

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
)	
Plaintiff,)	DERIVATIVE SHAREHOLDER
)	SUIT, ACTION FOR DAMAGES
vs.)	AND CICO RELIEF
)	
FATHI YUSUF, ISAM YOUSUF and)	JURY TRIAL DEMANDED
JAMIL YOUSEF ,)	
)	
Defendants.)	
)	
and)	
)	
SIXTEEN PLUS CORPORATION ,)	
)	
a nominal Defendant,)	
)	

NOTICE OF SERVICE OF
ISAM YOUSUF'S RESPONSE TO PLAINTIFF HISHAM HAMED'S
FIRST REQUEST FOR THE PRODUCTION OF DOCUMENTS
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

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 THE PRODUCTION OF DOCUMENTS

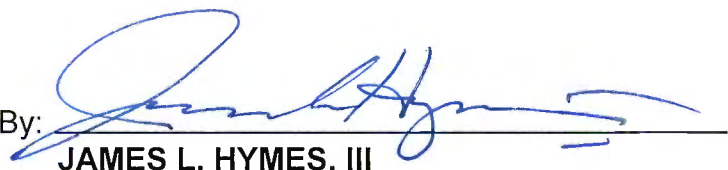
may be presented whether by pleading or motion in this action, and pursuant to the provisions of V.I. R. Civ. P. 34, provides notice that his Response to Plaintiff Hisham Hamed's First Request for the Production of Documents to Defendant Isam Yousuf has been served upon plaintiff's counsel, with copies 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 THE PRODUCTION OF DOCUMENTS 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.

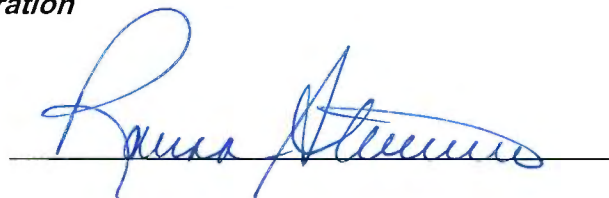
DUDLEY, TOPPER AND FEUERZEIG, LLP
Law House, 10000 Frederriksberg Gade
P.O. Box 756
St. Thomas, VI 00804-0756
ghodges@dtflaw.com
sherpel@dtflaw.com
lkomives@dtflaw.com

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 ,)	
)	
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
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Defendants.)	
)	
and)	
)	
SIXTEEN PLUS CORPORATION ,)	
)	
a nominal Defendant,)	
)	

**ISAM YOUSUF'S RESPONSE TO PLAINTIFF HISHAM HAMED'S
FIRST REQUEST FOR THE PRODUCTION OF DOCUMENTS
TO DEFENDANT ISAM YOUSUF**

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 Hashim Hamed's First Request For The Production Of Documents, 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.

REQUESTS

Document Request No. 1:

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. 2:

All written communications between you and Fathi Yusuf since 1996 regarding any matters related to United Corporation, Sixteen Plus, Manal Mohammad Yousef or anything to do with Manal Mohammad's loan to Sixteen Plus as evidenced by the Promissory Note attached as **Exhibit 1**.

Response:

None.

Document Request No. 3:

All written communications between you and Jamil Yousef since 2008 regarding any matters related to United Corporation, Sixteen Plus, Manal Mohammad Yousef or anything to do with Manal Mohammad's loan to Sixteen Plus as evidenced by the Promissory Note attached as **Exhibit 1**.

Response:

None.

Document Request No. 4:

All written communications between you and any family members of Fathi Yusuf since 1996 regarding any matters related to United Corporation, Sixteen Plus, Manal Mohammad Yousef or anything to do with Manal Mohammad's loan to Sixteen Plus as evidenced by the Promissory Note attached as **Exhibit 1**.

Response:

None.

Document Request No. 5:

All written communications with any person affiliated with or representing Sixteen Plus since 1996.

Response:

None.

