

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

MOHAMMAD HAMED, by his
authorized agent **WALEED HAMED**,

Plaintiff/Counterclaim Defendant,
vs.

FATHI YUSUF and UNITED CORPORATION,

Defendants and Counterclaimants.

vs.

**WALEED HAMED, WAHEED HAMED,
MUFEEED HAMED, HISHAM HAMED, and
PLESSEN ENTERPRISES, INC.,**

Counterclaim Defendants.

Case No.: SX-2012-cv-370

**ACTION FOR DAMAGES,
INJUNCTIVE RELIEF AND
DECLARATORY RELIEF**

JURY TRIAL DEMANDED

TO:

THE HONORABLE TAMARA BERMUDEZ

Chief Deputy Clerk
R. H. Amphlett Leader
Justice Complex
RR1 9000
1st Floor, Room 101
Kingshill, VI 00850

Hon. Edgar Ross

Special Master
% edgarrossjudge@hotmail.com

Nizar A. DeWood

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Jeffrey B. C. Moorhead

CRT Brow Building
1132 King Street, Suite 3
Christiansted, VI 00820
email : jeffreymlaw @yahoo.com

PLEASE TAKE NOTICE that on May 31, 2016, or as soon thereafter as service may be effectuated, and pursuant to Federal Rule of Civil Procedure 45 as adopted by this Court, the undersigned will issue and serve the Subpoena Duces Tecum attached hereto as "Exhibit A", upon **Bank of Nova Scotia**, a non-party to the above-captioned litigation, for a deposition and the production of the items listed in said Subpoena at the time and place specified therein.

Dated: May 31, 2016



Joel H. Holt, Esq.
Counsel for Plaintiff
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(340) 773-8709 / holtvi@aol.com

Carl J. Hartmann III, Esq.
Co-Counsel for Plaintiff
5000 Estate Coakley Bay, L-6
Christiansted, VI 00820
(340) 719-8941
carl@carlhartmann.com

CERTIFICATE OF SERVICE

I hereby certify that on this 31st day of May, 2016, I served a copy of the foregoing Notice by email, as agreed by the parties, on:

Hon. Edgar Ross

Special Master

% edgarrossjudge@hotmail.com

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email : jeffreymlaw @yahoo.com



Issued by the
SUPERIOR COURT OF THE VIRGIN ISLANDS

DIVISION OF

St. Croix

SUBPOENA IN A CIVIL CASE

Mohammad Hamed,
Plaintiff,

Case No: 2012-SX-CV-370

v.

**ACTION FOR DEBT AND
CONVERSION**

Fathi Yusuf,
Defendant.

JURY TRIAL DEMANDED

SUBPOENA DUCES TECUM

TO: Bank of Nova Scotia operating as ScotiaBank

ADDRESS: 4500 Estate Diamond, St. Croix, USVI 00820

YOU ARE HEREBY COMMANDED to appear in the Superior Court of the Virgin Islands in the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

YOU ARE HEREBY COMMANDED to appear in the Superior Court of the Virgin Islands in the place, date, and time specified at the taking of a Deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

***Note: In lieu of appearing for the deposition at the time and place specified, you may comply with this subpoena duces tecum by producing the documents referenced in Exhibit A on or before the stated date.

YOU ARE HEREBY COMMANDED to produce and permit inspection and copying of the following documents or object at the place, date and times specified below (list documents or objects):

Produce any and all documents listed in Exhibit A attached hereto.

PLACE: Law Offices of Joel H. Holt
2132 Company Street,
Christiansted, VI 00820
(340) 773-8709

DATE AND TIME:
June 30, 2016
at 1:00 p.m.

YOU ARE HEREBY COMMANDED to permit inspection of the following premises at the date and time specified below:

PREMISES

DATE AND TIME:

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE

ESTRELLA H. GEORGE
ACTING CLERK OF THE SUPERIOR COURT:

DATE

By: _____

ISSUING ATTORNEY'S ADDRESS AND TELEPHONE NUMBER:

Joel H. Holt, Esq.
Law Offices of Joel H. Holt
2132 Company Street,
Christiansted, VI 00820
(340) 773-8709

RETURN OF SERVICE

I personally served the within subpoena duces tecum by delivering a copy to _____

Dated: _____

By: _____

RETURN OF SERVICE

This is to certify that _____ cannot be found in this jurisdiction.

