

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

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SIXTEEN PLUS CORPORATION,	)	
	)	CIVIL NO. SX-16-CV-65
Plaintiff/Counterclaim Defendant,	)	
	)	ACTION FOR
vs.	)	DECLARATORY JUDGMENT
	)	
MANAL MOHAMMAD YOUSEF,	)	JURY TRIAL DEMANDED
	)	
Defendant/Counterclaim Plaintiff.	)	
	)	

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**NOTICE OF FILING**  
**MANAL MOHAMMAD YOUSEF'S RESPONSE TO**  
**SIXTEEN PLUS' FIRST REQUEST FOR THE PRODUCTION OF DOCUMENTS**  
**TO DEFENDANT MANAL MOHAMMAD YOUSEF**

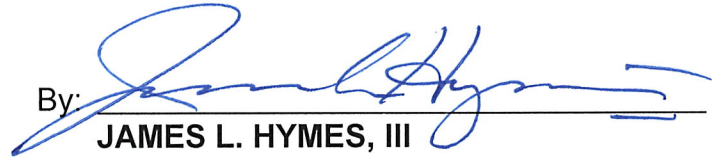
**COMES NOW** the defendant, **MANAL MOHAMMAD YOUSEF** (hereinafter “**MMY**”), by and through her undersigned attorneys, the Law Offices of James L. Hymes, III, P.C. (***James L. Hymes, III, of Counsel***), without waiving any objections to subject matter jurisdiction, personal jurisdiction, service of process, improper venue, insufficiency of process, insufficiency of service of process, or failure to state a claim upon which relief can be granted, or any other defense or objection which may be presented whether by pleading or motion in this action, and pursuant to the provisions of LRCI 26.2(c) and Fed.R.Civ.P. 26(a)(1), provides Notice of Filing her Response to Plaintiff Sixteen Plus’ First Request for the Production of Documents by serving same on plaintiff’s counsel as set forth in the Certificate of Service, below.

Respectfully Submitted,

DATED: July 14, 2017.

**LAW OFFICES OF JAMES L. HYMES, III, P.C.**  
*Counsel for Defendant –*  
*Manal Mohammad Yousef*

By:



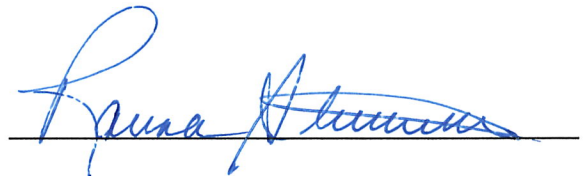
**JAMES L. HYMES, III**  
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**CERTIFICATE OF SERVICE**

I hereby certify that this document complies with the page or word limitation set forth in Rule 6-1(e). I hereby further certify that on this the 14<sup>th</sup> day of July, 2017, I caused an exact copy of the foregoing "***Notice Of Filing Manal Mohammad Yousef's Response To Plaintiff Sixteen Plus' First Request for the Production of Documents***" together with the responses referred to therein, to be served electronically by e-mail, and by mailing same, postage pre-paid, to the following counsel of record:

**MARK W. ECKARD, ESQ.**  
HAMM ECKARD LLP  
5030 Anchor Way, Suite 13  
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***Counsel for Sixteen Plus Corporation***

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***Co-Counsel for Plaintiff –***  
***Sixteen Plus Corporation***



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**MANAL MOHAMMAD YOUSEF’S RESPONSE TO  
SIXTEEN PLUS’ FIRST REQUEST FOR THE PRODUCTION OF DOCUMENTS  
TO DEFENDANT MANAL MOHAMMAD YOUSEF**

The Defendant **MANAL MOHAMMAD YOUSEF** (hereinafter “**Manal Yousef**”), through her undersigned attorney, James L. Hymes, III, hereby responds to Plaintiff Sixteen Plus’ First Set of Interrogatories as follows:

**I. GENERAL OBJECTIONS**

Defendant **MANAL YOUSEF**, incorporates the following general objections into each and every response to Plaintiff’s request for the production of documents as set forth below, and further, by submitting her responses to these requests, does not waive any objections to subject matter jurisdiction, personal jurisdiction, service of process, improper venue, insufficiency of process, insufficiency of service of process, or failure to state a claim upon which relief can be granted, or any other

defense or objection which may be presented whether by pleading or motion in this action:

1. Manal Yousef objects to the portions of the requests, instructions and definitions to the extent they would impose any burden on her not specifically provided for by the Virgin Islands Rules of Civil Procedure.

2. Manal Yousef objects to each production request to the extent that any full answer thereto would require it to divulge information or communications protected by the attorney-client privilege or the attorney work product doctrine, or to the extent that it seeks information reflecting attorney/client communications, documents reflecting attorney work product, or the work product of non-attorneys prepared for, or under the direction of an attorney or in anticipation of litigation. Only non-privileged documents, or portions thereof, will be produced.

3. Manal Yousef objects to each request to the extent that it seeks the information that is not within its possession or custody. Manal Yousef further objects to each demand for documents from entities over whom it has no control.

