

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

MOHAMMAD HAMED , by his authorized agent WALEED HAMED ,)	
)	
<i>Plaintiff/Counterclaim Defendant,</i>)	CIVIL NO. SX-12-CV-370
)	
vs.)	ACTION FOR DAMAGES,
)	INJUNCTIVE RELIEF AND
FATHI YUSUF and)	DECLARATORY RELIEF
UNITED CORPORATION,)	
)	
<i>Defendants/Counterclaimants,</i>)	
)	
vs.)	JURY TRIAL DEMANDED
)	
WALEED HAMED, WAHEED)	
HAMED, MUFEED HAMED,)	
HISHAM HAMED,)	
and PLESSEN ENTERPRISES, INC.,)	
)	
<i>Counterclaim Defendants.</i>)	
)	

**PLAINTIFF HAMED'S MOTION AND MEMORANDUM FOR
APPOINTMENT OF DAVID RIDGWAY AS MASTER FOR WINDING UP**

Both partners (Fathi Yusuf and Mohammed Hamed) have filed dissolution plans to dissolve their partnership requesting "judicial supervision" of the winding up pursuant to 26 V.I.C § 173(a).¹ In light of the Court's comments on the record at the May 29th telephone conference regarding neither partner appearing to be acceptable as the "Liquidating Partner," Plaintiff moves the Court to appoint David Ridgway as the Master

¹ Pursuant to the *Revised Uniform Partnership Act* as enacted in the USVI,

§ 173 Right to wind up partnership business

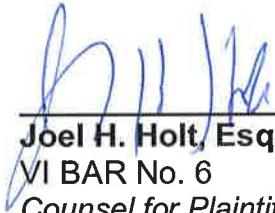
(a) After dissolution, a partner who has not wrongfully dissociated may participate in winding up the partnership's business, but on application of any partner, partner's legal representative, or transferee, the Superior Court, for good cause shown, may order judicial supervision of the winding up. (Emphasis added.)

for the dissolution of the *Plaza Extra Supermarkets* Partnership. Mr. Ridgway is a long-time resident of the USVI and has served as a business executive and community leader for years, as noted in his resume. See **Exhibit 1**.

After the May 29th conference call, Plaintiff's counsel asked Mr. Ridgway if he would be interested in being considered to serve as a Master in this case. He has agreed to do so if appointed. He noted that he has previously dealt with counsel for both parties as well. **Plaintiff invites the other parties to contact Mr. Ridgway to discuss his potential appointment as well.**

Plaintiff believes that getting a Master in place at the earliest possible time will help with both the winding up of the partnership if the scheduled June 12 mediation is not acceptable. A proposed Order is attached.

Dated: June 2, 2014



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CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of June, 2014, I served a copy of the foregoing in compliance with the parties consent, pursuant to Fed. R. Civ. P. 5(b)(2)(E), to electronic service of all documents in this action on the following persons:

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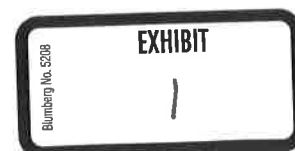
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Experience:

