that plaintiff Hamed entered into in 1986 with you and/or United Corporation.

Plaintiff's Interrogatories to Yusuf: First Set
Page 5

2. If United was not a party to the "oral agreement" of 1986, state United's relationship to the agreement, plaintiff Hamed and Plaza Extra Supermarkets from 1986 to date.

Plaintiff's Interrogatories to Yusuf: First Set
Page 6

3. Describe all stock in United held by you and your wife as well as all transactions by which stock of United has been sold, gifted or otherwise transferred from 1986 to date by you or your wife.

4. Provide a list and description of all entities (or stock or ownership in such entities) owned, land owned or accounts held by or for you or your wife or for your benefit. This shall include all other entities in which you or she has any interest.

Plaintiff's Interrogatories to Yusuf: First Set
Page 8

5. Describe all claims and/or counterclaims you have or may have with regard to plaintiff for any type of relief, including but not limited to money damages, and for each such claim, describe all factual bases and all documents or other evidence which support the claim(s).

Plaintiff's Interrogatories to Yusuf: First Set
Page 9

6. Describe all claims or counterclaims United Corporation has or may have for any type of relief, including but not limited to money damages, with regard to plaintiff about which you have any knowledge and for each, describe all factual bases and all documents or other evidence which support the claim(s).

7. Describe all defenses or offsets you have or may have with regard to the claims of plaintiff, and for each, describe all factual bases and all documents or other evidence which support them.

8. Describe all defenses or offsets United Corporation has or may have with regard to plaintiff's claims about which you have any knowledge and for each, describe all factual bases and all documents or other evidence which support them.

9. Prior to the installation of the federal monitor in the criminal case (USVI Federal District Court case no. 2005-15), detail all amounts, which shall include, but not be limited to, the date, the person and the amount which you or your family members have taken from the Plaza Extra operations or operating accounts beyond salaries from 1986 to present.

10. Prior to the installation of the federal monitor in the criminal case (USVI Federal District Court case no. 2005-15), detail all amounts, which shall include, but not be limited to, the date, the person and the amount which Mohammad Hamed or his family members have taken from the Plaza Extra operations or operating accounts beyond salaries.

11. Describe all funds removed by you or United from Plaza Extra operations or operating accounts that were used to buy real estate or other assets, and list all assets purchased, form of ownership, the date of purchase and the percentile owners at that time and now.

12. Describe all investigations, reports, studies, surveys, valuations or expert advice obtained by you or United with regard to the Plaza Extra Stores from January 1, 2011, to the date of these interrogatories.

13. Please state the name and address of all witnesses you or United have interviewed regarding the allegation against you in this case. Provide all witness statements, notes and information provided by them to you.

14. Describe all physical evidence other than documents, which support your defenses or counterclaims that you believe you could assert in this case.

15. Describe all accountings, valuations or other information in your possession or which you have caused to be created as to the valuation or division of the Plaza Extra Supermarkets.

16. Since 1990, have you ever notified any brokerage firm or trader to close any account (whether in your name or not) because of losses in trading stocks, future options or other securities? If so, please state:

- a) the name of all such accounts and what firm held such accounts;
- b) the total losses incurred by you (please estimate if the exact amount is not known);
- c) the years in which the losses occurred;
- d) the name of the person or entity on each account;
- e) the person authorized to trade each such account.

17. Describe all third persons or entities having knowledge of the claims or defenses of any party hereto. This shall include any person or entity with whom: you have spoken about such matters, you have obtained information about such matters or you have provided with information about such matters.

18. Describe all financial and accounting systems or records which contain, include or otherwise reflect transactions involving Plaza Extra Supermarkets for the years 2003-present other than those provided to Plaintiff as Sage 50 backup files.

Plaintiff's Interrogatories to Yusuf: First Set
Page 22

19. Name and describe all attorneys, financial consultants, investment advisors, accountants, or bookkeepers paid more than \$100 by you, any member of your family, any corporation or entity in which you have any interest from January 2011 to present.

20. Regarding Manal Mohamad Yousef, please state as follows:

(a) Her last known address and phone number

(b) The dates for the last ten times you spoke with her

(c) The gist of all conversations you have had with her since 1998 about the property known as Diamond Keturah on the south shore of St. Croix.

