

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

HISHAM HAMED , individually, and Derivatively, on behalf of SIXTEEN PLUS CORPORATION ,)	
)	
Plaintiff,)	CIVIL NO. SX-16-CV-650
)	
vs.)	DERIVATIVE SHAREHOLDER SUIT, ACTION FOR DAMAGES AND CICO RELIEF
)	
FATHI YUSUF, ISAM YOUSUF and JAMIL YOUSEF ,)	JURY TRIAL DEMANDED
)	
Defendants.)	
)	
and)	
)	
SIXTEEN PLUS CORPORATION ,)	
)	
a nominal Defendant,)	
)	

**NOTICE OF SERVICE OF
ISAM YOUSUF'S RESPONSE TO PLAINTIFF HISHAM HAMED'S
FIRST REQUEST FOR ADMISSIONS TO DEFENDANT ISAM YOUSEF**

The defendant, **ISAM YOUSUF**, by and through his undersigned attorneys, the Law Offices of James L. Hymes, III, P.C. (*James L. Hymes, III, of Counsel*), does not voluntarily appear in this matter, does not submit to the jurisdiction of the Court, and does not waive any objections to subject matter jurisdiction, personal jurisdiction, 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

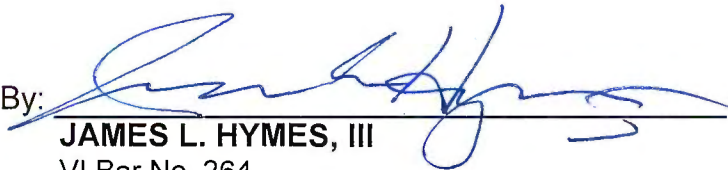
HISHAM HAMED, Individually, and derivatively, on behalf of SIXTEEN PLUS CORPORATION vs.
FATHI YUSUF, ISAM YOUSUF and JAMIL YOUSEF
SCVI/STX Civil No. SX-16-CV-650
NOTICE OF SERVICE OF ISAM YOUSUF'S RESPONSE TO PLAINTIFF HISHAM HAMED'S
FIRST REQUEST FOR ADMISSIONS TO DEFENDANT ISAM YOUSEF

provisions of V.I. R. Civ. P. 36, provides notice that his Response to Plaintiff Hisham Hamed's First Request for Admissions to Defendant Isam Yousuf has been served upon plaintiff's counsel, with copies to the remaining counsel of record as set forth in the Certificate of Service, below.

Respectfully Submitted,

DATED: August 16, 2017.

LAW OFFICES OF JAMES L. HYMES, III, P.C.
Counsel for Defendants –
Isam Yousuf, and Jamil Yousuf

By: 

JAMES L. HYMES, III
VI Bar No. 264
P.O. Box 990
St. Thomas, Virgin Islands 00804-0990
Telephone: (340) 776-3470
Facsimile: (340) 775-3300
E-Mail: jim@hymeslawvi.com;
rauna@hymeslawvi.com

CERTIFICATE OF SERVICE

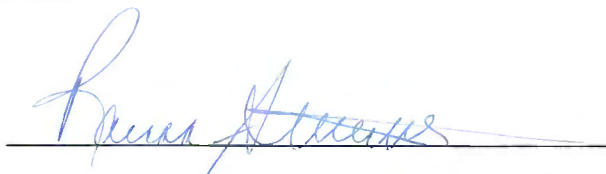
I hereby certify that this document complies with the page or word limitation set forth in V.I. R. Civ. P. 6-1(e), and that on this the 16th day of August, 2017, I caused an exact copy of the foregoing "*ISAM YOUSUF'S RESPONSE TO PLAINTIFF HISHAM HAMED'S FIRST REQUEST FOR ADMISSIONS TO DEFENDANT ISAM YOUSUF*" to be served electronically by e-mail, and by mailing same, postage pre-paid, to the following counsel of record:

JOEL H. HOLT, ESQ.
LAW OFFICES OF JOEL H. HOLT
2132 Company Street
Christiansted, USVI, 00820
Telephone: (340) 773-8709
Facsimile: (340) 773-8677
holtvi@aol.com
Counsel for Plaintiff

CARL J. HARTMANN, III, ESQ.
5000 Estate Coakley Bay, L-6
Christiansted, VI 00820
carl@carlhartmann.com
Co-Counsel for Plaintiff

GREGORY H. HODGES, ESQ.
STEFAN HERPEL, ESQ.
LISA MICHELLE KÖMIVES, ESQ.
DUDLEY, TOPPER AND FEUERZEIG, LLP
Law House, 10000 Frederriksberg Gade
P.O. Box 756
St. Thomas, VI 00804-0756
ghodges@dtflaw.com
sherpel@dtflaw.com
lkomives@dtflaw.com
Attorneys for Defendant Fathi Yusuf

KEVIN A. RAMES, ESQ.
KEVIN A. RAMES, P.C.
2111 Company Street, Suite 3
Christiansted, VI 008220
Telephone: (340) 773-7284
Facsimile: (340) 773-7282
kevin.rames@rameslaw.com
Attorneys for Sixteen Plus Corporation



