

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

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

Plaintiff,

vs

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

Defendants,

vs.

PLESSEN ENTERPRISES, INC.

Nominal Defendant.

CIVIL NO. SX-13-CV-120

ACTION FOR DAMAGES  
AND INJUNCTIVE RELIEF

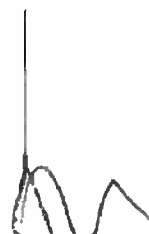
JURY TRIAL DEMANDED

**NOMINAL DEFENDANT PLESSEN ENTERPRISES, INC.'S NOTICE OF  
SUPPLEMENTATION OF RECORD RE PLAINTIFF'S MOTION TO SET ASIDE  
PLESSEN BOARD RESOLUTIONS**

COMES NOW Nominal Defendant, Plessen Enterprises, Inc., by and through Counsel, and in support of its Notice of Supplementation of Record Re Plaintiff's Motion to Set Aside Plessen Board Resolution, respectfully submits as follows:

The reply memorandum filed by the Plaintiff regarding the propriety of the Plessen Board meeting had an interrogatory response attached that had been supplemented prior to the reply being filed. Plessen respectfully submits the Amended Interrogatory Answer of Mohammad Hamed, which is attached as Exhibit "1", to correct the record regarding this answer. That response confirms there are only 3 directors as per the corporation's governing documents. (Emphasis added).

Date: June 22, 2014



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JEFFREY B. C. MOORHEAD, ESQ.  
Law Offices of Jeffrey B. C. Moorhead  
Attorney for Nominal Defendant  
Plessen Enterprises, Inc.  
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U.S. Virgin Islands 00820  
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jeffreymlaw@yahoo.com

**CERTIFICATE OF SERVICE**

I hereby certify that on this 23<sup>rd</sup> day of June, 2014, I served a copy of the foregoing Motion by hand to Nizar A. DeWood, The DeWood Law Firm, 2006 Eastern Suburb, Suite 101, Christiansted, St. Croix 00820 and to Mark W. Eckard, Eckard, P.C., Post Office Box 24849, Christiansted, St. Croix 00824 and by air mail to Andrew Capdeville, Esq., Law Offices of Andrew Capdeville, P.C., 8000 Nisky Shopping Center, Suite 201, St. Thomas, Virgin Islands 00802-5844 and to Joseph A. DiRuzzo, Esq., Fuerst Ittleman David & Joseph, PL, 1001 Brickell, Bay Drive, 32<sup>nd</sup> Floor, Miami, Florida 33131



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# EXHIBIT 1

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

MOHAMMAD HAMED, by his  
authorized agent WALEED HAMED,  
  
*Plaintiff/Counterclaim Defendant,*

vs.

FATHI YUSUF and  
UNITED CORPORATION,

*Defendants/Counterclaimants,*

vs.

WALEED HAMED, WAHEED  
HAMED, MUFEED HAMED,  
HISHAM HAMED,  
and PLESSÉN ENTERPRISES, INC.,

*Counterclaim Defendants.*

CIVIL NO. SX-12-CV-370

ACTION FOR DAMAGES  
INJUNCTIVE RELIEF AND  
DECLARATORY RELIEF

JURY TRIAL DEMANDED

**AMENDED INTERROGATORY ANSWER**

Pursuant to *Fed.R.Civ.P. 26*, Plaintiff has a responsibility to update any answers he determines to be incorrect in prior interrogatory responses. Pursuant to that duty, Plaintiff hereby amends and corrects his response to Interrogatory Response #16 of December 23, 2013 -- in response to interrogatory 16 propounded by United Corporation as follows:

16., Describe your position with Plessen Enterprises, Inc., including but not limited to any corporate officer or board positions you have ever had at Plessen Enterprises, Inc. and identify all persons with knowledge of any such facts and all documents which support your answer to this interrogatory.



Corrected response:

Object to as irrelevant and not likely to lead to relevant testimony, as Plessen should not be a party to this litigation. Subject to that objection, I am the President of Plessen and one of the three directors of Plessen. I have always been President and a director. The other two directors are Fathi Yusuf and Waleed (Wally) Hamed, who have always been the other two directors. The shareholders of the company, including Fathi Yusuf and his sons, are all aware of this fact, as is the Office of the Lieutenant Governor, Division of Corporations.

I make this correction after reviewing the Articles of Incorporation and By-Laws, as well as the annual filings made with the Lieutenant Governor, which make it clear that there were three original directors and support this corrected response. There have been no changes to these three directors since that time.

VERIFICATION

TERRITORY OF U.S. VIRGIN ISLANDS)

DIVISION OF ST. CROIX

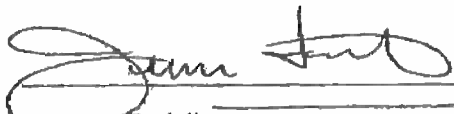
) ss.  
)

I, MOHAMMAD HAMED, after first being duly sworn, depose and state that I have carefully re-read Defendant United Corporation's First Set of Interrogatories to Plaintiff Mohammad Hamed and provided the truthful and corrected answer to Interrogatory 16 under oath after reviewing the relevant information that I did not read before submitting my prior response.

Dated: June 19, 2014

  
Mohammad Hamed

SUBSCRIBED AND SWORN TO  
ME THIS 19<sup>th</sup> DAY OF JUNE, 2014.

  
Notary Public  
NOTARY PUBLIC  
JERRI FARRANTE  
Commission Exp: August 26, 2015  
NP 078-11

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19<sup>th</sup> day of June, 2014, I served a copy of the foregoing by email, as agreed by the parties, on:

**Nizar A. DeWood**  
The DeWood Law Firm  
2006 Eastern Suburb, Suite 101  
Christiansted, VI 00820  
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