21. With regard to the letter attached as Exhibit A hereto, please state:

a) With regard to the line of the calculation that states "Past Confirmed Withdrawals \$1,600,000.00", please state all details regarding about where, when and how this number was established. If it arose from a conference or meeting between persons, describe the date and activities that took place.

b) With regard to the line of the calculation that states "Fifty percent (50%) of St. Maarten Bank Account..... \$44,355.50", please state all details about where this number comes from, and all details known about the amount. If this refers to a bank account, provide the details on the account.

c) With regard to the line of the calculation that states "Fifty percent (50%) of Cairo Amman Bank544,696.00", please state all details about where this number comes from, and all details known about the amount. If this refers to a bank account, provide the details on the account.

Plaintiff's Interrogatories to Yusuf: First Set
Page 25

22. At some time between 1986 and 1989 Fathi Yusuf paid some amount believed to be \$1 million to his brother -- Ahmad Yusef -- to buy him out of the Plaza Shopping Center real estate. State all details about any such buyout of Yusuf's brother, including but not limited to the sourcing of the funds used to pay him.

23. Between the years 1986 and 2003, Fathi Yusuf keep a record of amount due to and from Hamed and Yusuf family members in what has been referred to as "the black book". Describe in detail all records kept by Yusuf, Plaza Extra Supermarket or United for keeping track of withdrawals and amounts due to Hameds or Yusuf from 1986 through 2003.

24. For the years 2003 to date, describe all bonus points, rebates or other valuable transfers to Fathi Yusuf or his sons in which they personally paid for food products or other purchases for Plaza Extra Supermarkets with their own personal credit cards and kept the points or monetary rebates.

25. Regarding Mohammad Hammdan, please state as follows:

a) What is the last known address for him;

b) What was his relationship to you;

c) When did he die;

d) please list all brokerage accounts you had with him, traded for him or acted on his behalf in making trades.

VERIFICATION OF RESPONSES

DATED:

FATHI YUSUF

SWORN TO AND SUBSCRIBED
BEFORE ME THIS _____ DAY
OF _____, 2013

NOTARY PUBLIC

Dated: November 15, 2013



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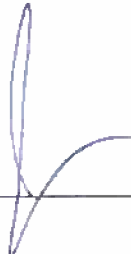
CERTIFICATE OF SERVICE

I hereby certify that on November 15, 2013, a true and accurate copy of the foregoing was served by hand on:

Nizar A. DeWood, Esq.
The Dewood Law Firm
2006 Eastern Suburb, Suite 101
Christiansted, VI 00820

And by email on:

Greg H. Hodges
Dudley, Topper and Feuerzeig, LLP
Law House
1000 Fredericksberg Gade
P. O. Box 756
St. Thomas, VI 00804



**UNITED CORPORATION
d/b/a PLAZA EXTRA SUPERMARKET
4C & 4D Sion Farm
Christiansted, VI 00820**

BY HAND DELIVERY

*Received by
8/16/2012*

Date: August 15, 2012

**Mohammed Hamed
By and through Waleed Hamed
Plaza Extra Supermarket
Sion Farm Store
Christiansted, V.I. 00820**

Re: Notice of Withdrawal

Dear Mr. Hamed,

The amount of \$2,784,706.25 will be withdrawn from United's operating account effective August 15th, 2012. This amount equals the proceeds you previously withdrew through your agent Waleed Hamed. To ensure full accuracy, attached are the receipts you requested during mediation demonstrating the \$1,095,381.75 of withdrawals. The below itemized amounts are not in dispute.

Past Confirmed Withdrawals	\$1,600,000.00
Additional Withdrawals per the attached requested receipts	\$1,095,381.75
Fifty percent (50%) of St. Maarten Bank Account.....	\$44,355.50
Fifty percent (50%) of Cairo Amman Bank	\$44,696.00

Should you have any concerns about these amounts, please provide the basis for your concerns in writing. Thank you.

Yours,
[Signature]
for Fathi Yusuf



YUSF101067

**DEFENDANTS' RESPONSE
0112036**