

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX 15 APR 21 P2:57

YUSUF YUSUF, derivatively on behalf of
 PLESSEN ENTERPRISES, INC.,

Plaintiff,

vs.

WALEED HAMED, WAHEED HAMED,
 MUFEED HAMED, HISHAM HAMED, and
 FIVE-H HOLDINGS, LLC.,

Defendants,

-and-

PLESSEN ENTERPRISES, INC.,

Nominal Defendant.

CASE # SX-13-CV-120

CIVIL ACTION FOR DAMAGES
 AND INJUNCTIVE RELIEF

**PLAINTIFF'S MOTION
 TO STRIKE DEFENDANTS'
 MOTION FOR SUMMARY
 JUDGMENT OR TO EXTEND TIME
 FOR FILING OF A RESPONSE**

Plaintiff's Motion to Strike Defendants'
 Motion for Summary Judgment
 or in the Alternate to Extend Time
 for Filing of Response

**PLAINTIFF'S MOTION TO STRIKE DEFENDANTS' MOTION FOR SUMMARY
 JUDGMENT, OR IN THE ALTERNATIVE TO EXTEND TIME FOR FILING OF
 RESPONSE**

COMES NOW, Plaintiff Yusuf Yusuf ("Yusuf"), through counsel, and respectfully moves this honorable Court for an Order to Strike Defendants' April 1, 2015, Summary Judgment Motion, or in the alternative to extend time for filing a response. For the below reasons, Plaintiff Yusuf respectfully requests that this Motion be granted.

Background

1. Plaintiff Yusuf filed this derivative action in April 2013, because of Defendants Waleed and Mufeed Hamed's outright conversion of \$460,000 from Plessen Enterprises. The funds were used for Defendants' personal reasons, and without the knowledge or authorization of Plessen and/or the Yusuf family which jointly manages and owns Plessen.

2. Plaintiff's suit not only seeks to make Plessen whole for the entire amount of \$460,000, but to also hold Defendant, Waleed Hamed for corporate misconduct, including removal as officer and Director of the Board. As such, this action is not only a damages action but also an action for injunctive and equitable relief.

The \$230,000 Check

3. Defendants desperately attempt to cast this case as a simple issue of refund, and filed their Summary Judgment motion arguing that there are no genuine issues of material fact because Defendants deposited half of the converted funds into the court's registry. It is well established that once a defendant converts funds, a refund is not a defense. At that point, a defendant is liable for not only actual damages, but also for an accounting of the funds, as well as punitive damages. Just like in a criminal case, a defendant cannot steal money and then return part of it back and then claim the return of the stolen money a defense to theft. The very fact that Defendants have deposited back only \$230,000 into the court's registry demonstrates their own admission to conversion of at least to that amount, liability for corporate misconduct, and duty to account for the use of these funds.
4. Defendants must be held accountable to Plaintiff for their misconduct, and the Court should permit the parties to continue discovery as ordered by this honorable court per its scheduling order on March 4th, 2014.
5. To date however discovery is incomplete as a result of Defendants' refusal to cooperate with Plaintiff's counsel, and Defendants' intentional failure to attend Plaintiff's duly noticed April 6th, 2015, depositions. **See Exhibit A**, Plaintiff's Motion to Show Cause Why Attorney Mark Eckard Should Not be Held in Contempt.
6. Because discovery is incomplete, and because Defendants intentionally violated this Court's scheduling order by unilaterally failing to appear for their duly noticed depositions (without court order), it is respectfully requested that Defendants' Motion for Summary Judgment be stricken.

7. In the alternative, Plaintiff requests that the court extend the time for filing of a response to Defendant's Summary Judgment Motion until after full discovery is completed.

WHEREFORE, Plaintiff respectfully requests that this Motion be granted. A proposed Order is attached.

