

**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, MUFEEH 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
THIRD (3RD) SUPPLEMENTED RESPONSES TO DEFENDANTS'
MAY 23, 2014 REQUESTS FOR THE PRODUCTION OF DOCUMENTS**

Counterclaim Defendant Waleed Hamed hereby supplements his prior responses to the Rule 34 request served on him on May 23, 2014.

GENERAL OBJECTIONS

Waleed Hamed makes the following general objections to the Requests. Although these general objections apply to all of the Requests, for convenience, they are set forth herein and are not necessarily repeated after each objectionable request. The assertion of the same, similar or additional objections in the individual objections to these Request, or the failure to assert any additional objections to a request does not waive any of the objections as set forth below:

1. Waleed Hamed objects to each Request that seeks information that is not relevant to the claims asserted against him in this case.
2. Waleed Hamed objects to each Request to the extent it seeks the disclosure or production of documents or information protected by the attorney-client, work product or other privileges.
3. Waleed Hamed objects to each Request that seeks information that is irrelevant, immaterial, and not reasonably calculated to lead to the discovery of admissible evidence.
4. The information sought by the Requests may be as much as twenty-seven (27) years old. Documents that may be contained information relevant to the Requests may no longer be in existence. Thus any information provided herein may not be, and should not be considered complete, and may be subject to supplementation if additional information becomes available.
5. Waleed Hamed objects to defined terms and instructions to the extent that they vary from applicable law and/or impose different objections than those set forth in the Federal Rules of Civil Procedure.

RESPONSES

2. Please produce all financial records including statements of account for all checking, savings, credit, investment, trust, or escrow accounts in the name of any of your children, wife, parents, brothers, and any other third parties at any bank or financial institution anywhere in the world in which you or Hamed have or had any legal or equitable interest from January 1, 1986 to date.

Supplemented Response: In addition to the “General Objections” raised above, which are incorporated herein by reference, this request is also objected to as unduly burdensome, unduly harassing and overly broad. I also object to the request as stated, as it is confusing as worded. Subject to this objection, to the extent this request is understood, there are no such accounts in the name of these persons in which my father or I have an equitable interest that I am aware of, except for joint accounts with my wife (not attached) and a joint account with my brother, Mufeed Hamed. Please see **Exhibit A – List of Documents Produced.**

3. Please produce all documents provided to your and Hamed's accountants from January 1, 1986 to date either for the preparation of tax returns, bookkeeping services, the preparation of financial statements, or loan applications.

Supplemented Response: In addition to the “General Objections” raised above, which are incorporated herein by reference, this request is objected to as unduly burdensome, unduly harassing and overly broad. I also object to the request as stated, as it is

confusing as worded. Subject to those objections, to the extent I understand this request, I have no such records for the tax years prior to 2002, although some of those records were seized by the FBI for some of the years prior to that, which records have been made available to you so that you have the same access to them as I do. Please see **Exhibit A – List of Documents Produced**.

6. Please produce deed(s), contract(s), lease(s), or other similar documentary evidence of your ownership of any interest (including leasehold interests) in real property, from January 1, 1986 to present (regardless if you have transferred, sold, or otherwise disposed of these assets).

Supplemented Response: In addition to the “General Objections” raised above, which are incorporated herein by reference, this request is also objected to as unduly burdensome, unduly harassing and overly broad. Subject to this objection, please see **Exhibit A – List of Documents Produced**.

7. Please produce all statements from any brokerage or other accounts, including online based accounts, issued from January 1, 1986 to present pertaining to any stocks, bonds, stock options, debentures, mutual funds or other financial investments in which you or Hamed have or had any interest.

Supplemented Response: In addition to the “General Objections” raised above, which are incorporated herein by reference, this request is objected to as unduly burdensome, unduly harassing and overly broad. I also object to the request as stated, as the term “financial investment” is vague and not capable of clear understanding as to what was intended to be covered. Subject to these objections, to the extent this request is understood, I have attached the documents that are in my possession. Please see **Exhibit A – List of Documents Produced**. I know that some documents fitting the description of items covered by this request were seized by the FBI, which records have been made available to you so that you have the same access to them as I do.

23. Please produce all documents relating to the acquisition, improvement, cost of construction, and market value of all real estate in which you have or had an ownership interest from January 1, 1986 to date including all documents pertaining to the source of funds for acquisition and improvement.

Supplemented Response: In addition to the "General Objections" raised above, which are incorporated herein by reference, this request is objected to as unduly burdensome, unduly harassing and overly broad. This request is also objected to as too vague and confusing to comprehend what documents are being sought. Subject to these objections, the documents I have that are responsive to this request are attached. Please see **Exhibit A – List of Documents Produced**.

Respectfully submitted,

ECKARD, PC

Dated: September 30, 2014

By: /s/ Mark W. Eckard
Mark W. Eckard, Esquire
OFFICE: #1 Company Street
MAIL: P.O. Box 24849
Christiansted, VI 00824
Direct Dial: (340) 514-2690
Email: mark@markeckard.com

Counsel to Waleed, Mufeed and Hisham Hamed

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of October 2014 at 5:23 a.m., I served a copy of the foregoing in compliance with the parties consent, pursuant to Fed. R. Civ. P. 5(b)(2)(E), to electronic service of all documents in this action on: Nizar A. DeWood, Esquire (dewoodlaw@gmail.com); Gregory H. Hodges, Esquire (ghodges@dtflaw.com); Joel H. Holt, Esquire (holtvi@aol.com); and Jeffrey B.C. Moorhead, Esquire (jeffreymlaw@yahoo.com).

/s/ Mark W. Eckard

Waleed Hamed
Exhibit A - List of Documents Produced
September 30, 2014

Bates Range	RFPD No.
HAMD612312-HAMD612370	02, 03, 06, 23
HAMD612095-HAMD612095	3
HAMD612311-HAMD612311	3
HAMD611946-HAMD611946	3
HAMD612096-HAMD612195	03, 06, 23
HAMD611947-HAMD611992	03, 06, 23
HAMD611828-HAMD611945	03, 07
HAMD612208-HAMD612310	03, 07
HAMD611993-HAMD612094	03, 07