4. Manal Yousef objects to each production request to the extent that it seeks information that is not, in any meaningful way, related to the parties' claims or defenses.

5. Manal Yousef objects to each production request to the extent it requires the production of information which would be burdensome, oppressive, or expense to produce.

6. Manal Yousef objects to each production request to the extent that it is overly broad, unduly vague, or ambiguous.

7. Manal Yousef objects to each production request, or any portion thereof, that seeks information on matters of public record to which plaintiff has equal access.

8. Manal Yousef objects to each production request to the extent that it seeks the information which may contain or reflect subsequent remedial measures.

9. Manal Yousef objects to each request or portion thereof, which requires a response that may contain or reflect information protected by the privilege of self-critical evaluation.

10. Manal Yousef objects to each production request to the extent it seeks information not calculated to lead to the discovery of relevant or admissible evidence.

11. Manal Yousef objects to any inadvertent disclosure of privileged information being deemed a waiver, or being used affirmatively against it for any reason or purpose.

**I. REQUESTS FOR THE PRODUCTION OF DOCUMENTS**

**Document Request No. 1:** All documents evidencing the source of any and all funds used by Defendant to loan any money to Sixteen Plus Corporation as consideration for the execution of the Promissory Note attached hereto as Exhibit 1.

**Response:**

**None.**

**Document Request No. 2:** All documents showing the transfer of any and all funds from Defendant to Sixteen Plus Corporation as consideration for the execution of the Promissory Note attached hereto as Exhibit 1.

**Response:**

**None.**

**Document Request No. 3:** All documents evidencing Defendant's ownership of any funds loaned to Sixteen Plus Corporation as consideration for the execution of the Promissory Note attached hereto as Exhibit 1.

**Response:**

**None.**



**Document Request No. 4:** All documents evidencing Defendant's control over any funds loaned to Sixteen Plus Corporation as consideration for the execution of the Promissory Note attached hereto as Exhibit 1.

**Response:**

**None.**

**Document Request No 5:** All documents evidencing the consideration you provided in exchange for the Promissory Note regarding the property known as Diamond Keturah as stated in the Counterclaim paragraph 4 in the Civil 65 (Sixteen Plus v. Manal Yousef) action, to wit: "On September 15, 1997, [you] for good and valuable consideration, executed a Promissory Note secured by a First Priority Mortgage. . . ."

**Response:**

**None.**

**Document Request 6:** All documents evidencing or discussing any agreement between the Defendant or any of her agents and Sixteen Plus Corporation to loan it the funds leading up to the execution of the Promissory Note attached hereto as Exhibit 1.

**Response:**

**Exhibit 1 attached to the Plaintiff's First Request for the Production of Documents, and the First Priority Mortgage which is not attached, constitute all documents known by Manal Yousef to be responsive to this request.**

**Document Request No. 7:** All documents showing the negotiations for the amount of interest to be paid the Defendant by Sixteen Plus Corporation leading up to the execution of the Promissory Note attached hereto as Exhibit 1.

**Response:**

**Exhibit 1 attached to the Plaintiff's First Request for the Production of Documents, and the First Priority Mortgage which is not attached, constitute all documents known by Manal Yousef to be responsive to this request.**

**Document Request No. 8:** All closing documents for loan transaction involving the Promissory Note attached hereto as Exhibit 1 and the mortgage secured by it.

**Response:**

**Exhibit 1 attached to the Plaintiff's First Request for the Production of Documents, and the First Priority Mortgage which is not attached, constitute all documents known by Manal Yousef to be responsive to this request.**

**Document Request No. 9:** All monthly account statements for any checking, savings, investment, brokerage account titled to you in your name from 1990 through 1997.

**Response:**

**None.**

**Document Request No. 10:** All demands for payment made by the Defendant on Sixteen Plus to pay the Promissory Note attached hereto as Exhibit 1.

**Response:**

**See letter dated December 12, 2012 from Attorney Snow to Sixteen Plus Corporation, attached as Exhibit 3 to the Plaintiff's First Request for the Production of Documents.**

**Document Request No. 11:** All payments received by Defendant from Sixteen Plus Corporation regarding the Promissory Note attached hereto as Exhibit 1.

**Response:**

**Manal Yousef has no documents responsive to this request.**



**Document Request No. 12:** All documents showing the deposit into any bank or brokerage account of any payments received by Defendant from Sixteen Plus Corporation regarding the Promissory Note attached hereto as Exhibit 1.

**Response:**

**See Response to Document Request No. 11, above.**

**Document Request No. 13:** All written communications with any lawyer regarding the preparation of the Promissory Note attached hereto as Exhibit 1, as well as the mortgage securing this Note.

**Response:**

**None. The terms and conditions of the Promissory Note and First Priority Mortgage were negotiated orally. The Promissory Note and First Priority Mortgage were prepared by the Sixteen Plus Corporation or persons retained by it or working on its behalf.**

**Document Request No. 14:** All written communications with Defendant's uncle Fathi Yusuf since 1996 regarding any matters related to United Corporation, Sixteen Plus, or anything to do with the Defendant's loan to Sixteen Plus.

