

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

FATHI YUSUF,

Plaintiff,

v.

PETER'S FARM INVESTMENT
CORPORATION, SIXTEEN PLUS
CORPORATION, MOHAMMAD A.
HAMED, WALEED M. HAMED,
WAHEED M. HAMED, MUFEED M.
HAMED, AND HISHAM HAMED,

Defendants,

Case No.:2015-ST-CV- 344

ACTION FOR DISSOLUTION
AND OTHER RELIEF

JURY TRIAL DEMANDED

ANSWER TO COMPLAINT

COMES NOW the Defendants by counsel and hereby answers the complaint as follows:

1. Admit.
2. Admit.
3. Admit.
4. Admit.
5. Admit.
6. Admit.
7. Admit.
8. Admit.
9. No allegation made using #9.
10. This allegation calls for a legal conclusion so no responsive pleading is required.
11. Deny.

12. Admit.

13. Admit.

14. Admit.

15. Admit.

16. Admit.

17. Deny.

18. Admit.

19. Deny.

20. Admit.

21. Deny.

22. Deny.

Count I

23. As alleged.

24. This allegation calls for a legal conclusion so no responsive pleading is required.

25. This allegation calls for a legal conclusion so no responsive pleading is required.

26. Deny.

27. Deny.

Count II

28. As alleged.

29. Deny.

30. Deny.

Count III

30. (Note: This is the second numbered paragraph 30.) As alleged.

31. Deny.

32. Deny.

33. Deny.

Affirmative Defenses

1. The Complaint fails to state a cause of action upon which relief can be granted.
2. The venue for the filing of the complaint is improper.
3. The Complaint is subject to dismissal due to the misjoinder of claims and parties.
4. The relief sought is not ripe as the Plaintiff has failed to comply with the requisite statutory requirements needed to seek such relief, which are conditions precedent to obtaining the relief sought.
5. The relief sought in the Complaint is barred by the equitable doctrine of waiver.
6. The relief sought in the Complaint is barred by the equitable doctrine of estoppel.
7. The relief sought in the Complaint is barred by the equitable doctrine of unclean hands.
8. The relief sought in the Complaint is barred by the equitable doctrine of laches.
9. The relief sought in the Complaint is barred by the equitable doctrine of waste, as an equitable distribution of the properties partition held by the corporations through a partition process would preserve the value to the shareholders fr higher than a bulk sale through a liquidation process.
10. The Plaintiff has failed to join indispensable parties.

Dated: September 15, 2015



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CERTIFICATE OF SERVICE

I hereby certify that on September, 2015, a true and accurate copy of the foregoing was served by email, as agreed by the parties, on:

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