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

MOHAMMAD HAMED, by his authorized agent WALEED HAMED,	)	
Plaintiff/Counterclaim Defendant,	)	CIVIL NO. SX-12-CV-370
vs.	)	ACTION FOR DAMAGES, INJUNCTIVE RELIEF AND DECLARATORY RELIEF
FATHI YUSUF and UNITED CORPORATION,	)	
Defendants/Counterclaimants,	)	
vs.	)	**JURY TRIAL DEMANDED**
WALEED HAMED, WAHEED HAMED, MUFEED HAMED, HISHAM HAMED, PETER'S FARM INVESTMENT CORPORATION, PLESSEN ENTERPRISES, INC., SIXTEEN PLUS CORPORATION, and Y & H INVESTMENTS, INC.,	)	
Additional Counterclaim Defendants.	)	

DEFENDANT FATHI YUSUF'S ANSWERS TO PLAINTIFF'S INTERROGATORIES TO DEFENDANT: FIRST SET

Defendant Fathi Yusuf ("Yusuf"), through his undersigned counsel, hereby submits his answers to Plaintiff's Interrogatories to Defendant: First Set, as follows:

GENERAL OBJECTIONS

Yusuf makes the following general objections to the Interrogatories. These general objections apply to all or so many of the Interrogatories that, for convenience, they are set forth herein and are not necessarily repeated after each objectionable interrogatory. The assertion of the same, similar, or additional objections in the individual objections to the Interrogatories, or

the failure to assert any additional objections to an interrogatory does not waive any of Yusuf's objections as set forth below:

(1) Yusuf objects to the Interrogatories to the extent that when all of the subparts are included, they are in excess of the number permitted by Fed. R. Civ. P. 33, made applicable to this Court by Super. Ct. R. 7 and 39.

(2) Yusuf objects to the Interrogatories to the extent they purport to impose a greater duty or burden than is required by the Federal Rules of Civil Procedure.

(3) Yusuf objects to each interrogatory that uses the words "any" and "all" as being overly broad, unduly burdensome, immaterial, irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence.

(4) Yusuf objects to the Interrogatories to the extent they seek information which is protected by the attorney-client privilege or work-product doctrine, including information prepared in anticipation of litigation, or for trial, by or on behalf of Yusuf or relating to mental impressions, conclusions, opinions, or legal theories of his attorneys or representatives, or any other applicable privilege or doctrine under federal or state statutory, constitutional or common law. Yusuf's answers shall not include any information protected by such privileges or doctrine, and documents or information inadvertently produced which includes such privileged information shall not be deemed a waiver by Yusuf of such privilege or doctrine.

(5) Yusuf objects to the Interrogatories to the extent that they seek information and documents concerning any matter that is irrelevant to the claims or defenses of any party to this action, and not reasonably calculated to lead to the discovery of admissible evidence.

(6) Yusuf objects to each interrogatory to the extent that it uses terms or phrases that are vague, ambiguous, or undefined. Yusuf's response to each such interrogatory is based upon his understanding of the interrogatory.

(7) Yusuf objects to the Interrogatories to the extent they seek documents or information not in the possession, custody or control of Yusuf on the ground that it would subject Yusuf to undue burden, oppression and expense, and impose obligations not required by the Federal Rules of Civil Procedure.

(8) Yusuf has not completed either his discovery or his preparation for trial of this matter. Accordingly, Yusuf's answers to the Interrogatories are based only upon information presently available and are made without prejudice to Yusuf's right to make any use of, or proffer at any hearing or at trial, any subsequently discovered information. If and as additional, non-privileged, responsive information is discovered, these Interrogatories will be supplemented to the extent that supplementation may be required by the Federal Rules of Civil Procedure.

(9) Some information sought by the Interrogatories is as much as twenty-seven (27) years old. Documents which may have contained information relevant to answering the Interrogatories may no longer be in existence. Thus the information produced herewith may not be, and should not be considered complete, and may be subject to supplementation if additional information is discovered.

(10) Banco Popular objects to defined terms and instructions to the extent that they vary from applicable law and/or impose different obligations than those set forth in the Federal Rules of Civil Procedure.

Subject to and incorporating by reference each of the General Objections set forth above, Yusuf answers the Interrogatories as follows:

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.

