

I.

DEFINITIONS

For the purpose of these Requests for Admissions, the following words shall have the meaning indicated below:

- A. The term “Waleed” and/or “You” or “Your” shall mean Waleed Hamed, son of Mohammed Hamed, individually and in his role or acting in his capacity as agent for or with power of attorney for Hamed, as defined herein.
- B. The term “Hamed” shall mean Mohammed Hamed, the Plaintiff in this case.
- C. The term “Yusuf” shall mean Fathi Yusuf, a Defendant in this case.
- D. The term “United” shall refer to United Corporation, a Defendant in this case.
- E. The term “Plessen” shall refer to Plessen Enterprises, a Counterclaim Defendant in this case.
- F. The term “Criminal Case” shall refer to V.I. District Court Case No. 1:05-cr-00015-RLF-GWB.
- G. “And” as well as “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these Requests for Admissions any information which might otherwise be construed to be outside their scope.
- H. “Any/All” shall both mean any and all as appropriate in order to bring within the scope of these Requests for Admissions information and documents which might otherwise be considered to be beyond their scope.
- I. “Document” as used herein shall mean any handwritten, typewritten, printed, transcribed, impressed, recorded or other physical or tangible embodiment of a communication within the scope of Fed. R. Civ. P. 34(a)(1), however produced or reproduced, now or at any time in your possession, custody or control, including but not limited to: letters, notes, preliminary drafts (including metadata), reports, spreadsheets, emails, electronic messages and/or online chats (i.e. twitter, facebook, blog, message), text messages, memoranda, interoffice communications, analyses, minutes, contracts, agreements, cables, telegrams, statements, entries, affidavits, briefs, pleadings, decrees, transcriptions, recordings, diagrams, charts, photographs, and articles, and any copies, facsimiles or reproductions of the foregoing, no matter how or by whom prepared, and all

drafts prepared in connection with the foregoing. Without limitation of the term "control" as used in the preceding sentence, a document is deemed to be in your control if you have the right to secure the document or a copy thereof from another person or public or private entity having actual physical possession thereof. If any document referenced in these Requests for Admission was in your possession or subject to your control, but is no longer, state what disposition was made of it, and the date or dates on which such disposition was made.

- J. The term "communication" or "communications" means the written or oral transmittal of information (in the form of facts, ideas, inquiries or otherwise).
- K. "Relating to" or "related to" means consisting of, referring to, describing, discussing, constituting, evidencing, containing, reflecting, mentioning, concerning, pertaining to, citing, summarizing, analyzing or bearing any logical or factual connection with the matter discussed.
- L. The words "pertain to" or "pertaining to" shall mean relates to, refers to, contains, concerns, describes, embodies, mentions, constitutes, constituting, supports, corroborates, demonstrates, proves, evidences, shows, refutes, disputes, rebuts, controverts or contradicts.
- M. "Company" or "entity" means any form of business whatever organized, including, without limitation, any corporation, sole proprietorship, partnership (general or limited), joint venture, association, group, government agency, firm or other business enterprise or legal entity which is not a natural person, and means both the singular and plural.
- N. "Parties" as used herein shall be interpreted to refer to all parties to this litigation.
- O. "Person" includes a corporation, partnership or other business associate or entity, natural person and any government or governmental body, commission, board or agency.
- P. "Plaza Extra-East" refers to the Plaza Extra Store located at Sion Farm in St. Croix.
- Q. "Plaza Extra-West" refers to the Plaza Extra Store located at Estate Plessen in St. Croix.
- R. "Plaza Extra -Tutu Park" refers to the Plaza Extra Store located in Tutu Park Mall, St. Thomas.
- S. "Plaza Extra Stores" refers to the three stores, Plaza Extra-East, Plaza Extra-West and Plaza Extra-Tutu Park.

- T. "2001 Partial Reconciliation" refers to the tallying of receipts and checks by Maher Yusuf and Mufeed Hamed relating to funds withdrawn by Yusuf and Hamed family members from Plaza Extra-East shortly before the raid by the FBI in the fall of 2001.
- U. "Batch Plant" refers to a concrete plant that Yusuf and Hamed agreed to contribute \$1 million dollars to acquire and donate to charity.

II.

REQUESTS FOR ADMISSIONS

1. Admit that your tax returns for 1992, 1993, 1994 and 1995 are correct in all respects.
2. Admit that you filed a tax return for 1993 knowing that it was incorrect as to the investments owned and losses claimed.
3. Admit that you filed tax returns for 1993 through 2001 knowing that you actually received more income than declared on the returns.
4. Admit that you have never filed an amended tax return correcting any of your tax returns.
5. Admit that you knowingly used a tax loss carry forward for tax year 1994 which you knew was not your loss.
6. Admit that you knowingly used a tax loss carry forward for tax year 1995 which you knew was not your loss.
7. Admit that you filed tax returns for the tax years 1992 through 2001 which you knew under reported your income for those years.
8. Admit that you removed funds from the Plaza Extra Stores without filling out a receipt, check or otherwise noting it or advising Yusuf with some type of writing.
9. Admit that you never removed funds from the Plaza Extra Stores without filling out a receipt, check or otherwise noting it or advising Yusuf with some type of writing.
10. Admit that you could remove funds from the safes at the Plaza Extra Stores without making any record of it.
11. Admit that you could remove funds from the safes at the Plaza Extra Stores without advising anyone.