Date: April 21, 2015

Respectfully Submitted,

The DeWood Law Firm
Attorney for Plaintiff

By:



Nizar A. DeWood, Esq. (1177)
2006 Eastern Suburb, Suite 102
Christiansted, V.I. 00820
T. (340) 773-3444; F. (888) 398-8428
Email: nizar@dewood-law.com

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that a true copy of the foregoing Motion (and attached Exhibit A), and Proposed Order were served upon the Defendant on this 21st day of April, 2015 at the below address and date via first class mail, return receipt requested.

Mark Eckard, Esquire
P.O. Box 24849
Christiansted VI 00824
Email: mark@markeckard.com


Christina Joseph

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

15 APR -9 A8:31

YUSUF YUSUF, derivatively on behalf of
PLESSEN ENTERPRISES, INC.,

Plaintiff,

vs.

WALEED HAMED, WAHEED HAMED,
MUFEED HAMED, HISHAM HAMED, and
FIVE-H HOLDINGS, LLC.,

Defendants,

-and-

PLESSEN ENTERPRISES, INC.,

Nominal Defendant.

CASE # SX-13-CV-120

CIVIL ACTION FOR DAMAGES
AND INJUNCTIVE RELIEF

PLAINTIFF'S MEMORANDUM
OF LAW IN SUPPORT OF
MOTION ORDER TO HOLD
DEFENDANTS AND ATTORNEY
MARK ECKARD IN CONTEMPT

**PLAINTIFF'S MEMORANDUM IN SUPPORT OF MOTION TO HOLD DEFENDANTS AND
THEIR COUNSEL MARK ECKARD IN CONTEMPT AND FOR SHOW CAUSE ORDER**

I. INTRODUCTION

Defendants failed to appear for Plaintiff's deposition on April 6th, 2015, despite Plaintiff's duly noticed deposition, and despite this Court's March 4th, 2014, Scheduling Order (requiring completion of depositions by November 28th, 2014). Since November of 2014, Defendant's counsel Mark Eckard ("Eckard") has engaged in evasive and bad faith tactics and misrepresentations to delay and prevent Plaintiff Yusuf from deposing Defendants. Moreover, Attorney Eckard misled

Plaintiff's counsel regarding Defendants' availability and intent to appear timely for Plaintiff's depositions.

As will be shown here, Defendants counsel has violated this Court's Order and therefore should be held in contempt.

II. ISSUES PRESENTED

- 1) Whether Attorney Mark Eckard Should Be Held In Contempt?

III. STATEMENT OF FACTS

The facts for purposes of this Motion are without dispute.

1. Plaintiff Yusuf Yusuf ("Yusuf") filed this derivative suit in April of 2013 after Defendants Waleed Hamed and Mufeed Hamed stole \$460,000 from Plessen Enterprises, Inc., a corporation owned and managed jointly by the Yusuf and Hamed families for the last 30 years. Defendants then collectively used the stolen proceeds for various personal purposes to the detriment of PLESSEN.
2. The Verified Complaint seeks not only a full accounting of the \$460,000, but to also hold Defendant Waleed Hamed liable for violating his fiduciary duties as a director and officer of Defendant PLESSEN. As such, this case is not merely about money, but also seeks to remove Defendant Waleed Hamed as director and Vice-President for breach of his fiduciary duties to PLESSEN and its shareholders.
3. The Court entered a Scheduling Order on March 4th, 2014, setting various discovery deadlines. The Scheduling Order called for the completion of deposition fact witnesses by November 28th, 2014. *Scheduling Order, Ex. A.*
4. In early November of 2014, Plaintiff's counsel contacted Attorney Eckard to schedule depositions for all Defendants before the 2014 Thanksgiving holiday. Attorney Eckard advised

that he was unavailable, and requested that all depositions be done after January 6, 2015 in light of the long holiday season and the fact that Attorney ECKARD would be off-island for most of December 2014. The parties agreed to discuss a suitable deposition date in early January of 2015, and agreed to extend the scheduling order deadline for depositions.

