

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

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

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**FATHI YUSUF’S OPPOSITION TO PLAINTIFF HAMED’S MOTION FOR  
APPOINTMENT OF DAVID RIDGWAY AS MASTER FOR WINDING UP**

Mohammed Hamed (“Hamed”) filed his Motion And Memorandum For Appointment Of David Ridgway As Master For Winding Up (“Motion to Appoint Ridgway”) suggesting that David Ridgway (“Ridgway”) be appointed as the Master to supervise and oversee the wind up of the partnership (the “Partnership”) between Hamed and Fathi Yusuf (“Yusuf”) which own and operate three supermarkets located on St. Croix and St. Thomas (the “Plaza Extra Stores”).

Yusuf objects to the appointment of Ridgway as the Master. While Ridgway may be a “long-time resident” and “business executive,” Yusuf respectfully submits that a candidate with professional training and experience in the field of accounting is best suited to undertake the specific tasks required of the Master in this case. In addition to 26 V.I.C. §173(a), authorizing judicial supervision of the wind up process, if necessary, Fed. R. Civ. P. 53(a)(1)(B)(ii) authorizes the Court to appoint a special master to “resolve a difficult computation of damages.” Alvarez v. City of Chicago, 605 F.3d 445, 449 (7th Cir. Ill. 2010).

Here, the dissolution and wind up of the Partnership necessarily involve difficult accounting issues and calculations. A Master with background and experience in accounting is more qualified to aid the Court and the parties in winding up the Partnership. Hence, concurrently with the filing of this Opposition, Yusuf also submits his Motion for the Appointment of Joyce Bailey, CPA, as Master. The parties have already agreed to Ms. Bailey as the Partnership accountant and as the neutral custodian of records. Her familiarity with the particular financial aspects of the Partnership by virtue of her role as the Partnership accountant and her extensive accounting experience makes her uniquely qualified to serve as the Master in this case.

#### **Conclusion**

For all of the foregoing reasons, Yusuf respectfully requests this Court deny Hamed's Motion to Appoint Ridgway as the Master for Winding Up of the Partnership as candidates with accounting experience are better suited to the task. Further, Yusuf respectfully submits that Ms. Bailey, who already serves as the Partnership's accountant would be uniquely qualified to serve as the Master in this case.

Respectfully submitted,  
**The DeWood Law Firm, LLC**

Dated: June 19, 2014

By:

  
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Attorneys for Fathi Yusuf and United Corporation

**CERTIFICATE OF SERVICE**


I hereby certify that on this 19th day of June, 2014, I caused the foregoing **Fathi Yusuf's Opposition to Plaintiff Hamed's Motion for Appointment of David Ridgeway as Master for Winding Up** to be served upon the following via e-mail:

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