

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

FAHTI YUSUF.)	
)	
<i>Appellant/Defendant,</i>)	
)	
vs.)	S. Ct. Civ. NO. 2015-0009
)	
MOHAMMED HAMED, WALEED)	
HAMED, WAHEED HAMED,)	
MUFEED HAMED, HISHAM HAMED,)	
and PLESSEN ENTERPRISES, INC.,)	
)	
<i>Appellees.</i>)	
_____)	

AMENDED NOTICE OF CROSS-APPEAL BY MOHAMMAD HAMED

Pursuant to V.I. S. Ct. Rule 5(a)(3), Mohammad Hamed, one of the Appellees, hereby files his amended notice of cross-appeal of the January 7, 2015, *Order Adopting Final Wind Up Plan* (“Liquidation Order”) entered by the Honorable Douglas L. Brady in Superior Court Civ. No. SX-12-CV-370, which Liquidation Order is the subject of the Appellant’s initial January 28, 2015, Notice of Appeal. This Amended Notice of Appeal amends the Notice of Appeal filed on February 9, 2015. It should be noted that Mohammad Hamed questions whether this Court has appellate jurisdiction to hear the appeal filed in this case, but out of an abundance of caution, he is filing this cross-appeal in case there is appellate jurisdiction to hear this matter. This cross-appeal specifically challenges the following portions of the Liquidation Order as follows:

1. The appointment of Fathi Yusuf as the Liquidating Partner under Section 3. Yusuf has a conflict that should have, by statute, prevented his appointment as Liquidating Partner;

Hamed's Notice of Cross-Appeal
Page 2

2. The finding in Section 8, Part 1 that Plot 4-H Estate Sion Farm is not to be considered partnership property and is not subject to division under the Liquidation Order, improperly transferring possession of this partnership property to Yusuf.
3. If this Court finds that a lease can be imposed on a third party, Plessen Enterprises, Inc., for the Plaza West location as part of the partnership winding up, as requested by the Appellant in its Notice of Appeal, then this Court should consider whether on remand the trial court must also be required to consider imposing an lease for the partnership on United Corporation for the Plaza East store, which can be then be auctioned as well between the partners.

Dated: February 10th, 2015*s/Joel H. Holt***Joel H. Holt, Esq.***Counsel for Mohammed Hamed*

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CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of February, 2015, I served a copy of the foregoing Notice of Cross-Appeal pursuant to this Court's electronic filing system on counsel for the Appellant as well as the other counsel of record:

02/10/2015

VERONICA HANDY, ESQUIRE
CLERK OF THE COURT

Hamed's Notice of Cross-Appeal
Page 3

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