5. On January 8th, 2015, shortly after the long holiday season, Plaintiff's counsel contacted attorney Eckard to schedule a deposition based on a mutually available date.
6. On January 13th, 2015, Attorney Eckard asked the undersigned "to hold off until tomorrow morning, please." See *Email, Eckard to DeWood Email (dated Jan. 13th, 2015) Ex. B*. The Court should note that at no point did Attorney Eckard ever advise Plaintiff's counsel that Defendants had any objections to the deposition, or that there was any legal basis to justify any opposition to Plaintiff's deposition notices.
7. On January 16th, 2015, as Plaintiff's counsel was awaiting final confirmation for a suitable deposition date, Attorney Eckard, without warning, filed a meritless Motion for Protective Order citing an unrelated litigation (*Hamed v. Yusuf, et al. SX-12-CV-370*) as basis thereof. Plaintiff filed his Opposition. That Motion is still pending.
8. On February 4th, 2015, Plaintiff's counsel admonished attorney ECKARD for his delaying tactics. See *Email, DeWood to Eckard (Feb. 4th, 2015), Ex. C*. Attorney Eckard never responded.
9. On February 6th, 2015, Plaintiff's counsel served Defendant's a notice of deposition for March 10th, 2015. See *Plaintiff's Notice of Deposition, Ex. D*.
10. On March 9th, 2015, the day before the deposition hearing, an unexpected power failure at the deposition location caused Plaintiff to cancel the Mar. 10th, 2015 deposition. Timely notices were sent to Defendants. To reschedule, Plaintiff's counsel sent an email to Attorney Eckard

requesting suitable dates in March/April of 2015. **Ex. E.** See *Email, DeWood to Eckard dated April 1, 2015.*

11. Attorney Eckard never provided any dates, and instead responded on April 1st, 2015 that he would not attend the deposition in light of his motion for protective order. **Ex. F**
12. On March 19th, 2015, Plaintiff's counsel did not hear back from Attorney Eckard regarding availability dates. As such, Plaintiff noticed Defendants' amended depositions for April 6th, 2015. See *Notice of Amended Videotaped Deposition for Apr. 6th, 2015.* **Ex. G.**
13. On April 3rd, 2015, Attorney ECKARD, without notice, and exploiting the court's closure during the week-long Easter holiday, emailed Plaintiff's counsel to advise that his client will not be appearing for Plaintiff's duly noticed April 6th, 2015 deposition. The email reveals that Defendants' failure to appear for the deposition was due to attorney Eckard's specific instruction as shown by the attached email. See *Email, Eckard to DeWood (April 1st, 2015)* **Ex. H.**
14. Plaintiff's counsel advised attorney Eckard that there is no protective order, and that attorney Eckard cannot unilaterally decide not to appear for a duly noticed deposition without cause, or a court order excusing Defendants' appearance. See *Email, DeWood to Eckard (April 1st, 2015).* **Ex. H.**
15. Attorney ECKARD failed to answer Plaintiff's demand to reconsider Eckard's intent to not appear.
16. Ultimately, Attorney Eckard instructed his clients not to appear for Plaintiff's April 6th, 2015 deposition in an unlawful attempt to avoid his clients from having to testify under oath concerning their theft, breach of fiduciary duties, and corporate misconduct.

For the reasons below, the Court should grant Plaintiff's Motion, and issue the proper show cause order.

III. DISCUSSION

A. THE COURT SHOULD ISSUE A SHOW CAUSE ORDER WHY ATTORNEY ECKARD SHOULD NOT BE HELD IN CONTEMPT OF COURT.

i. The Court's Inherent Contempt Powers

It is well established that the Superior Court has the inherent power to enforce compliance with its orders through civil and criminal contempt. It is Plaintiff's burden to establish Defendants' and attorney Mark Eckard's contempt. As clearly demonstrated above, Defendants and attorney Eckard have intentionally acted to violate the court's March 4th, 2014 scheduling order and the discovery rules to prevent Plaintiff from deposing Defendants in a timely manner, and to severely prejudice Plaintiff's case. As such, the Court may exercise its inherent powers to enforce its order and to hold Defendants in contempt.

ii. Sanctions for Discovery Violations pursuant to FRCP 37(b).