ANSWER:

Yusuf objects to Interrogatory No. 1 as to its characterization of the relationship between Hamed and Yusuf but shows that a full and complete description of the arrangement between Yusuf and Hamed for Hamed to receive 50% of the net profits of the Plaza Extra Stores (as defined in the Answer and Counterclaim) is set forth in detail in the Counterclaim which was filed on December 23, 2013. Hence, Yusuf incorporates by reference as if fully set forth herein verbatim the allegations of the Counterclaim.

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.

ANSWER:

See Response to Interrogatory No. 1, which response is incorporated herein by reference as if fully set forth herein verbatim.

Responding Party Fathi Yusuf entered into the arrangement with Mohammed Hamed to provide him fifty (50%) percent of the net profits from the operations of the Plaza Extra Stores. United Corporation is the owner of the Plaza Extra Stores and other assets. Fathi Yusuf is a shareholder in and officer of United. Fathi Yusuf is in charge of all operations of United including the Plaza Extra Stores.

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.

ANSWER:

Fathi Yusuf and his wife, Fawzia Yusuf have a combined fifty (50%) percent of United Corporation stock.

United Corporation as a C-Corp. (1979 to 2000):

Name	Title[1]	Percentage
Ahmad Yousef	President	50%
Fawzia Yusuf/Fathi Yusuf	Vice President/Secretary/Treasurer	50% (combined)

United Corporation as an S-Corp. (2000 to date):

Name	Address	Title[2][3]	Percentage
Fathi Yusuf	4 C & D Sion Farm Christiansted, USVI	Secretary/Treasurer	36.0%
Fawzia Yusuf	92 La Grande Princess Christiansted, USVI	Vice President	36.0%
Maher Yusuf	4 C & D Sion Farm Christiansted, USVI	President	7.0%
Najeh Yusuf	St. Thomas, USVI		7.0%
Yusuf Yusuf	92 C&D La Grande Princess Christiansted, USVI		7.0%

[1] *All Board of Directors*
[2] *All Board of Directors*
[3] *All Shareholders*

Zayed Yusuf	USVI	7.0%
Zeyad Yusuf	Texas	0.0%[4]

In addition, Responding Party exercises his option pursuant to Fed. R. Civ. P. 33(d) and refers Plaintiff to **United Corporation Document produced as follows:**

1. Facsimile Cover Sheet attaching United Corporation's Corporate Documents (1 p.) – **Bates® –Stamp FY 002040.**

2. Certification of Incumbency for United Corporation, dated February 7, 2000 (1 p.) – **Bates® –Stamp FY 002041**

3. Certification of Corporate Ownership of United Corporation, dated February 7, 2000 (1 p.) – **Bates® –Stamp FY 002042**.

4. Certificate of Articles of Incorporation and Certificate of Amendment to Articles of Incorporation, dated February 7, 2000 (2 pp.) – **Bates® –Stamp FY 002043 – FY 002044**.

5. Articles of Incorporation, dated January 15, 1979 (7 pp.) – **Bates® –Stamp FY 002045 – FY 002052**.

6. Certificate of By-Laws and By-Laws, dated February 7, 2000 (12 pp.) – **Bates® –Stamp FY 002053 – FY 002065**.

7. Certificate of Registration of Trade Name, dated February 10, 1986 (1 p.) – **Bates® – Stamp FY 002066**.

8. Certificate of Renewal of Trade Name Registration, dated February 10, 2012 (1 p.) – **Bates® –Stamp FY 002067**.

9. Certificate of Incorporation for Years 1979 and 1991 (2 pp.) – **Bates® –Stamp FY 002068 – FY 002069**.

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[4] *On March 1, 2012, Zeyad Yusuf transferred 3 ½ of his shares to Fathi Yusuf and 3 ½ shares to Fawzia Yusuf.*

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 <u>any</u> interest.

<u>ANSWER</u>:

Yusuf objects to Interrogatory No. 4 in that it seeks information that is not relevant to a claim or defense in any pleading in this case and is not likely to lead to the discovery of admissible evidence; furthermore, it is overly broad and unduly burdensome.

However, subject to the above-stated objections, to the extent that the Responding Party previously produced Rule 26 (a) documents, he exercises his option pursuant to Rule 33(d) to refer Plaintiff to those documents in response to this Interrogatory.

