



Plessen expressly agreed in the Lease at § 2.3.4 that KAC357, Inc. "shall not be granted possession of the Premises so long as the partnership [between Fathi Yusuf and Mohammad Hamed] is in possession of the Premises. Likewise, rent shall not be due until the Tenant has possession of the Premises." Accordingly, in the event a stay is entered as requested by Yusuf and the partnership remains in possession of the premises pending disposition of the appeal, no rent would become due and Plessen would suffer no damages, an event expressly contemplated by § 2.3.4 of the Lease. Moreover, even if Plessen was entitled to rent, the Yusuf family would be entitled to 50% of the proceeds given the fact that they own 50% of the shares of Plessen.

For all of the foregoing reasons, Yusuf respectfully requests this Court to grant his Motion For Stay and to waive the posting of a bond or to require only the posting of a nominal bond.

Respectfully Submitted,

**DUDLEY, TOPPER AND FEUERZEIG, LLP**

**DATED:** February 10, 2015

By: 

Gregory H. Hodges (VI Bar No. 174)  
Stefan B. Herpel (VI Bar No.1019)  
Law House  
1000 Frederiksberg Gade - P.O. Box 756  
St. Thomas, VI 00804  
Telephone: (340) 774-4422  
Facsimile: (340) 715-4400  
E-Mail: [ghodges@dtflaw.com](mailto:ghodges@dtflaw.com)  
[sherpel@dtflaw.com](mailto:sherpel@dtflaw.com)

and

Nizar A. DeWood, Esq. (V.I. Bar No. 1177)  
The DeWood Law Firm  
2006 Eastern Suburbs, Suite 101  
Christiansted, VI 00830  
Telephone: (340) 773-3444  
Telefax: (888) 398-8428  
Email: [info@dewood-law.com](mailto:info@dewood-law.com)

Attorneys for Fathi Yusuf

**CERTIFICATE OF SERVICE**

I hereby certify that on this 10<sup>th</sup> day of February, 2014, I caused the foregoing **Reply to Plessen's Opposition to Yusuf's Motion for Stay of Portions of January 7, 2015 Order Pending Appeal** to be served upon the following via e-mail:

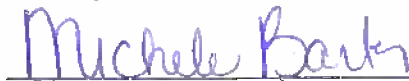
Joel H. Holt, Esq.  
**LAW OFFICES OF JOEL H. HOLT**  
2132 Company Street  
Christiansted, V.I. 00820  
Email: [holtvi@aol.com](mailto:holtvi@aol.com)

Carl Hartmann, III, Esq.  
5000 Estate Coakley Bay, #L-6  
Christiansted, VI 00820  
Email: [carl@carlhartmann.com](mailto:carl@carlhartmann.com)

Mark W. Eckard, Esq.  
Eckard, P.C.  
P.O. Box 24849  
Christiansted, VI 00824  
Email: [mark@markeckard.com](mailto:mark@markeckard.com)

Jeffrey B.C. Moorhead, Esq.  
C.R.T. Building  
1132 King Street  
Christiansted, VI 00820  
Email: [jeffreymlaw@yahoo.com](mailto:jeffreymlaw@yahoo.com)

The Honorable Edgar A. Ross  
Email: [edgarrossjudge@hotmail.com](mailto:edgarrossjudge@hotmail.com)

  
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