

**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,
MUFEED 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

MOHAMMAD HAMED,

Plaintiff,

vs.

FATHI YUSUF,

Defendant.

Case No.: SX-2014-CV-278

**ACTION FOR DEBT AND
CONVERSION**

JURY TRIAL DEMANDED

REPLY TO DEFENDANT'S OPPOSITION TO MOTION TO SEVER

The Plaintiff moved to sever Case No: SX-2014-CV-278 from this consolidated case, as the sole Defendant in that matter, Fathi Yusuf, admitted owing the debt that gave rise to that case. The Defendant objects, saying it would be unfair to sever this case since it has offsets asserted in this case and agreed to consolidation based on this fact.

The only thing that is unfair is that the Defendant denied owing this debt when he answered the complaint in Case No: SX-2014-CV-278, when in fact he knew he owed it.

Had the Defendant admitted this debt at that time, that case would have been resolved and consolidation would never have occurred. Thus, it is unfair for the Defendant to wait until consolidation to admit that he owes this money to the Plaintiff (and has for years).

Just like the order in this case directing that rent be paid to the Defendant, rather than waiting for an offset to be established as argued by the Plaintiff, there is no reason to delay the immediate payment of the acknowledged debt either. As such, it is respectfully submitted that this Court should sever Case No: SX-2014-CV-278 from this consolidated case so judgment can be entered now in that case. A proposed Order has been submitted.

Dated: December 28, 2016



Joel H. Holt, Esq.
Counsel for Plaintiff
Law Offices of Joel H. Holt
2132 Company Street,
Christiansted, VI 00820
Email: holtvi@aol.com
Tele: (340) 773-8709
Fax: (340) 773-8677

Carl J. Hartmann III, Esq.
Co-Counsel for Plaintiff
5000 Estate Coakley Bay, L6
Christiansted, VI 00820
Email: carl@carlhartmann.com
Tele: (340) 719-8941

CERTIFICATE OF SERVICE

I hereby certify that on this 28rd day of December, 2016, I served a copy of the foregoing by email, as agreed by the parties, on:

Hon. Edgar Ross
Special Master
% edgarrossjudge@hotmail.com

Gregory H. Hodges
Law House, 10000 Frederiksberg Gade
P.O. Box 756
St. Thomas, VI 00802
ghodges@dtflaw.com

Mark W. Eckard

Hamm, Eckard, LLP
5030 Anchor Way
Christiansted, VI 00820
mark@markeckard.com

Jeffrey B. C. Moorhead

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

A handwritten signature in blue ink is written over a horizontal line. The signature is stylized and appears to be 'J. B. C. Moorhead'.