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).

ANSWER:

Responding Party incorporates by reference as if fully set forth herein verbatim his attached Answer & Counterclaims which fully responds to this Interrogatory.

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).

ANSWER:

Responding Party incorporates by reference as if fully set forth herein verbatim his attached Answer & Counterclaims which fully responds to this Interrogatory.

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.

ANSWER:

Yusuf objects to Interrogatory No. 7 in that it is not clear how the term "defenses" is being used, i.e., is it meant to be construed in layman's or legal terms, or what the term "offsets" is purported to mean. Furthermore, Interrogatory No. 7 is a contention interrogatory that seeks "all factual bases" which supports Yusuf's "defenses or offsets." Accordingly, even assuming *arguendo* this interrogatory is not objectionable for other reasons, no response is required until the end of discovery. Indeed, numerous courts have rejected this type of interrogatory as overly broad and unduly burdensome. For example, in In re eBay Seller Antitrust Litig., 2008 U.S. Dist. LEXIS 102815 (N.D. Cal. Dec. 11, 2008), the court held that "pursuant to Rule 26, because the contention interrogatories . . . seek 'all facts' supporting Malone's allegations, they are overly broad and unduly burdensome on their face"); see also Gregg v. Local 305 IBEW, 2009 U.S. Dist. LEXIS 40761 at *16 (N.D. Ind. May 13, 2009) ("To respond would be an unduly burdensome task, since it would require the Defendants to produce veritable narratives of their entire case"); 7 Moore's Federal Practice - Civil § 33.78 ("contention interrogatories may not be answered until, at the earliest, after substantial discovery has taken place, or at the latest, at the final pre-trial conference").

To the extent that those "defenses," "offsets" and "factual bases" are presently known they are set forth in detail in Defendants' Affirmative Defenses outlined in Answer & Counterclaims, which are attached hereto and incorporated herein by reference as if fully set forth herein verbatim.

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.

ANSWER:

Yusuf objects to Interrogatory No. 8 in that it is not clear how the term "defenses" is being used, i.e., is it meant to be construed in layman's or legal terms, or what the term "offsets" is purported to mean. Furthermore, Interrogatory No. 7 is a contention interrogatory that seeks "all factual bases" which supports Yusuf's "defenses or offsets." Accordingly, even assuming *arguendo* this interrogatory is not objectionable for other reasons, no response is required until the end of discovery. Indeed, numerous courts have rejected this type of interrogatory as overly broad and unduly burdensome. For example, in In re eBay Seller Antitrust Litig., 2008 U.S. Dist. LEXIS 102815 (N.D. Cal. Dec. 11, 2008), the court held that "pursuant to Rule 26, because the contention interrogatories . . . seek 'all facts' supporting Malone's allegations, they are overly broad and unduly burdensome on their face"); see also Gregg v. Local 305 IBEW, 2009 U.S. Dist. LEXIS 40761 at *16 (N.D. Ind. May 13, 2009) ("To respond would be an unduly burdensome task, since it would require the Defendants to produce veritable narratives of their entire case"); 7 Moore's Federal Practice - Civil § 33.78 ("contention interrogatories may not be answered until, at the earliest, after substantial discovery has taken place, or at the latest, at the final pre-trial conference").

To the extent that those "defenses," "offsets" and "factual bases" are presently known they are set forth in detail in Defendants' Affirmative Defenses outlined in Answer & Counterclaims, which are attached hereto and incorporated herein by reference as if fully set forth herein verbatim.

9. Prior to the installation of the federal monitor in the criminal case (USVI Federal District Court case no. 2005-1 5), 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.

ANSWER:

Defendants show that various documents responsive to this Interrogatory have already produced in this case or other concurrent litigation. Further responding, Defendants reserve the right to supplement their response to this Interrogatory pending receipt of all documents, records, books, ledgers, bank statements, etc., from the U.S. Attorney's Office. Hence, Defendants are unable to respond to this interrogatory beyond that which has already been produced or which has been requested but not received from Hamed, and will supplement same once documents are received and released to the possession of Defendants.

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.

