

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

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

**DEFENDANTS' MOTION FOR LEAVE TO EXCEED PAGE LIMITATION FOR
REPLY BRIEF IN SUPPORT OF DEFENDANTS' MOTION FOR PARTIAL
SUMMARY JUDGMENT REGARDING RENT**

Defendants/counterclaimants Fathi Yusuf (“Yusuf”) and United Corporation (“United”), through their undersigned attorneys, respectfully move this Court, pursuant to LRCi 7.1, made applicable to this Court by Super. Ct. R. 7, for leave to exceed the 20-page limitation for briefs for their Reply Brief In Support of Defendants’ Motion For Partial Summary Judgment Regarding Rent (the “Brief”).

1. The Brief addresses two separate categories of claims made by Counterclaim Defendants Yusuf and United: 1) Yusuf’s accounting claim (Count IV) seeking a declaration that any final reconciliation of partnership accounts should occur only

- after deducting the partnership's rent expense; and 2) United's breach of contract claims (Counts XI and XII) for unpaid rent.
2. The claims are related as they both address the rent obligations of the Hamed/Yusuf partnership. However, the legal analysis, along with the reason the statute of limitations defense is without legal merit, are different for each of the two sets of claims. For the convenience of the Court, and for reasons of economy, Defendants elected to file a single motion and a single brief, rather than filing two separate motions for partial summary judgment (one as to Yusuf's accounting claim in Count IV and another as to United's breach of contract claims in Counts XI and XII).
 3. The unpaid rent claims in this case are exceedingly important in dollar value, and exceed \$6 million. There are a number of alternative arguments that must be addressed on the limitations issue, and in addition the declaration submitted by Waleed Hamed relating to that issue and the dollar amount of rent owed has to be addressed. Defendants could not address those matters meaningfully in less than 25 pages.

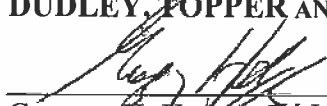
WHEREFORE, Defendants request leave to file the attached Brief, which is 5 pages in excess of the page limitations imposed by LRCi 7.1.

Respectfully submitted,

DUDLEY, TOPPER AND FEUERZEIG, LLP

Dated: September 15, 2014

By:



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CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of September, 2014, I caused the foregoing **Defendants' Motion For Leave To Exceed Page Limitation For Reply Brief In Support of Defendants' Motion For Partial Summary Judgment Regarding Rent** to be served upon the following via e-mail:

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