

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

<b>MOHAMMAD HAMED</b> , by his authorized agent <b>WALEED HAMED</b> ,	)	
	)	
Plaintiff,	)	<b>CIVIL NO. SX-12-CV-370</b>
	)	
v.	)	<b>ACTION FOR DAMAGES, INJUNCTIVE AND DECLARATORY RELIEF</b>
	)	
<b>FATHI YUSUF and UNITED CORPORATION</b> ,	)	
	)	
Defendants.	)	<b>JURY TRIAL DEMANDED</b>
	)	

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**MOTION TO SUBSTITUTE ADDITIONAL BOND**

On January 30, 2014, the plaintiff filed a Notice of Posting Additional Bond, which included the Pledge of three properties by Shawn Baptiste that had a total assessed value of \$168,700.00. See **Exhibit 1**. As this Court has not yet entered an order directing counsel to file a notice of encumbrance for these three properties, the plaintiff requests permission to substitute the posting of the three properties with cash, which has now been deposited with the Clerk of Court. See **Exhibit 2**. If this Court desires an explanation for why this substitution is being requested, it can be supplied.

As such, the plaintiff hereby requests permission to supplement the posting of the remaining portion of the bond of \$513,000 on January 30, 2014 as follows:

- Pledge of unencumbered Real Property by Hisham M. Hamed, pledging Plot No. 100 Eliza's Retreat, St. Croix, Assessed Tax Value-~~\$43,400.00~~—**original document previously submitted on January 30, 2014.**
- Cashier's Checks totaling for **\$300,900.00** payable to the Clerk of Court—**previously deposited on January 30, 2014.**
- Cashier's Check totaling \$168,700 payable to the Clerk of the Court. See **Exhibit C** – being submitted with this filing to replace the three properties pledged by Shawn Baptiste. See **Exhibit 2.**

An order is still needed to record against the property of Hisham M. Hamed, which has been amended and is being submitted with this notice so it can be promptly recorded by counsel upon receipt.

In summary, as previously directed by the Court, if this Court accepts the cash deposited today in substitution of the three properties pledged by Shawn Baptiste, the total bond now posted of \$1,200,000 is:

- |  |                  |
|--|------------------|
| 1. Previously deposited Cashier's Checks:          | \$ 51,000        |
| 2. Cashier's Checks deposited January 30, 2014:    | \$ 300,900       |
| 3. Cashier's Check deposited with this notice:     | \$ 168,700       |
| 4. Real property accepted with the initial filing: | \$ 636,000       |
| 5. Real Property Posted on January 30, 2014:       | <u>\$ 43,400</u> |
| Total:   | \$1,200,000      |

**Dated:** February 6, 2014

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*Co-Counsel for Plaintiff*  
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### **CERTIFICATE OF SERVICE**

I hereby certify that on this 6<sup>th</sup> day of February, 2014, 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 the following persons:

Nizar A. DeWood  
The DeWood Law Firm  
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