ANSWER:

Defendant Yusuf shows that various documents responsive to this Interrogatory have already been produced in this case or other concurrent litigation. Further responding, Defendants reserve the right to supplement their response to this Interrogatory pending receipt of all documents, records, books, ledgers, bank statements, etc., from the U.S. Attorney's Office. Hence, Defendant Yusuf is unable to respond to this interrogatory beyond that which has already been produced or which has been requested but not received from Hamed, and will supplement same once documents are received and released to the possession of Defendants.

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.

ANSWER:

Defendants show that various documents responsive to this Interrogatory have already produced in this case or other concurrent litigation. Further responding, Defendants reserve the right to supplement their response to this Interrogatory pending receipt of all documents, records, books, ledgers, bank statements, etc., from the U.S. Attorney's Office. Hence, Defendant Yusuf is unable to respond to this interrogatory beyond that which has already been produced or which has been requested but not received from Hamed, and will supplement same once documents are received and released to the possession of Defendants.

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.

ANSWER:

Yusuf objects to Interrogatory No. 12 as it is overly broad, unduly burdensome, and seeks information that may be protected by the work product and consulting expert privileges. Subject to and without waiving this objection, Yusuf has not at this time identified trial and/or expert witnesses. Should he elect to present expert testimony, he will identify the expert(s) and make any other disclosures required by Fed. R. Civ. P. 26(a)(2).

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.

ANSWER:

Yusuf objects to Interrogatory No. 13 as it is overly broad, unduly burdensome, and seeks information that may be subject to the work-product privilege. "[I]information pertaining to the development of the trial of the case is not the proper subject for interrogatories." Wedding v. Tallant Transfer Co., 37 F.R.D. 8, 10 (N.D. Ohio 1963).

Subject to the above stated objections, Yusuf shows that no witness interviews have taken place to date.

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

ANSWER:

To the best of Responding Party's knowledge, surveillance video clips from the Plaza Extra Store's surveillance system depicting Mufeed Hamed and Hisham Hamed displaying and brandishing their weapons may exist. Defendant Yusuf has not retained any private investigators and/or assigned any agents to surveille the Hamed family, be it store or other email systems, including video or sound. To the extent that other evidence responsive to this Interrogatory becomes know, Defendants will timely supplement their response hereto.

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.

ANSWER:

Yusuf objects to Interrogatory No. 15 because it is overly broad and unduly burdensome and not reasonably limited in time and scope. Further responding, Defendants show that no such information is in their possession.

16. Since 1990, have you ever notified any brokerage firm or trader to close any account (whether in you 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.

ANSWER:

Yusuf objects to Interrogatory No. 16 in that it is compound, irrelevant, overly broad, burdensome, and calls for information not reasonably calculated to the discovery of admissible evidence.

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.

ANSWER:

Yusuf objects to Interrogatory No. 17 in that it is irrelevant, overly broad, burdensome, and calls for information not reasonably calculated to the discovery of admissible evidence; furthermore, it seeks information that may be protected by the work-product, marital communications and consulting expert privileges.

Subject to the above-stated objections and without waiving same, Responding Party exercises his option pursuant to Rule 33(d) and refers Plaintiff to previously produced Rule 26 (a) documents. Further, Responding Party shows as follows:

1. **Waleed "Wally" Hamed**
   St. Croix, Virgin Islands
   Waleed Hamed is a Plaintiff in this action and is expected to testify inter alia regarding the allegations contained in Complaint.

2. **Waheed "Willy" Hamed**
   4 C 4D Sion Farm
   Christiansted, Virgin Islands 00821
   Waheed Hamed is a Plaintiff in this action and is expected to testify inter alia regarding the allegations contained in Plaintiffs' Complaint.

3. **Mufeed "Mafi" Hamed**
   St. Croix, Virgin Islands
   Mufeed Hamed is a Plaintiff in this action and is expected to testify inter alia regarding the allegations contained in Plaintiffs' Complaint.

4. **Hisham "Shawn" Hamed**
   St. Croix, Virgin Islands
   Hisham Hamed is a Plaintiff in this action and is expected to testify inter alia regarding the allegations contained in Plaintiffs' Complaint. He is a Son of Mohammed Hamed.