In addition to the court's inherent powers to enforce its orders, imposing discovery sanctions is a matter within the court's discretion. Specifically, courts may enforce discovery orders by providing strong and specific sanctions for not complying with the court orders, including discovery orders. FRCP 37(b). More to the point, where a party acts in bad faith and willfully violates discovery, the court may impose severe sanctions, including but not limited to:

- 1) Holding the offending party in civil or criminal contempt,
- 2) Imposing monetary sanctions,
- 3) Compel the party to produce the requested evidence and/or attend depositions, and
- 4) Award attorney fees and expenses.

National Hockey League v. Metropolitan Hockey Club, Inc. 427 U.S. 639, 643 (1976). *Jankins v. TDC Mgmt.*, 21 F.3d 436, 444 (D.C. Cir 1994). *Attorney Eckard's Instruction to Defendants Not To Appear Was Willful and Done in Bad Faith*

Attorney Eckard was fully aware of the November 28th, 2014 deposition deadline. To circumvent the deadline, Attorney Eckard first requested that any deposition be conducted after January 6th, 2015. Shortly after the holidays, Attorney Eckard failed to cooperate with Plaintiff's counsel in providing a simple availability date in January of 2015. When Attorney Eckard was pressed to provide a date, he answered by stating to "please hold off." **Ex. B.** At no point did Attorney Eckard ever inform Plaintiff's counsel of any objections to Plaintiff's deposition requests. More importantly, attorney Eckard failed to request an emergency protective order, if indeed there were any valid grounds for a protective order. The court should note that if there was any basis for a protective order, Attorney Eckard could have filed it over 12 months ago to permit Plaintiff 1) to timely respond, and 2) to resolve any concerns by way of a court order. Instead Attorney Eckard waited until the last minute to file frivolous motions, and to unilaterally refuse to appear.

For example, on January 15th, 2015, attorney Eckard, after advising Plaintiff's counsel to "please wait," filed a Motion for Protective Order at the last minute before Plaintiff counsel was about to serve Defendants with a deposition notice. Indeed if Attorney Eckard felt the need for a protective order he could have filed it as far back as April of 2014. Clearly, these Motions, which are without merit, seem to be conveniently filed at the last minute to effectively prevent Plaintiff from conducting timely depositions of the Defendants.

Attorney Eckard decided without court permission not to appear for the April 6th, 2015 hearing, and worse unlawfully instructed his clients not to appear. As such, the Court should forthwith issue a

Show Cause Order to Attorney Eckard why he should not be held in contempt for instructing the Defendants not to appear for Plaintiff's duly noticed April 6th, 2015, deposition.


IV. CONCLUSION

For the reasons stated above, it is respectfully requested that this Motion be granted and for an Order to Show Cause be issued against Attorney Eckard.

Date: April 8, 2015

Respectfully Submitted,

The DeWood Law Firm
Attorney for Plaintiff

By: 
Nizar A. DeWood, Esq. (1177)
2006 Eastern Suburb, Suite 102
Christiansted, V.I. 00820
T. (340) 773-3444
F. (888) 398-8428
Email: nizar@dewood-law.com

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFY that a true copy of the foregoing **Memorandum in Support of Plaintiff's Motion for Order to Show Cause** was served upon the Plaintiff on this 8th day of April, 2015 at the below address and via electronic mail and hand delivery.

Mark Eckard, Esquire
P.O. Box 24849
Christiansted VI 00824
Email: mark@markeckard.com
Attorney for Defendants


Christina Joseph

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

YUSUF YUSUF, ON BEHALF OF **Plaintiff**)
PLESSEN ENT., INC.)

