

**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.*

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**CIVIL NO. SX-12-CV-370**

**ACTION FOR DAMAGES  
INJUNCTIVE RELIEF AND  
DECLARATORY RELIEF**

**JURY TRIAL DEMANDED**

**PLAINTIFF AND COUNTERCLAIM DEFENDANT WAHEED HAMED'S JOINT  
REQUESTS FOR ADMISSIONS TO FATHI YUSUF**

Each of the following requests is to be answered subject to the following three provisions:

A. Plaintiff asserts the existence of a stipulation with regard to acts of money laundering, tax evasion and related criminal matters entered into on March 31, 2014. If you agree that this stipulation exists, you need not respond to a request, but can simply indicate: "Not Answered Pursuant to the March 31, 2014 Stipulation."

B. Plaintiff asserts a Statute of Limitation bar to acts prior to 2006. If you agree that this bar exists, you need not respond to a request, but can simply indicate: "Not Answered Pursuant to the SOL Bar."

## **REQUESTS**

Plaintiff, by counsel, propounds the following Requests pursuant to Rule 36 of the Federal Rules of Civil Procedure, on the Counterclaimant, Fathi Yusuf.

### **DEFINITIONS**

Unless otherwise specified, or the context of the Request requires otherwise, answers to these Requests shall be governed by the following definitions:

"United" or "United Corp" shall mean the defendant United Corporation.

"Yusuf" or "You" shall mean defendant Fathi Yusuf.

### **REQUESTS**

1. Admit that Mohammad Hamed was your 50% partner in the three Plaza Extra Stores from during all of part of each year from 1986 to 2012.
2. Admit that you did not file all tax returns for 1983 through 1996, despite receiving income from the Plaza Extra Stores during that time.
3. Admit that you **personally** have never paid taxes on the income you received from the Plaza Extra Stores for 1997 through 2012, but instead, to settle criminal charges against you, all such tax liability was settled by payment amounts from what the Court has described as Plaza Extra Supermarket segregated accounts.
4. Admit that you did not report all of the income you received from the Plaza Extra Stores for the tax years 1986 through 1996.
5. Admit that you filed tax returns for the tax years 1983 through 1996 which you knew under-reported your income for those years.
6. Admit that you have not corrected any errors on your 1983 through 1996 tax returns regarding the additional income received from the Plaza Extra Stores but not declared for

those years.

7 . Admit that you or your sons removed funds from the Plaza Extra Stores without filling out a receipt, check or otherwise noting it or advising Hamed with some type of writing.

8. Admit that you or your sons never removed funds from the Plaza Extra Stores without filling out a receipt, check or otherwise noting it or advising Hamed with some type of writing.

9. Admit that you or your sons could remove funds from the safes at the Plaza Extra Stores without making any record of it.

10. Admit that you or your sons could remove funds from the safes at the Plaza Extra Stores without advising anyone.

11. Admit that records relating to the funds removed from the Plaza Extra Stores by Yusuf family members were destroyed, discarded or secreted by you or your sons.

12. Admit that some of the records relating to the funds removed from the Plaza Extra Stores by the Yusuf family members were destroyed, discarded or secreted by you or your sons

13. Admit that you have always been in charge of all of the financial records for all three Plaza Extra Stores.

14. Admit that you always were in charge of the keeping of the the books and accounts for each of the three Plaza Extra Stores and kept a detailed accounting for the expenses and profits of the Plaza Extra Stores wholly separate from the unrelated business operations of United in its operation of the United Shopping Center.

15. Admit that you know the total amount your and your sons have withdrawn from the Plaza Extra Stores inclusive of salaries and documented bonuses.

16. Admit that you do not know the total amount Hamed and his sons have withdrawn from the Plaza Extra Stores apart from salaries and documented bonuses.

17. Admit that you have not done an accounting as to the funds taken by you and your sons from the Plaza Extra Stores from 1986 to date apart from salaries and documented bonuses.

18. Admit that you have not done an accounting as to the funds taken by Yusuf and his sons from the Plaza Extra Stores from 1986 to date apart from salaries and documented bonuses.

19. Admit that any monies or assets you have acquired individually came from funds withdrawn from sources reported on your filed tax returns.

20. Admit that you and your sons withdrew monies from the Plaza Extra Stores without advising Hamed or his sons.

21. Admit that you and your sons have withdrawn more monies from the Plaza Extra Stores than Hamed and his sons.

22. Admit that the \$536,405 check dated April 29, 1998 made payable to you from the Cairo Amman Bank, Account #02501171878-00 was Plaza Extra Store funds skimmed from the stores to avoid paying taxes.

23. Admit that you were in charge of a criminal operation by which monies were skimmed (removed prior to reporting to tax authorities or paying taxes) from Plaza Extra Supermarkets and sent to accounts in Jordan and St. Martin.

24. Admit that you participated in a criminal operation by which monies were skimmed (removed prior to reporting to tax authorities or paying taxes) from Plaza Extra Supermarkets and sent to accounts in Jordan and St. Martin.

25. Admit that rent for Plaza Extra-East was sometimes paid in cash.
26. Admit that United did not declare amounts paid as rent in all tax returns from 1986 to 2001.
27. Admit that you are responsible to Hamed for all actions of your sons.
28. Admit that at all times Waleed Hamed acted as his father's agent your were in charge of the office of Plaza Extra Supermarkets.
29. Admit that you are responsible to account to Hamed for all funds withdrawn from the Plaza Extra Stores by you and your sons.
30. Admit that records of withdrawals from the Plaza Extra Stores by Hameds and Yusufs were intentionally destroyed by them in 2001.
31. Admit that an accurate and complete accounting cannot be given as to the withdrawals from the Plaza Extra Stores to Hamed and Yusuf (and their respective family members).
32. Admit that you lost millions of dollars of Plaza Extra Supermarket funds by investing in options.
33. Admit that you lost millions of dollars of Plaza Extra Supermarket funds by investing in options after Mohammad Hamed directly stated that your were to stop using such funds for such investing.
34. Admit that you have taken at least one business bankrupt.
35. Admit that you were indicted for a federal crime prior to the crime indicted in this matter.

36. Admit that with regard to a charged immigration crime, you pled to a misdemeanor lesser offense.

37. Admit that as part of that immigration crime to which you pleaded guilty you were in charge of the business activities that led to that charge.

38. Admit that Mohammad Hamed could not read English.

39. Admit that you took care of the retention of tax accountants for the Plaza Extra Supermarkets and United.

40. Admit that tax representatives hired by you completed Mohammad Hamed's tax returns in the years 1986 through 2001.

41. Admit that your earlier statement to this Court that Mohammad Hamed was nothing more than a manager in the Plaza Extra stores was false or inaccurate.

42. Admit that your earlier statement to this Court that you were in charge of all office functions at Plaza Extra Supermarkets was false or inaccurate.

43. Admit that the representation to the Court that you held less than 8% of United's stock was false or inaccurate.

44. Admit that your son's initial statement in the preliminary injunction hearing that all of the \$2.7 million taken from Plaza Extra accounts by you were used to buy real property assets was false or inaccurate.

45. Admit that Plaza Extra Supermarkets, not United Corporation is the proper owner of the Associated Grocers membership and stock.

**Dated:** August 27, 2014



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### **CERTIFICATE OF SERVICE**

I hereby certify that on this 27th day of August, 2014, I served a copy of the foregoing Motion by email, as agreed by the parties, on:

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