

**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 PLESSEN ENTERPRISES, INC.,

*Counterclaim Defendants.*

CIVIL NO. SX-12-CV-370

ACTION FOR DAMAGES  
INJUNCTIVE RELIEF AND  
DECLARATORY RELIEF

JURY TRIAL DEMANDED

**COUNTERCLAIM DEFENDANT WALEED HAMED'S RESPONSE IN  
OPPOSITION TO FATHI YUSUF'S MOTION FOR RECONSIDERATION OF  
JULY 22<sup>nd</sup> ORDER DENYING FATHI YUSUF'S MOTION TO NULLIFY  
PLESSEN ENTERPRISES, INC.'S BOARD RESOLUTIONS, TO AVOID ACTS  
TAKEN PURSAUNT TO THOSE RESOLUTIONS AND TO APPOINT RECEIVER**

Waleed Hamed, by and through his undersigned counsel, files this Response in Opposition to Fathi Yusuf's Motion for Reconsideration (the "Motion") regarding the Court's July 22, 2014 Order denying Fathi Yusuf's Motion to Nullify Plessen Enterprises, Inc.'s Board Resolutions to Avoid Acts Taken Pursuant to those Resolutions and to Appoint Receiver (the "July 22 Order") and states as follows:

First, Waleed Hamed joins in the opposition to the Motion filed by Plaintiff on April 14, 2014 ("Plaintiff's Opposition").

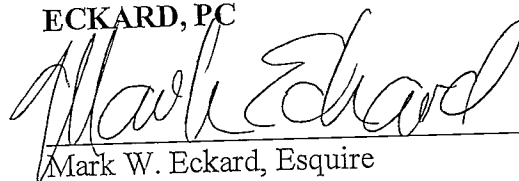
Second, Waleed Hamed wishes to emphasize further that the Motion can be summarily denied for failing to comply with LRCi 7.3 regarding such motions. That rule requires that "[a] motion to reconsider *shall* be based on (1) intervening change in controlling law; (2) availability of new evidence; or (3) the need to correct clear error or prevent manifest injustice." See LRCi 7.3, made applicable by Super. Ct. R. 7. Although Defendants assert that the Motion complies with LRCi 7.3, there is nothing in the Motion that was not raised in Defendants' prior pleadings. As such, the Motion does nothing more than re-argue the same points, which is prohibited by LRCi 7.3.

WHEREFORE, Waleed Hamed respectfully requests that the Court enter an Order denying the Motion and granting to Waleed Hamed such other and further relief as is just and proper.

Respectfully submitted,

**ECKARD, PC**

By:



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Dated: August 19, 2014

Counsel to Waleed Hamed

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19<sup>th</sup> day of August, 2014, I served a copy of the foregoing Motion by email, as agreed by the parties, on: **Nizar A. DeWood, Esquire** at [dewoodlaw@gmail.com](mailto:dewoodlaw@gmail.com); **Gregory H. Hodges, Esquire**, at [ghodges@dtflaw.com](mailto:ghodges@dtflaw.com); **Jeffrey B.C. Moorhead, Esquire**, at [jeffreymlaw@yahoo.com](mailto:jeffreymlaw@yahoo.com); and **Carl J. Hartmann III, Esquire**, at [carl@carlhartmann.com](mailto:carl@carlhartmann.com).

