

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

MOHAMMED HAMED by his authorized agent)	
WALEED HAMED,)	
)	CIVIL NO. SX-12-CV-370
Plaintiff,)	
v.)	ACTION FOR DAMAGES, <i>et al.</i>
)	
FATHI YUSUF and UNITED CORPORATON,)	
)	
Defendants.)	

ORDER EXTENDING SCHEDULING DEADLINES

THIS MATTER is before the Court on Defendants Emergency Motion to Extend Scheduling Order Deadlines, filed November 21, 2013 (“Motion”) and Plaintiff’s Response to Defendants’ Emergency Motion to Extend Scheduling Deadlines, filed December 3, 2013 (“Response”). For the following reasons, Defendants’ Motion is granted, as follows.

On August 5, 2013 the Parties submitted a Proposed Stipulated Discovery Order which was approved by Scheduling Order entered August 15, 2013, which, among other things, set a December 15, 2013 deadline for the completion of factual discovery (including witness depositions). Defendants now seek an additional six (6) months to complete discovery.

Defendants argue that this Court’s failure to rule on Defendants’ Renewed Motion to Dismiss, and in the Alternative for a More Definite Statement, and Motion to Strike Pursuant to Rules 12(b)(6), 12(e), and 12(f) Respectively of the Federal Rules of Civil Procedure prevents the Parties from conferring “until the scope of discovery is clarified.” *See* Defendants’ Motion, at 3. However, that concern is cured by the Court’s denial of Defendants’ Renewed Motion to Dismiss by Order entered this date.

Defendants put forward three additional considerations in support of their request for an additional six months to complete discovery, namely that: (1) voluminous documents still need to be tendered; (2) certain tax records and tax return filings still need to be completed (which

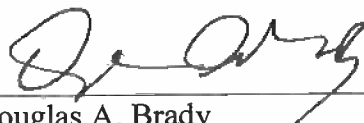
should be available “shortly”); and (3) certain financial documents are still in the possession of the U.S. Department of Justice regarding the ongoing criminal action, which should be available following a sentencing hearing to take place “in the near future.” *Id.*, at 4.

Plaintiff opposes any further extension as “nothing but another unnecessary delaying tactic that should be summarily denied.” *See* Plaintiff’s Response, at 1. Plaintiff claims that Defendants cite no valid reasons for a discovery extension and expresses concern that extending discovery deadlines will unduly delay scheduling the trial. *Id.*, at 3.

Given the volumes of information exchanged in this litigation, the Court accepts Defendants’ argument that some additional time to complete discovery is appropriate. However, there seems no need to add an additional six months to a discovery schedule to which Defendants recently stipulated. With the Parties acting diligently in completing discovery, there is no reason that the case cannot come to trial within the next year. As such, all discovery deadlines will be extended by three (3) months. An appropriate Amended Scheduling Order is issued simultaneously herewith. On the basis of the foregoing, it is hereby

ORDERED that Defendants’ Emergency Motion to Extend Scheduling Order Deadlines is GRANTED extending discovery deadlines by three (3) months.

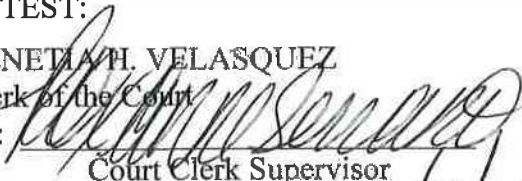
December 5, 2013




Douglas A. Brady
Judge of the Superior Court

ATTEST:

VENETIA H. VELASQUEZ
Clerk of the Court

By: 

Court Clerk Supervisor
12/5/13

CERTIFIED TO BE A TRUE COPY
This 5th day of Dec 20 13
VENETIA H. VELAZQUEZ, ESQ.
CLERK OF THE COURT
By  Court Clerk