

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

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

**REPLY TO OPPOSITION TO MOTION TO COMPEL RESPONSES TO DISCOVERY
REQUESTS AND FOR SANCTIONS**

Defendant Fathi Yusuf (“Yusuf”), through his undersigned attorneys, respectfully submits this Reply to Opposition to Motion to Compel Responses to Discovery Requests And For Sanctions.

I. FACTUAL BACKGROUND

1. On Friday, May 23, 2014, Yusuf served upon each of the Counterclaim Defendants Waleed Hamed (“Waleed”), Mufeed Hamed (“Mufeed”), and Hisham Hamed (“Hisham”)(collectively, the “Counterclaim Defendants”), his First Requests for Production of Documents (the “Request for Production”).

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2. The Counterclaim Defendants served their responses to the Requests for Production (the “Responses”) on Thursday, June 26, 2014.

3. The Responses failed to produce a single responsive document to the Requests for Production. Instead, the Counterclaim Defendants provided a litany of “boilerplate,” non-specific objections.

4. On July 2, 2014, counsel for Yusuf sent a letter to the Counterclaim Defendants’ counsel identifying each issue and/or discovery request in dispute and Yusuf’s position regarding each issue along with relevant legal authority. Furthermore, Yusuf explained that he would seek to compel complete responses if the Counterclaim Defendants did not provide a supplement within ten (10) days and/or meet and confer with Yusuf

5. None of the Counterclaim Defendants supplemented their Responses.

6. On August 13, 2014, counsel for the Counterclaim Defendants and counsel for Yusuf participated in a telephonic conference in an attempt to resolve as many of the disputed issues as possible. However, the parties were unable to resolve any of their differences concerning insufficiency of the Counterclaim Defendants’ Responses to the Requests for Production.

7. Subsequently, the Counterclaim Defendants supplemented their Responses and recently submitted as second supplemental response. The second supplemental response has not yet been received by Counsel for Fathi.

8. Communications between the Counsel indicated that the USPS shows a delivery this morning at 10:59, however, it is unclear whether that indicates to the Post Office or the final delivery. No one from Counsel for Fathi’s office has yet to receive the information.

9. As a result, without reviewing the final supplemented information, Fathi cannot reply to indicate whether all materials requested have been provided. Further, even if the information had been received today, there would not have been any meaningful time to review and prepare a reply so as to chronicle anything that may be deficient.

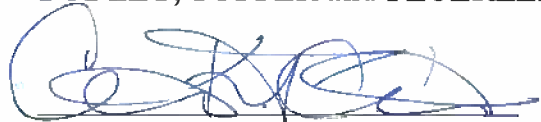
10. Counsel requested a stipulated extension to reply until Monday but Counsel for Waleed, Mufeed and Hisham have refused.

11. Upon receipt of the information and review, Fathi will submit a supplemented Reply to detail any information that may be deficient as to the production. Respectfully submitted,

DUDLEY, TOPPER and FEUERZEIG, LLP

Dated: September 26, 2014

By:



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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of August, 2014, I caused the foregoing **REPLY TO OPPOSITION TO MOTION TO COMPEL RESPONSES TO DISCOVERY REQUESTS AND FOR SANCTIONS** to be served upon the following via e-mail:

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