Dated: _____

By: _____

RETURN OF SERVICE

I hereby certify that I served the within subpoena duces tecum by leaving a copy at _____, the usual place of abode, with _____, a member of his/her family over the age of 14 years, then residing with him/her.

Dated: _____

By: _____

**Rules Governing the
Superior Court of the Virgin Islands**

Rule 11. Subpoena

(a) Form and issuance. A subpoena shall be issued by the judge or clerk or deputy clerk under the seal of the court. It shall state the name of the court and the title, if any, of the proceeding, and if the witness is to testify on behalf of the Government, it shall so note, and shall command each person to whom it is directed to attend and give testimony at the time and place specified therein. The clerk shall issue a subpoena, signed and sealed, to a party requesting it, who shall fill in the blanks before it is served.

(b) Indigent defendants. A judge may order, at any time, that a subpoena be issued on motion or request of an indigent defendant in a criminal case.

(c) For production of documentary evidence and of objects. A subpoena may also command the person, to whom it is directed, to produce books, papers, documents, or other objects designated therein. The judge, on motion made promptly, may quash or modify the subpoena if compliance would be unreasonable or oppressive. The judge may direct that books, papers, documents, or other objects designated in the subpoena be produced before the court at a time prior to the trial or prior to the time when they are to be offered in evidence, and may upon their production permit the books, papers, documents, or other objects or portions thereof, to be inspected and copied by the parties and their attorneys, or by a probation officer.

(d) Service. A subpoena may be served by any person who is not a party and who is not less than 18 years of age. Service of a subpoena may be made by delivering a copy thereof to the person named. A subpoena requiring the attendance of a witness at a hearing or trial may be served at any place within the territory.

(e) Contempt. Failure by any person without adequate excuse to obey a subpoena served upon him may be deemed a contempt of the court from which the subpoena issued.

Exhibit A to Scotiabank Subpoena

1. All bank non-payroll canceled checks or wire transfer receipts (or photocopies or other copies of them in a digital medium that reflect both the front and back sides of the documents) for the period of July 1, 2012 through June 30, 2013 -- for all accounts of Plaza Extra Supermarkets, United Corporation d/b/a Plaza Extra Supermarkets, United Corporation and Plessen Enterprises. For non-check or wire accounts (i.e. credit or other card transactions) supply all representative transaction documents.

Those accounts will include, but not be limited to:

- United Corporation dba Plaza Extra - Operating Account (30445) 55312010
- United Corporation dba Plaza Extra Supermarket- Telecheck Account (30445) 55356719
- United Corporation dba Plaza Extra Supermarket- Telecheck (30585) 60092918
- United Corporation dba Plaza Extra Supermarket- Telecheck 058-60086413
- United Corporation dba Plaza Extra (30445) 96001238
- United Corporation (30585) 65811
- United Corporation dba United Corporation -Tenants Account (30585) 92031923
- Plessen Enterprises Inc (30585) 45012

If there are other Scotiabank Plaza Extra Supermarkets, United Corporation d/b/a Plaza Extra, United Corporation or Plessen Enterprises accounts that are not listed above, please provide the information requested in this exhibit for all of those accounts as well.

2. All documents reflecting the application for, opening, maintenance, signature identification, and modification of all accounts of Plaza Extra Supermarkets, United Corporation d/b/a Plaza Extra Supermarkets, United Corporation and Plessen Enterprises -- as well as all external or external emails, correspondence, notes and any other documents that appear in your business records or computer systems regarding these accounts.

3. All bank statements and deposit slips for the years 1998-2015.

4. Documents reflecting what accounts (both those listed and any others) have been open and closed and the dates of such opening and closing.