

IN THE SUPREME COURT OF THE VIRGIN ISLANDS

FATHI YUSUF,
Appellant/Defendant,

v.

**MOHAMMAD HAMED, WALEED
HAMED, WAHEED HAMED, MUFEED
HAMED, HISHAM HAMED, and
PLESSEN ENTERPRISES, INC.,**
Appellees/Plaintiffs.

) **S. Ct. Civ. No. 2015-0001**
) Re: Super. Ct. Civ. No. 370/2012 (STX)

2015 FEB 20 PM 4:26
SUPERIOR COURT

FATHI YUSUF,
Appellant/Defendant,

v.

**MOHAMMAD HAMED, WALEED
HAMED, WAHEED HAMED, MUFEED
HAMED, HISHAM HAMED, and
PLESSEN ENTERPRISES, INC.,**
Appellees/Plaintiffs.

) **S. Ct. Civ. No. 2015-0009**
) Re: Super. Ct. Civ. No. 370/2012 (STX)

ORDER AND EXPEDITED BRIEFING SCHEDULE

THIS MATTER comes before this Court pursuant to Appellant’s motion to consolidate these appeals, as well as Appellees’ opposition. Although Appellant correctly notes that both appeals stem from the same Superior Court proceeding, Appellees request that they not be consolidated because this Court purportedly lacks jurisdiction over both appeals. However, Appellees have provided this Court with no reason as to why their belief that this Court lacks jurisdiction over these appeals should prevent their consolidation, given that consolidating these appeals would not prevent Appellees from challenging the jurisdictional basis of either or both appeals, whether by motion or in their briefs.

Additionally, this Court notes that the instant appeals are interlocutory, and thus subject

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to mandatory expedited treatment. *See* 4 V.I.C. § 33(d)(5); V.I.S.Ct.R. 6(b). As such, this Court shall also issue an expedited briefing schedule in this matter. Accordingly, it is hereby

ORDERED that the motion to consolidate is **GRANTED** and that the motion to vacate the scheduling order is **GRANTED**. It is further

ORDERED that S. Ct. Civ. Nos. 2015-0001 and 2015-0009 shall be **CONSOLIDATED** as S. Ct. Civ. No. 2015-0001. It is further

ORDERED that, since a cross-appeal has been filed by Appellee Mohammed Hamed as part of S. Ct. Civ. No. 2015-0009, for purposes of the Rules of Appellate Procedure, Fathi Yusuf, having filed his notices of appeal first, **SHALL BE DESIGNATED** as the appellant in this matter, while all other parties to the Superior Court proceedings who wish to participate in this appeal **SHALL BE DESIGNATED** as the appellees. Appellee Mohammed Hamed may brief the issues relevant to his cross-appeal as part of his Appellee's Brief. It is further

ORDERED that the instant appeals are **EXPEDITED** and that the following **SHALL CONSTITUTE** the expedited briefing schedule:

1. Appellant **SHALL FILE** its brief and the joint appendix **on or before 3:00 p.m. on Friday February 27, 2015;**
2. Appellees **SHALL FILE** their briefs **on or before 3:00 p.m. on Friday, March 6, 2015;**
3. Appellant **MAY FILE** a reply brief **on or before 3:00 p.m. on Monday March 9, 2015;**
4. Appellee Mohammed Hamed **MAY FILE** a sur-reply brief, which shall be limited solely to the issues he has raised as part of his cross-appeal, **on or before 3:00 p.m. on Wednesday March 11, 2015;** and it is further


February 20, 2015

VERONICA HANDY, ESQUIRE
CLERK OF THE COURT

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ORDERED that copies of this Order be served on the parties.

SO ORDERED this 20th day of February, 2015.


RHYS S. HODGE
Chief Justice

ATTEST:

VERONICA J. HANDY, ESQ.
Clerk of the Court

By: 
Deputy Clerk

Dated: February 20, 2015

Copies to:

Justices of the Supreme Court
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