CASE NO. SX-13-CV-0000120

ACTION FOR: DAMAGES - CIVIL

vs)

WALEED HAMED)
WAHEED HAMED)
MUFEED MOHAMMAD HAMED)

Defendant


**NOTICE OF ENTRY OF
SCHEDULING ORDER**

**TO: ANDREW L. CAPDEVILLE, ESQ.
 MARK W. ECKARD, ESQ.**

Please take notice that on January 15, 2015 a(n) **SCHEDULING ORDER**
dated January 09, 2015 was entered by the Clerk in the above-entitled matter.

Dated: January 15, 2015

Estrella H. George
Acting Clerk of the Court



JANEEN MARANDA
COURT CLERK II

HW

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

YUSUF YUSUF, derivatively on behalf of
PLESSEN ENTERPRISES, INC.,

Plaintiff,

v.

WALEED HAMED, WAHEED HAMED,
MUFEEED HAMED, HISHAM HAMED
and FIVE-H HOLDINGS, INC.,

Defendants,

and

PLESSEN ENTERPRISES, INC.,

Nominal Defendant.

Case No. SX-13-CV-120

CIVIL ACTION FOR DAMAGES
AND INJUNCTIVE RELIEF

JURY TRIAL DEMANDED

REPORT OF THE PARTIES' PLANNING MEETING AND
JOINT STIPULATED SCHEDULING ORDER

1. **Participants.** Pursuant to Federal Rule of Civil Procedure 26(f), counsel for the parties have conferred and agreed on the matters set forth below. Participating in the preparation of and agreeing to the contents of this report are the following:

Andrew L. Capdeville, Esq. for Plaintiff;

Mark W. Eckard, Esq. for Defendants.

2. **Pre-Discovery Disclosures.** The Plaintiff has provided his Rule 26 Disclosures on April 1, 2014. The Defendants will provide theirs by April 15, 2014, the information required by Rule 26(a)(1) Fed.R.Civ.P.

3. A. **Discovery Plan.** Discovery will be needed on the following subjects:

- factual basis for the allegations stated in the Complaint; and
- the defenses asserted by each of the defendants.

The parties jointly propose to the Court the following discovery plan:

Handwritten initials/signature: "JE" and "RC"

B. Depositions:

Presumptive limit of ten (10) depositions per side as provided by Fed. R. Civ. P. 30

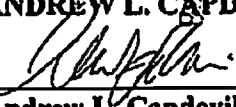
(a)(2)(A) excluding experts.

Duration of depositions as provided by Fed. R. Civ. P. 30(d)(1).


C. Settlement:

Settlement can be evaluated at any time during the pendency of the action.

DATED: March 4, 2014

14
17
LAW OFFICES OF
ANDREW L. CAPDEVILLE, P.C.
By: 
Andrew L. Capdeville, Esq.
V.I. Bar No. 206
Attorneys for Plaintiff
8000 Nisky Center, Suite 201
P. O. Box 6576
St. Thomas, U.S. Virgin Islands 00804-6576
Telephone: (340) 774-7784
Facsimile: (340) 774-2737
Email: capdeville@alcvilaw.com

Dated: March 4, 2014

ECKARD, PC
By: 
Mark W. Eckard, Esq.
Attorney for Defendants
P. O. Box 24849
Christiansted, VI 00824
Telephone: (340) 514-2690
Email: mark@markeckard.com

All Parties: Provided by the Court	All Motions in <i>Limine</i> (Experts) to be filed by this date.
All Parties: May 31, 2015	All dispositive motions filed and served by this date.
August 31, 2015 or 40 days following ruling on dispositive motions, whichever is later.	Ready for Trial (3 days) excluding jury selection

B. **Disclosure and discovery of electronically stored information:** The parties shall produce electronically stored information in static PDF format. The responding party shall notify the requesting party of any expenses required for conversion, and the requesting party shall bear the expense of converting such information to that format.