Document Request No. 6:

All written communications with anyone regarding the preparation and execution of the Power of Attorney attached hereto as **Exhibit 2**.

Response:

None.

Document Request No. 7:

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:

None.

Document Request No. 8:

All communications with Kye Walker since 2015.

Response:

I object to producing any document I may have in my possession which could be interpreted as a communication with Attorney Walker on the grounds that such communication was between client and attorney and is therefore privileged and confidential and not subject to disclosure.

Document Request No. 9:

Please provide all documents showing residential addresses you know or believe Manal Yousef physically resided at for more than 1 month from 1990 to present.

Response:

None.

Document Request No. 10:

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. 11:

Complete copies of all passports issued to you by any country since 1996, whether current or expired.

Response:

Pursuant to an agreement with counsel, copies of passports will be submitted under seal to the Court for its inspection to determine relevancy, and to avoid disclosure of private personal information protected by the rules of this Court.

Document Request No. 12:

All documents showing residential addresses you physically resided at for more than 1 month from 1996 to present.

Response:

Until 2010 I lived at Gold Finch Road in St. Martin. I have no documents relating to my occupancy at that address. Since then I have lived at number 3D Billy Fully Road in St. Maarten. This response will be supplemented if any documents relating to my occupancy at that address can be located.

Document Request No. 13:

Please provide all documents detailing how the Note and Mortgage between Manal Yousef and Sixteen Plus was arranged for, negotiated, drafted, executed, delivered, and recorded. Include, but do not limit this, to documents reflecting the dates when actions were taken, the amounts discussed or transacted, the documents drafted or executed, the communications, any lawyers involved, all persons involved and all banks/entities where funds originated, were transferred or arrived.

Response:

None.

Document Request No. 14:

Please provide documents reflecting the source of all funds used to make the wire transfer that was sent on or about February 19, 1997, as noted on page 6 of **Exhibit 4** as well as **Exhibit 5** that are attached.

Response:

None.

Document Request No. 15:

Documents providing the directions from anyone to authorize the wire transfers that were sent on or about February 19, 1997 and September 4, 1997, on noted on page 6 of **Exhibit 4** as well as **Exhibits 5** and 6 that are attached.

Response:

None.

Document Request No. 16:

Please provide documents reflecting the source of all funds used to make the wire transfer that was sent on or about September 4, 1997, on noted on page 6 of **Exhibit 4** as well as **Exhibit 6** that are attached.

Response:

None.

Document Request No. 17:

Please provide documents showing the transfer of any funds by Manal Mohammad Yousef to you or BFC Island Appliance that were included in either of the wire transfers that were sent on or about February 19, 1997 and September 4, 1997, on noted on page 6 of **Exhibit 4** as well as **Exhibits 5** and 6 that are attached.

Response:

None.

Document Request No. 18:

Provide all documents detailing communications you or Fathi Yusuf have had with any members of Manal Yousef's family or her counsel from September 4, 1997 *to the present*.

Response:

None.

Document Request No. 19:

Please provide all documents, including but not limited to any powers of attorney between Manal Yousef and yourself that would allow you to hold yourself out as her agent.

Response:

None.

Document Request No. 20:

Please provide all documents showing any transfers of funds to you since 1996 from United Corporation, Waleed Hamed, or Fathi Yusuf or any of his family members.

Response:

None.

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 THE PRODUCTION OF DOCUMENTS 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

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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

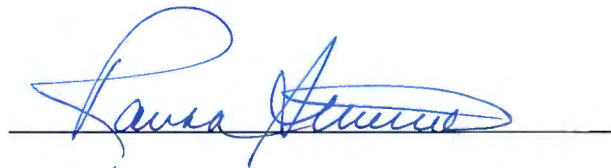
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Telephone: (340) 773-7284

Facsimile: (340) 773-7282

kevin.rames@rameslaw.com

Attorneys for Sixteen Plus Corporation



c:\Yousuf\Hamed\2017-08-16...IY's RRFPD.....