12. Admit that records relating to the funds removed from the Plaza Extra Stores by Hamed family members were destroyed, discarded or secreted by you or members of your family.
13. Admit that none of the records relating to the funds removed from the Plaza Extra Stores by Hamed family members were destroyed or discarded by you or members of your family.
14. Admit that the 2001 Partial Reconciliation established that the Hamed family had withdrawn \$1.6 million more than the Yusuf family from Plaza Extra-East.
15. Admit that other than the receipts, checks and other evidence of Hamed family withdrawals from Plaza Extra-East used in the 2001 Partial Reconciliation, none of the records relating to withdrawals from the Plaza Extra Stores by the Hamed family members were destroyed, discarded or secreted by you or members of your family.
16. Admit that during informal mediation sessions, you have acknowledged to several individuals that the 2001 Partial Reconciliation established that the Hamed family had withdrawn \$1.6 million more than the Yusuf family.
17. Admit that you, Hamed and your brothers have always had access to all of the financial records for all three Plaza Extra Stores.
18. Admit that as a store manager, you have always had access to all of the financial records for all of the Plaza Extra Stores.
19. Admit that Hamed and Yusuf always kept separate, segregated books and accounts for each of the three Plaza Extra Stores, and kept a detailed accounting open to both partners 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.
20. Admit that you know the total amount you and your family members have withdrawn from the Plaza Extra Stores from 1986 to date inclusive of salaries and documented bonuses.
21. Admit that you do not know the total amount the Yusuf family members have withdrawn from the Plaza Extra Stores from 1986 to date apart from salaries and documented bonuses.
22. Admit that you have not done an accounting as to the funds taken by you and your family members from the Plaza Extra Stores from 1986 to date apart from salaries and documented bonuses.

23. 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.
24. Admit that you used funds taken from the Plaza Extra Stores or Plessen for investment in Five Corners.
25. Admit that you used funds taken from the Plaza Extra Stores or Plessen for investment in Five H Holdings, Inc.
26. Admit that the your only source of income from 1986 through 2012 was the Plaza Extra Stores.
27. Admit that any monies or assets you have acquired individually from 1986 through 2012 came from funds withdrawn from the Plaza Extra Stores.
28. Admit that you withdrew monies from the Plaza Extra Stores without advising Yusuf or his sons.
29. Admit that you and members of your family have withdrawn more monies from the Plaza Extra Stores than Yusuf and his sons.
30. Admit that the \$536,405 check dated April 29, 1998 made payable to Hamed and signed by you from the Cairo Amman Bank, Account #02501171878-00 was Plaza Extra Store funds and that you have never accounted to Yusuf for the disposition of these funds.
31. Admit that when Plaza Extra-East first opened for business, Hamed agreed with Yusuf that rent would be paid to United based on the price of \$5.55 per square foot occupied.
32. Admit that no rent has been paid by Plaza Extra-East to United for the period from January 1, 1994 through May 4, 2004.
33. Admit that you and your brothers sent monies from the Plaza Extra Stores to your father, Hamed in Jordan before and after his retirement in 1996.
34. Admit that you loaned monies from the Plaza Extra Stores to third parties who made repayments directly to you.
35. Admit that you believed it would be detrimental to your father's interests to advise federal authorities during the Criminal Case or to allege publically that the Plaza Extra Stores were operated as a partnership between Hamed and Yusuf.

36. Admit that your declaration dated August 24, 2014 is the first time you have stated that the rent claimed due by United for the period from January 1, 1994 to May 4, 2004 has in fact been paid.
37. Admit that you and your father have produced no documents and can produce no documents relating to the cash payment of rent to United for any period of time.
38. Admit that Hamed and Yusuf have scrupulously maintained records of withdrawals from the Plaza Extra Stores to each of them (and their respective family members), to make certain there would always be an equal (50/50) amount of these withdrawals for themselves or to designated family members.
39. Admit that an accurate and complete accounting can be given as to the withdrawals from the Plaza Extra Stores to Hamed and Yusuf (and their respective family members).
40. Admit that you and your brothers "skimmed" monies from the funds not reported as income which were the subject of the Criminal Case.
41. Admit that you and your brothers knew and understood that removal of monies from the Plaza Extra Stores without reporting it as income was done to evade taxes and that you, Hamed and your brothers personally benefited from these actions.
42. Admit that you and your brothers knowingly and actively participated in the removal of monies from the Plaza Extra Stores without reporting it as income.

DUDLEY, TOPPER and FEUERZEIG, LLP

Dated: August 27, 2014

By:



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CERTIFICATE OF SERVICE

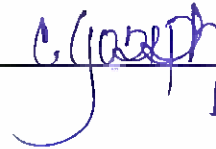
I hereby certify that on this 27th day of August 25, 2014, I caused the foregoing Fathi Yusuf's Requests for Admission To Waleed Hamed to be served upon the following in the manner indicated for each:

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