5. **Maher (Mike)Fathi Yusuf**
   St. Croix, Virgin Islands
   Maher (Mike) Fathi Yusuf is the Son of Fathi Yusuf and was present at the time of many of the incidents alleged in the complaint and in the Answer. He also has knowledge of discussions during a Mediation attempt with his father, Fathi Yusuf, his friends and family, which was held at Best Furniture, St. Croix, Virgin Islands in 2011.

6. **Nejeh Fathi Yusuf**
   St. Croix, Virgin Islands
   Nejeh Fathi is the son of Fathi Yusuf and has knowledge of some incidents alleged in the Complaint and Answer.

7. **Isam Yusuf**
   St. Martin, FWI
   Isam Yusuf is the nephew of Fathi Yusuf and has knowledge of some of the incidents as alleged in the Complain and Answer.

8. **Yusuf Yusuf**
   92 CD La Grande Princesse
   Christiansted, Virgin Islands
   Yusuf Yusuf is the Son of Fathi Yusuf and has knowledge of many of the allegations contained in the Complaint and Answer.

9. **Khalid Ali**
   Hermon Hill
   St. Croix, Virgin Islands
   Kahlid Ali, is the nephew of Fathi Yusuf, and has knowledge of discussions during two Mediation attempts with Fathi Yusuf, his friends and family which were held at Food Town, St. Croix, Virgin Islands in 2011 and 2012.

10. **Solomon Khaled**
    Hermon Hill
    St. Croix, Virgin Islands
    Solomon Khaled is the Nephew of Fathi Yusuf and has knowledge of discussions during three Mediation attempts with Fathi Yusuf, his friends and family which were held at Food Town, St. Croix, Virgin Islands in 2011 and 2012; and at Mr. Dollar Department Store, St. Croix, Virgin Islands in 2011; and Best Furniture, St. Croix, Virgin Islands in 2011.

11. **Mohammed Hannun**
Mohammed Hannun is the Brother-in-Law of Fathi Yusuf and has knowledge of discussions during four Mediation attempts with Fathi Yusuf, his friends and family which were held at Food Town, St. Croix, Virgin Islands in 2011 and 2012; and at Mr. Dollar Department Store, St. Croix, Virgin Islands in 2011; and at Best Furniture, St. Croix, Virgin Islands in 2011.

12. **Bakir Hussein**
c/o Best Furniture
St. Croix, Virgin Islands
Bakir Hussein, a long term Friend of Fathi Yusuf and Tenant at United Shopping Plaza since 1983 has knowledge of discussions during three Mediation attempts with Fathi Yusuf's friends and family held at Food Town, St. Croix, Virgin Islands in 2011 and 2012; and at Best Furniture, St. Croix, Virgin Islands in 2011.

13. **Naim Suid**
Owner of Mr. Dollar Department Store
Orlando, Florida
Naim Suid, a Family Friend has knowledge of discussions during a Mediation attempt with Fathi Yusuf's friends and family held at Mr. Dollar Department Store, St. Croix, Virgin Islands in 2011, where Naim Suid is the Owner.

14. **Abdullah Suid**
Chicago, Illinois
Abdullah Suid has knowledge of discussions during a Mediation attempt with Fathi Yusuf, his friends and family which took place at Mr. Dollar Department Store, St. Croix, Virgin Islands in 2011.

15. **Hussien Ahmed Baker**
c/o Best Furniture
St. Croix, Virgin Islands
Hussien Ahmed Bakir, Son of Bakir Hussien, a long term Business Associate of Fathi Yusuf, has knowledge of discussions during a Mediation attempt with Fathi Yusuf, his friends and family which took place at Mr. Dollar Department Store, St. Croix, Virgin Islands in 2011.

16. **Maher Abu Kais**
Hermon Hill
St. Croix, Virgin Islands

Maher Abu Kais, Nephew of Mohammed Hamed, has knowledge of discussions during a Mediation attempt with Fathi Yusuf, his friends and family which took place at Best Furniture, St. Croix, Virgin Islands in 2011.

17. **Ahmed Bakir**
c/o Best Furniture
St. Croix, Virgin Islands
Ahmed Bakir has knowledge of discussions during a Mediation attempt with Fathi Yusuf, his friends and family which took place at Best Furniture, St. Croix, Virgin Islands in 2011.