**Response:**

**None.**

**Document Request No. 15:** All written communications with any family members of Fathi Yusuf since 1996 regarding any matters related to United Corporation, Sixteen Plus, or anything to do with the Defendant's loan to Sixteen Plus.

**Response:**

**None.**

**Document Request No. 16:** All written communications with Defendant's brother Isam Yousef since 1996 regarding any matters related to United Corporation, Sixteen Plus, or anything to do with the Defendant's loan to Sixteen Plus.

**Response:**

**None.**

**Document Request No. 17:** All written communications with Defendant's nephew Jamil Yousef since 2009 regarding any matters related to United Corporation, Sixteen Plus, or anything to do with the Defendant's loan to Sixteen Plus.

**Response:**

**Manal Yousef has no written communications with her nephew since 2009 regarding the United Corporation for the reason that she has never discussed the United Corporation with him at any time. The only communications between Manal Yousef and her nephew Jamil Yousuf since 2009 involve legal documents sent to Jamil as her legal representative pursuant to the General Power of Attorney by their attorney, James Hymes, which Jamil then transmitted to Manal in connection with this case and her loan of 4.5 Million Dollars (\$4,500,000) to the Sixteen Plus Corporation. These communications are confidential, privileged, constitute attorney/client communications and work product, and are not subject to disclosure. A privilege log will be prepared with respect to this request and the request for identical documents in Document Request No. 23.**

**Document Request No. 18:** All written communications with any person affiliated with or representing Sixteen Plus since 1996.

**Response:**

**None.**

**Document Request No. 19:** All written communications with anyone regarding the preparation and execution of the Power of Attorney attached hereto as Exhibit 2.

**Response:**

**None. The Real Estate Power of Attorney attached as Exhibit 2 to the Plaintiff's Request for the Production of Documents, was prepared by the Sixteen Plus Corporation or persons retained by it or working on its behalf.**



**Document Request No. 20:** All communications with any attorney in St. Martin regarding the collection of the Promissory Note attached hereto as Exhibit 1, including but not limited to the attorney who sent the letter attached hereto as Exhibit 3.

**Response:**

**The defendant objects to the form of the question and further objects to responding to this request to the extent it seeks to obtain information which is confidential, privileged, constitutes attorney/client work product, and seeks to invade the attorney/client privilege. Without waiving this objection, none.**

**Document Request No. 21:** All communications with Kye Walker since 2015

**Response:**

**Manal Yousef spoke on one occasion with Attorney Walker on the telephone and has no written document memorializing what was said.**

**Document Request No. 22:** All communications with any lawyer working for the law firm of Dudley, Topper and Feuerzeig, the law firm representing Defendant's uncle, Fathi Yusuf, since 2012.

**Response:**

**None.**

**Document Request No. 23:** All communications with James Hymes since 2016.

**Response:**

The defendant objects to the form of the question and further objects to responding to this request to the extent it seeks to obtain information which is confidential, privileged, constitutes attorney/client work product, seeks to invade the attorney/client privilege and is therefore not subject to disclosure. Without waiving this objection, a privilege log will be prepared with respect to this request and will be produced upon completion.

**Document Request No. 24:** Complete copies of all passports issued to you by any country since 1996, whether current or expired.

**Response:**

**Manal Yousef objects to producing any documents in response to this request for production of documents on the grounds of relevancy, on the grounds that passport information is private and should be kept from the public domain for personal security reasons, and to protect the defendant from annoyance, embarrassment, humiliation, and oppression, and for the reasons set forth in the cases below, which have protected against the production of this type of information:**

***Bacilio Ruiz and Jose Amador v. Mercer Canyons, Inc.*, US District Court for the Eastern District of Washington, 2014 U.S. Dist. LEXIS 163782; and**

***Martha Galaviz-Zamora, et al. v. Brady Farms, Inc., et al.*, United States District Court For The Western District Of Michigan, Southern Division 230 F.R.D. 499; 2005 U.S. Dist. LEXIS 22120.**

**Document Request No. 25:** All documents showing residential addresses you physically resided at for more than 1 month from 1996 to present.

**Response:**

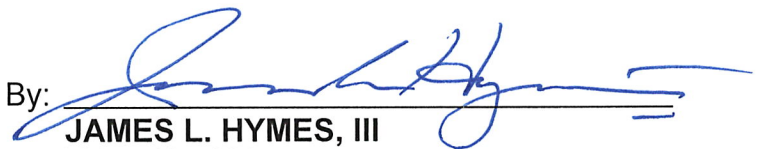
**None.**

Respectfully Submitted,

DATED: July 14, 2017.

**LAW OFFICES OF JAMES L. HYMES, III, P.C.**  
***Counsel for Defendant/Counterclaim Plaintiff***  
***Manal Mohammad Yousef***

By:



**JAMES L. HYMES, III**

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