C. **Claims of privilege or of protection as trial preparation material:** The parties agree that the provisions of Fed.R.Civ.P 26(b)(5) shall govern claims of privilege or trial preparation materials, and inadvertent production of such materials by any party.

4. **Other Items.**

A. **Written Discovery:**

Presumptive limit of twenty-five (25) interrogatories per party as provided by Fed. R. Civ. P. 33 (a)(1) shall apply in this case.

DATE	EVENT
All Parties: April 1, 2014	Rule 26(a)(1) voluntary disclosures, to the extent not already exchanged shall be made by this date.
All Parties: May 30, 2014	Written discovery to be propounded under Rule 33, Rule 34, and Rule 36 by this date, and responses shall be provided within the time mandated by the Federal Rules of Civil Procedure.
All Parties: July 1, 2014	Amendment to add new parties and amend the pleadings.
All Parties: November 28, 2014	All fact witness depositions to be conducted by this date.
August 29, 2014	MEDIATION
March 1, 2015	The parties who have the burden of proof.
April 1, 2015	Rebuttal Reports
All Parties: February 28, 2015	All expert witness depositions to be conducted by this date.

MGC AC

YUSUF YUSUF, derivatively on behalf of PLESSEN ENTERPRISES, INC. vs.
WALEED HAMED, WAHEED HAMED, MUFEED HAMED, HISHAM HAMED,
and FIVE-H HOLDINGS, INC.

Case No.: SX-13-CV-120

Report of the Parties Planning Meeting and Joint Stipulated Scheduling Order

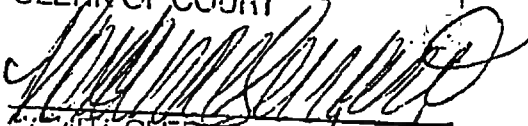
Page 5

A telephonic status conference shall take place on
July 30, 2015 between 9:00 a.m. and 12:00 p.m.
SO ORDERED this 9 day of January, 2015.


SUPERIOR COURT JUDGE

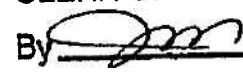
ATTEST:

CLEERK OF COURT


COURT CLERK
1/13/15

14
JAN -7
P4:28

CERTIFIED TO BE A TRUE COPY
This 20th day of Jan. 2015

CLEERK OF THE COURT
By  Court Clerk #

From: [Nizar A. DeWood, Esq.](mailto:Nizar.A.DeWood.Esq.)
To: "Mark Eckard"
Cc: "Gregory Hodges"
Subject: RE: Yusuf Yusuf v. Waleed Hamed - Deposition of Defendants
Date: Tuesday, January 13, 2015 4:11:00 PM

Ok, talk to you tomorrow.

From: Mark Eckard [mailto:mark@markeckard.com]
Sent: Tuesday, January 13, 2015 3:53 PM
To: Nizar A. DeWood, Esq.
Cc: Gregory Hodges
Subject: RE: Yusuf Yusuf v. Waleed Hamed - Deposition of Defendants

Will do. Hold off until tomorrow morning, please.

From: Nizar A. DeWood, Esq. [mailto:nizar@dewood-law.com]
Sent: Tuesday, January 13, 2015 3:42 PM
To: Mark Eckard
Cc: Gregory Hodges
Subject: Yusuf Yusuf v. Waleed Hamed - Deposition of Defendants

Mark,

I still have not heard from you regarding your availability for depositions first week of Feb. Please advise before I send out the Notice today.

Thank you.

Sincerely,

Nizar A. DeWood, Esq.

From: [Nizar A. DeWood, Esq.](#)
To: [Mark Eckard \(mark@markeckard.com\)](mailto:mark@markeckard.com)
Subject: Depositions
Date: Wednesday, February 04, 2015 8:05:00 PM

Mark,

I will respond to your Motion to Stay by Monday. Next time tell me you are engaging in delay tactics instead of honestly trying to workout a deposition schedule.