18. **United Corporation d/b/a Plaza Extra Employees in the Accounting Office and Cash Room from 1994 to present.**

St. Croix Plaza Extra Store

(i) Wadda Charriez
St. Croix, Virgin Islands

(ii) S. Motilal
St. Croix, Virgin Islands

(iii)L. Bartlette
St. Croix, Virgin Islands

St. Thomas Plaza Extra Store

(iv)Magie Sofeing
St. Thomas, Virgin Islands
Magie Sofeing was Controller of Plaza Extra St. Thomas until January 2013.

19. **Persons With Knowledge in the Kingdom of Jordan:**

(i) **Batch Plant Managers**

(1) Mufeed Sadiq
The West Bank
State of Israel
011.972.599.203.692

(2) Najeh Ghanem
The West Bank
State of Israel
011.972.599.203.690 or
011.972.424.505.638

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.

ANSWER:

Yusuf objects to Interrogatory No. 18 because it is overly broad and unduly burdensome. Further responding, Yusuf shows that the testimony of the current controller John Gaffney, as set forth at the Injunction Hearing, can provide a more accurate description of the accounting methods both computer and paper utilized by United as to the operations of the Plaza Extra Stores. Hence, Yusuf incorporates by reference the testimony of Mr. Gaffney as his response to this Interrogatory.

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.

ANSWER:

Objection: Overbroad, unduly burdensome and irrelevant. Subject to the above objection, Responding Party states as follows:

1. **Randall P. Andreozzi, Esq.**
   Andreozzi, Bluestein, Fickess, Muhlbauer, Weber, Brown, LLP
   9145 Main Street
   Clarence, NY 14031
   Mr. Andreozzi is an attorney who did investigations on tracing monies to an Islamic School and has knowledge of many of the incidents as alleged in the Complaint. Also has knowledge of funds taken by and attributed to Waleed Hamed and Waheed Hamed in the Criminal Prosecution.

2. **Pamela Colon, Esq.**
   Law Offices of Pamela Colon
   27 & 28 King Cross Street
   1st Floor
   St. Croix, Virgin Islands 00820
   Has knowledge of the transactions ascribed to Fathi Yusuf and United Corporation through the conduct of Plaintiff's Agents Waleed Hamed, and Waheed Hamed that formed the basis of Liability and the guilty plea entered by United Corporation.

1. **Gordon C. Rhea, Esq.**
   Law Offices of Gordon C. Rhea, P.C.
   211 Bennett Street
   Mt. Pleasant, South Carolina 29464
   Telephone: 843.727.6656
   Facsimile: 843.216.6509
   Has knowledge of the transactions ascribed to Fathi Yusuf and United Corporation through the conduct of Plaintiff's Agents Waleed Hamed, and Waheed Hamed that formed the basis of Liability and the guilty plea entered by United Corporation.

2. **Henry C. Smock, Esq.**
   Smock & Moorehead
   11A Norre Gade, Kongens Quarter
   St. Thomas, Virgin Islands 00804
   Telephone: 340.777.5737
   Facsimile: 340.777.5758
   Has knowledge of the transactions ascribed to Fathi Yusuf and United Corporation through the conduct of Plaintiff's Agents Waleed Hamed, and Waheed Hamed that formed the basis of Liability and the guilty plea entered by United Corporation.

3. **Warren B. Cole, Esq.**
   Hunter & Cole
   1138 King Street, Suite 3
   Christiansted, Virgin Islands 00820
   Telephone: 340.773.3535
   Facsimile: 340.778.8241
   Has knowledge of the transactions ascribed to Fathi Yusuf and United Corporation through the conduct of Plaintiff's Agents Waleed Hamed, and Waheed Hamed that formed the basis of Liability and the guilty plea entered by United Corporation.