- 2009 – Present **CARAMBOLA GOLF CLUB** St. Croix, VI
Chairman
- Prevented course closure by resolving inherited non-compliance violations regarding the Economic Development Corporate incentive program
 - Multi-year effort resulted in EDC agreement finding the Carambola Golf Club to not be in violation
- 2013 – Present **THE GOOD HOPE SCHOOL** St. Croix, VI
Executive Board Member
- Rejoined Board upon Board President's request
 - Assessed the ability for the school to continue operating given island's economic hardship
 - Member of the Transition Committee tasked with combining the assets and student body of the two largest independent secondary schools on St. Croix
- 2014 – Present **THE BANK OF ST. CROIX** St. Croix, V
President and Honorary Trustee
- Rejoined Board of Directors
 - Serve on Loan Committee and other appointments as necessary
- 1984 – 2008 **MARSHALL & STERLING** Poughkeepsie, NY
2004 – 2008 **President and Chief Executive Officer**
- Led Independent Insurance Agency
 - \$50 million revenue, 340 employees in 20 locations throughout Upstate New York and the U S Virgin Islands
 - Delivered stock appreciation of 85.4% for period '03 – '08
 - Grew revenue @ 14% CAGR
 - Drove consistent annual profitability of over 22%
 - Directed significant investment in human capital. Developed program to hire, train and mentor a 20% annual growth in Producer sales force corporate-wide
 - Developed, solicited and hired a Third-Party Vendor tasked with extensive sales training program applied to entire company wide sales force, including Branch Managers (VP's)
 - Enhanced cooperation of regional branch managers towards collectively developed sales goals
 - Designed and implemented a comprehensive re-tooling of compensation metrics for sales force of 45 producers. Secured buy-in despite endemic resistance from majority who had not been burdened with performance goals previously. Ultimately resulted in increased profit and many producers meeting performance goals
- 1989 – 2004 **President and Branch Manager** St. Croix, VI
- \$5 million revenue agency, 27+ employees
 - Achieved revenue growth @ 11% CAGR
 - Generated consistent profitability in excess of 30%
 - Solicited and maintained the largest single revenue account (Government of the USVI) for entire Marshall & Sterling Enterprises during an 8-year period (1995 – 2003)
 - Consistently delivered annual Revenue of \$950,000 from the Government of the USVI account
 - Successfully managed the Hurricane Marilyn losses sustained by VI Government with total claims payments of \$63,000,000
 - Maintained relationship through two government administrations
 - Navigated agency through aftermath of Hurricane Hugo, with total losses of \$642 million; the largest loss experienced by a single independent agency in the US, prior to Hurricane Andrew.
 - Maintained client satisfaction and retention rate above 98% and continuous positive operating results through effective crisis management
- 1984 – 1989 **Account Executive and Producer** St. Croix, VI
- Grew individual commercial book of clients
 - Achieved ranking as the second largest M & S producer, company wide @ \$ 850,000 revenue.



1979 – 1984	YOUNG – CLARK INSURANCE LTD Vice President <ul style="list-style-type: none"> • Grew business revenues by 25% annually in role as head of sales • Acquired a 29% ownership during 4 year period • Firm was purchased by Marshall & Sterling in order obtain sales expertise and client base 	St. Croix, VI
1972 – 1979	EDWARD L. NOYES & CO. <ul style="list-style-type: none"> • Real Estate Division – Exceeded sales goal of 2 million in residential transactions • Personal and Commercial Insurance Sales 	Swarthmore, PA
Executive Board:	St. Croix Chambers of Commerce St. Croix Hotel Association Marshall & Sterling Enterprises	
Education:	THE COLLEGE OF WOOSTER Bachelors of Arts, 1972 Majored in Economics and History	Wooster, Ohio
Licenses:	<ul style="list-style-type: none"> • FINRA Series 7 and Series 63, USVI Insurance Broker, US Coast Guard Captain 	
Additional:	<ul style="list-style-type: none"> • Golf, Tennis, Scuba Diving, Boating and Reading 	

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Counterclaim Defendants.

CIVIL NO. SX-12-CV-370

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INJUNCTIVE RELIEF AND
DECLARATORY RELIEF**

JURY TRIAL DEMANDED

ORDER

The Plaintiff has filed a request to have David Ridgway appointed as the Master to oversee the dissolution of the partnership pursuant to 26 V.I.C. § 172(a). Upon consideration of the matters before the Court, the Court finds that David Ridgway has the qualifications to be the Master to oversee the dissolution of the partnership as well as the ability to be independent of the two partners in the partnership. As such, he is appointed as the Special Master subject to the instructions to be provided by the Court.

Dated: June __, 2014

Hon. Douglas A. Brady
Judge of the Superior Court