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

HISHAM HAMED , individually, and)	
Derivatively, on behalf of SIXTEEN)	
PLUS CORPORATION ,)	CIVIL NO. SX-16-CV-650
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Plaintiff,)	DERIVATIVE SHAREHOLDER
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vs.)	AND CICO RELIEF
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FATHI YUSUF, ISAM YOUSUF and)	JURY TRIAL DEMANDED
JAMIL YOUSEF ,)	
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Defendants.)	
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SIXTEEN PLUS CORPORATION ,)	
)	
a nominal Defendant,)	
)	

**ISAM YOUSUF'S RESPONSE TO PLAINTIFF HISHAM HAMED'S
FIRST REQUEST FOR ADMISSIONS TO DEFENDANT ISAM YOUSEF**

The Defendant, ISAM YOUSUF, through his undersigned Attorney, James L. Hymes, III, does not voluntarily appear in this matter, does not submit to the jurisdiction of the Court, and does not waive any objections to subject matter jurisdiction, personal jurisdiction, 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

without waiving same hereby responds to Plaintiff's First Request For Admissions as follows:

GENERAL OBJECTIONS

Isam Yousuf submits and incorporates into each request the following general objections to Plaintiff's First Request for Admissions set forth herein, and further, by submitting his responses to the Plaintiff's Request for Admissions, 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. Isam Yousuf objects to each request contained in Plaintiff's First Request for Admissions to the extent such request asks for communications between him and his lawyers; these attorney-client communications are privileged and not subject to disclosure.

2. Isam Yousuf objects to each request contained in Plaintiff's First Request for Admissions to the extent such request asks for disclosure of material prepared by or for his lawyers or his representatives in the course of securing legal counsel, or in anticipation and defense of litigation; this material is protected from disclosure by the work product doctrine. Similarly, Isam Yousuf objects to each request contained in Plaintiff's First Request for Admissions to the extent such request asks for communications between him and his lawyers on the grounds of the privilege afforded to parties with a common interest or joint defense.

3. Isam Yousuf has made the following responses without waiving: (1) the right to object to the use of any response for any purposes, in this action or in any other actions, on the grounds of privilege, relevance, materiality, or anything else appropriate; (2) the right to object to any other requests involving or relating to the subject matter of this response; and (3) the right to revise, correct, supplement, or clarify these responses should his ongoing investigation in defense of this action warrant such changes.

4. Isam Yousuf generally objects to any request that purports to impose requirements more burdensome and beyond the scope of those set forth under the Federal Rules of Civil Procedure, including without limitation Rule 36. Furthermore, objection is made to each and every request that is uncertain as to time and purports to request admissions as to facts or circumstances unrelated in time to any issue or claim in this action.

ADMISSIONS

1. **ADMIT** you were indicted in the Virgin Islands for a multitude of alleged offenses as set forth in Exhibit 1 attached hereto.

RESPONSE:
ADMIT.

2. **ADMIT** that these charges against you stemmed in part from the transfer of funds you made as documented on page 6 of Exhibit 2 as well as Exhibits 3 and 4 attached.

RESPONSE:
ADMIT.

3. **ADMIT** that you had funds transferred from St. Martin to the Sixteen Plus account at the Bank of Nova Scotia in 1997 as documented on page 6 of Exhibit 2 as well as Exhibits 3 and 4 attached.

RESPONSE:

ADMIT that Isam Yousuf transferred funds from St. Martin to the Sixteen Plus account at the Bank of Nova Scotia in 1997, but **DENY** the remaining portions of this request to admit for the reason that the Exhibits attached are illegible and confusing.

4. **ADMIT** that in 1997, BFC Island Appliance was owned at least in part by you, either directly or indirectly.

RESPONSE:

DENY.

5. **ADMIT** that the funds documented on page 6 of Exhibit 2 as well as Exhibits 3 and 4 attached came from Walled ("Wally") Hamed.

RESPONSE:

DENY. The funds were the property of Manal Mohammad Yousef which were given to her by her father and were entrusted to me to manage in my business account.

6. **ADMIT** that the funds documented on page 6 of Exhibit 2 as well as Exhibits 3 and 4 attached were funds generated by the Plaza Extra Supermarket Stores in the Virgin Islands.

RESPONSE:

DENY. The funds were the property of Manal Mohammad Yousef which were given to her by her father and were entrusted to me to manage an my business account.

7. **ADMIT** that the funds documented on page 6 of Exhibit 2 as well as Exhibits 3 and 4 attached were not funds you had earned or generated in any business in which you were involved.

RESPONSE:

ADMIT.

8. **ADMIT** that none of the funds documented on page 6 of Exhibit 2 as well as Exhibits 3 and 4 attached came from Manal Yousef.

RESPONSE:

DENY. See responses to Request for Admissions Nos. 5 and 6, above.

9. **ADMIT** that you came to the Virgin Islands to transact business for your father between 1996 and 2002.