4. **John "Jack" K. Dema, Esq.**
   1236 Strand Street, Suite 103
   Christiansted, St. Croix
   U.S. Virgin Islands 00820-5008
   Telephone: 340.773.6142
   Facsimile: 340.773.3944

5. **Carl A. Beckstedt, III**
   Beckstedt & Associates
   2162 Church Street
   Christiansted, Virgin Islands 00820
   Tel: 340.719.8086
   Fax: 800.886.6831

6. **Robert L. King, Esq.**
   Law Offices of Robert L. King
   1212 Bjerge Gade
   St. Thomas, Virgin Islands 00802
   Telephone: 340.776.1014
   Facsimile: 809.774.5299

7. **Joseph A. DiRuzzo, III, Esq.**
   Christopher David, Esq.
   Fuerst Ittleman David & Joseph, PL
   1001 Brickell Bay Drive, 32nd. Floor
   Miami, FL 33131
   Telephone: 305.350.5690
   Facsimile: 305.371.8989

8. **Nizar DeWood, Esq.**
   The DeWood Law Firm
   2006 Eastern Suburb, Suite 102
   Christiansted
   St. Croix, Virgin islands 00820
   Telephone: 340.773.3444
   Facsimile: 888.398.8428

9. **K. Glenda Cameron, Esq.**
   Law Offices of K. G. Cameron
   2006 Eastern Suburb, Suite 101
   Christiansted
   St. Croix, Virgin islands 00820
   Telephone: 340.773.3444
   Facsimile: 888.398.8428

10. **Andrew L. Capdeville, Esq.**
    Law Offices of Andrew L. Capdeville, P.C.
    8000 Nisky Shopping Center, Suite 201
    P. O. Box 6576
    St. Thomas, U.S.V.I. 00804-6576
    Telephone: 340.774.7784
    Facsimile: 340.774.2737

11. **Gregory H. Hodges, Esq.**
    Dudley Topper Feuerzeig, LLP
    1000 Fredericksberg Gade
    St. Thomas, Virgin Islands 00802
    Telephone: 340.774.4422
    Facsimile: 340.715.4400

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.

ANSWER:

Yusuf objects to Interrogatory No. 20 in that it seeks information that is not relevant to a claim or defense in any pleading in this case and is not likely to lead to the discovery of admissible evidence; furthermore, it is overly broad and unduly burdensome.

Subject to the above-stated objections, Yusuf shows:

a) Manal Mohamad Yousef resides in Ramalah, The West Bank, Palestine. No known address, or phone number.

b) Yusuf recalls speaking with her once four years ago during a visit to the The West Bank. Yusuf does not recall any other dates.

c) Responding party did not discuss Diamond Keturah with Manal Mohamad Yousef since 1998.

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 Bank 544,696.00", 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.

ANSWER:

Yusuf shows as to each subparagraph as follows:

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.

Answer: During the period of 1994 through 2001, the Hamed families withdraw a total of $2.9 million dollars. Sometime before October 2001, Waleed Hamed was provided the receipts totaling of $2,900,000 million dollars. In October of 2001, the FBI raided each of the Plaza Extra Stores. Subsequent to the FBI raid, Waleed Hamed was asked to return the receipts. Waleed Hamed first stated that he didn't have them. Waleed Hamed then changed his explanation several times, ending up with one where his brother Mufeed Hamed destroyed these receipts to avoid detection by the FBI.

Similarly, during the period of 1994 through 2001, the Yusuf family withdrew $1.3 million dollars. Those receipts were also provided to Waleed Hamed prior to the FBI raid in 2001. Hence, the amount of $1.6 Million ($2.8m – $1.3m) due to the Yusuf Family remained. Sometime within the last three years the parties attempted to settle their dispute by way of informal mediation before friends/family members. During those

mediations, Waleed Hamed admitted before several individuals that the amount of $1.6 million was owed despite the unavailability of the receipts. It was not until this lawsuit was filed in September of 2012, that Waleed Hamed now denies the $1.6 Million dollars owing to the Yusufs.

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.

Answer: Waleed Hamed was the custodian of that account. The monies deposited in that account came from the Plaza Extra operations, and all proceeds deposited in that account was owned 50/50 by Yusuf Hamed and Mohammed Hamed. Two years ago, responding party went with Waleed Hamed to St. Maarten, where the responding party requested his share of the balance in that account. In a letter dated August, 2012, responding party listed that amount in the letter.

c) With regard to the line of the calculation that states "Fifty percent (50%) of Cairo Amman Bank 544,696.00", 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.

Answer: First, the number was not $544, 696.00" but was $44,696.00." Second, Waleed Hamed was also the custodian of the Cairo Amman Bank account. The monies deposited in that account came from the Plaza Extra operations, and all proceeds deposited in that account were owned 50/50 by Yusuf Hamed and Mohammed Hamed. Responding party requested his 50% share of the balance in that account in an August 15th, 2012 Notice-Demand Letter.