None of this was called for.

Sincerely,

Nizar A. DeWood, Esq.

DeWood Law Firm

2006 Eastern Suburb, Suite 102

Christiansted, V.I. 00820

T. (340) 773.3444 | F. (888) 398.8428

EXHIBIT C

HAMD626995

From: [Mark Eckard](#)
To: [Nizar A. DeWood, Esq.](#); [Carl@hartmann.attorney](#)
Cc: [Joel Holt](#)
Subject: RE: March 10th, 2015 - Depositions
Date: Monday, March 09, 2015 4:39:07 PM

We will make our clients available for depositions after Judge Willocks rules on the pending motion to stay discovery.

From: Nizar A. DeWood, Esq. [mailto:nizar@dewood-law.com]
Sent: Monday, March 9, 2015 3:51 PM
To: Mark Eckard; Carl@hartmann.attorney
Subject: March 10th, 2015 - Depositions

Counsels,

The deposition location for tomorrow is without any power. In light of the number of persons to be deposed (and the right of each party to be present), we will need to reschedule. I will send Notices of Cancellation. Before I reissue the depositions, please advise as to your availability.

Thank you.

Sincerely,

Nizar A. DeWood, Esq.

DeWood Law Firm

2006 Eastern Suburb, Suite 102
Christiansted, V.I. 00820
T. (340) 773.3444 | F. (888) 398.8428

From: Mark Eckard
To: [Nizar A. DeWood, Esq.](mailto:Nizar.A.DeWood,Esq.)
Subject: RE: Depositions April 6th, 2015
Date: Wednesday, April 01, 2015 8:22:22 PM

Hi Nizar --

In light of the motion for protective order on file, depositions will not proceed next week.

Kind regards,
Mark

From: Nizar A. DeWood, Esq. [mailto:nizar@dewood-law.com]
Sent: Wednesday, April 1, 2015 7:03 AM
To: Mark Eckard
Subject: Depositions April 6th, 2015

Mark,
I anticipate 4-5 hours of depo for Waleed Hamed, who will be taken first. Let me know if you have any preference regarding the depositions of the other Hamed defendants in terms time. I can also be reached at 443-799-6996.

Sincerely,

Nizar A. DeWood, Esq.

DeWood Law Firm
2006 Eastern Suburb, Suite 102
Christiansted, V.I. 00820
T. (340) 773.3444 | F. (888) 398.8428

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Sincerely,

Nizar A. DeWood, Esq.

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2006 Eastern Suburb, Suite 102
Christiansted, V.I. 00820
T. (340) 773.3444 | F. (888) 398.8428

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

YUSUF YUSUF, derivatively on behalf of
PLESSEN ENTERPRISES, INC.,

15

APR 21 2015 CASE # SX-13-CV-120
P 2:57

Plaintiff,

vs.

WALEED HAMED, *et al.*

Defendants,

CIVIL ACTION FOR DAMAGES
AND INJUNCTIVE RELIEF

ORDER

ORDER

Before this Court is Plaintiff's Motion to Strike Defendant's April 1, 2015 Motion for Summary Judgment or in the Alternative to Extend Time for Filing of Response; the court duly advised in the premises, it is hereby

ORDERED that Plaintiff's Motion is hereby **GRANTED**; **ORDERED** that Defendant's Motion for Summary Judgment is hereby **STRICKEN OR ORDERED** that the time for filing of Response shall be 20 days from the date discovery is complete.

ORDERED that copies of this Order be served on the parties of record.

ORDERED this _____ day of _____, 2015.

HON. HAROLD W.L. WILLOCKS
SUPERIOR COURT JUDGE

ATTEST:

ESTRELLA H. GEORGE
ACTING CLERK OF COURT

By: _____

Deputy Clerk