RESPONSE:

DENY for the reason that this is a misstatement of fact.

10. **ADMIT** that that you came to the Virgin Islands to transact business for Fathi Yusuf between 1996 and 2002.

RESPONSE:

DENY for the reason that this is a misstatement of fact.

11. **ADMIT** that you knew the funds documented on page 6 of Exhibit 2 as well as Exhibits 3 and 4 attached had originally been skimmed from Plaza Extra accounts.

RESPONSE:

DENY. See Responses to Request for Admissions Nos. 5 and 6, above.

12. **ADMIT** that the funds documented on page 6 of Exhibit 2, as well as Exhibits 3 and 4 attached, transferred to the Sixteen Plus account at the Bank of Nova Scotia had originally been part of a money laundering scheme.

RESPONSE:

DENY. See Responses to Request for Admissions Nos. 5 and 6, above.

13. **ADMIT** that the funds documented on page 6 of Exhibit 2, as well as Exhibits 3 and 4 attached, transferred to the Sixteen Plus account at the Bank of Nova Scotia had originally been part of a plan devised in full or in part by Fathi Yusuf.

RESPONSE:

DENY. See Responses to Request for Admissions Nos. 5 and 6, above.

14. **ADMIT** that the funds documented on page 6 of Exhibit 2, as well as Exhibits 3 and 4 attached, transferred to the Sixteen Plus account at the Bank of Nova Scotia had never been in any account titled in the name of Manal Yousef.

RESPONSE:

DENY. See Response to Request for Admissions No. 6, above.

15. **ADMIT** that the funds documented on page 6 of Exhibit 2, as well as Exhibits 3 and 4 attached, transferred to the Sixteen Plus account at the Bank of Nova Scotia had never been in any account titled for the benefit or trust of Manal Yousef.

RESPONSE:

DENY. See Response to Request for Admissions No. 6, above.

16. **ADMIT** that you knew prior to February 19, 1997, Fathi Yusuf was going to create the Note and Mortgage in favor of Manal Yousef attached hereto as Exhibits 5 and 6.

RESPONSE:

DENY. This is a misstatement of fact.

17. **ADMIT** that prior to January 1, 1997 Manal Yousef never had \$4.5 million in personal net worth.

RESPONSE:

DENY. This is a misstatement of fact.

18. **ADMIT** that you came to the Virgin Islands in 2014.

RESPONSE:

ADMIT.

19. **ADMIT** that you are involved in helping Fathi Yusuf deprive Sixteen Plus of the value of the Diamond Keturah property secured by the Mortgage attached hereto as Exhibit 6.

RESPONSE:

DENY. This is a misstatement of fact.

20. **ADMIT** that you helped Fathi Yusuf meet with the lawyer who send the letter on behalf of Manal Yousef, attached as Exhibit 8.

RESPONSE:

DENY. This is a misstatement of fact.

Respectfully Submitted,

DATED: August 16, 2017.

LAW OFFICES OF JAMES L. HYMES, III, P.C.
Counsel for Defendants –
Isam Yousuf, and Jamil Yousuf

By: _____

JAMES L. HYMES, III

VI Bar No. 264

P.O. Box 990

St. Thomas, Virgin Islands 00804-0990

Telephone: (340) 776-3470

Facsimile: (340) 775-3300

E-Mail: jim@hymeslawvi.com;

rauna@hymeslawvi.com

CERTIFICATE OF SERVICE

I hereby certify that on this the 16TH day of August, 2017, I caused an exact copy of the foregoing *““ISAM YOUSUF’S RESPONSE TO PLAINTIFF HISHAM HAMED’S FIRST REQUEST FOR ADMISSIONS TO DEFENDANT ISAM YOUSEF””* to be served electronically by e-mail, and by mailing same, postage pre-paid, to the following counsel of record:

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2132 Company Street
Christiansted, USVI, 00820
Telephone: (340) 773-8709
Facsimile: (340) 773-8677
holtvi@aol.com
Counsel for Plaintiff

CARL J. HARTMANN, III, ESQ.
5000 Estate Coakley Bay, L-6
Christiansted, VI 00820
carl@carlhartmann.com
Co-Counsel for Plaintiff

GREGORY H. HODGES, ESQ.
STEFAN HERPEL, ESQ.
LISA MICHELLE KÖMIVES, ESQ.
DUDLEY, TOPPER AND FEUERZEIG, LLP
Law House, 10000 Frederriksberg Gade
P.O. Box 756
St. Thomas, VI 00804-0756
ghodges@dtflaw.com
sherpel@dtflaw.com
lkomives@dtflaw.com
Attorneys for Defendant Fathi Yusuf

KEVIN A. RAMES, ESQ.
KEVIN A. RAMES, P.C.
2111 Company Street, Suite 3
Christiansted, VI 008220
Telephone: (340) 773-7284
Facsimile: (340) 773-7282
kevin.rames@rameslaw.com
Attorneys for Sixteen Plus Corporation