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.

ANSWER:

After June 10, 1989 Responding Party paid monies to Ahmad Yousef, from Responding Party's own funds, including United's tenant account, to "buyout" the interest of Ahmed Yousef in United Shopping Plaza Extra in a series of payments. . The "buyout" made was made with knowledge of Hamed.

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.

ANSWER:

The Black Book was in the custody and control of Waleed Hamed until 2013. When responding party inventoried the corporate records of United Corporation that were in the possession and control of Waleed Hamed it was revealed that over 40 pages of that book had been removed. As such responding party cannot provide a complete and accurate record of the amounts due to and from. A copy of the remaining pages will be produced, and the remains of the "Black Book" can be made available for inspection at a mutually convenient time.

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.

ANSWER:

Responding Party objects to this interrogatory as overly broad, unduly burdensome, irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further responding, all miles, bonus points, rewards, etc., are the sole personal property of each cardholder.

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.

ANSWER:

Responding Party, Yusuf shows as to each subparagraph as follows:

a) Mohammed Hammdan to the best of Responding Party's recollection last resided in Ramalah, West Bank, Palestine. No known address, or phone number.

b) Mohammed Hammdan was Responding Party's brother.

c) Mohammed Hammdan died in 1993 or 1994.

d) Responding Party, Yusuf did trade a brokerage account at Merrill Lynch held in the name of Hamdan Diamond. However that account was transferred to Responding Party's Niece (Fathieh Yousef) in 2001. Responding Party has no present recollection of the details of that account and no documents relating to that account, which existed over 10 years ago.

VERIFICATION

On this, the 27th day of December 2013, before me personally appeared **Fathi Yusuf**, after being first duly sworn, states under oath that the foregoing Answers to Interrogatories, are true and correct to the best of his knowledge and belief, and that he executed same.

This, the 27th day of December 2013.

By: _____
Fathi Yusuf

TERRITORY OF U.S. VIRGIN ISLANDS
DISTRICT OF ST. CROIX

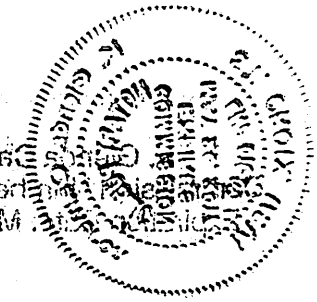
On this the 27th day of December 2013, before me personally appeared **Fathi Yusuf** and executed the foregoing Verification.

This the 27th day of December 2013.

_____
Notary Public

My Commission expires: _____

K. Glenda Cameron
Commission Number LNP 010-09
Expiration Date: May 26, 2017



DUDLEY, TOPPER and FEUERZEIG, LLP

Dated: December 27th, 2013

By: _____

Gregory H. Hodges, Esq. (V.I. Bar No. 174)
1000 Frederiksberg Gade - P.O. Box 756
St. Thomas, VI 00804
Telephone: (340) 715-4405
Telefax: (340) 715-4400
E-mail:ghodges@dtflaw.com

and

Nizar A. DeWood, Esq. (V.I. Bar No. 1177)
The DeWood Law Firm
2006 Eastern Suburbs, Suite 101
Christiansted, VI 00830
Telephone: (340) 773-3444
Telefax: (888) 398-8428
Email: info@dewood-law.com

Attorneys for Fathi Yusuf and United Corporation

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED THAT a true and exact copy of the foregoing was served via U.S. Mail, postage prepaid, fax, electronic mail or hand delivery on this the 27th day of December 2013 to wit:

Joel H. Holt, Esq. (V.I. Bar No. 6)
Law Office of Joel H. Holt
2132 Company Street
Christiansted, USVI 00820
Email: holtvi@aol.com
Counsel for Plaintiff

Carl J. Hartmann III, Esq.
5000 Estate Coakley Bay
Unit L-6
Christiansted, USVI 00820
Email: carl@carlhartmann.com
Co-Counsel for Plaintiff

via: CM/ECF ☐ | Mail ☐ | Fax ☐ | Hand Delivery ☐ | Email ☒

Cordelia L. Jones
Certified Paralegal