

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

**HISHAM HAMED, individually, and
derivatively, on behalf of SIXTEEN PLUS
CORPORATION,**

Plaintiff,

v.

**FATHI YUSUF, ISAM YOUSUF and
JAMIL YOUSEF**

Defendants,

and

SIXTEEN PLUS CORPORATION,

a nominal Defendant.

Case No.: 2016-SX-CV-650

**DERIVATIVE SHAREHOLDER
SUIT, ACTION FOR DAMAGES
AND CICO RELIEF**

JURY TRIAL DEMANDED

**PLAINTIFF HISHAM HAMED'S FIRST REQUEST
FOR INTERROGATORIES TO DEFENDANT FATHI YUSUF**

Plaintiff Hisham Hamed, by counsel, propounds the following first request for interrogatories pursuant to Rule 33 of the *Virgin Islands Rules of Civil Procedure* (V.I. R. CIV. P.) on Defendant Fathi Yusuf.

INSTRUCTIONS

If any of the following Interrogatories cannot be answered in full, please answer to the extent possible, specify the reason for your inability to answer the remainder and state whatever information or knowledge you have concerning the unanswered portion. Where your investigation is incomplete, give all information known as of the date of signing your answer. Where exact data is unavailable, supply estimated data, indicate that you have done so, and explain the basis on which the estimate was made.

If you decline to answer any interrogatory, or portion of any interrogatory, on a claim of privilege or other basis for withholding an answer, such as the work product doctrine, state each privilege or other basis for withholding claimed and describe in detail all foundational facts upon which you base such claim of privilege or basis for withholding.

It is requested that all copies of all documents identified in response be attached to the answers to the responses to these Interrogatories as an exhibit. Please take notice that these Interrogatories are deemed to be continuing up to and including the first day of trial of this action. If at any time, you or any person acting on your behalf obtains additional information called for by these Interrogatories between the time of your response and the time set for trial, please serve supplemental sworn answers setting forth such information.

The words "**and**," as well as "**or**," shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the specifications all responses which might otherwise be construed to be outside its scope.

Terms in the plural include the singular and terms in the singular include the plural; the use of one gender shall include all others as appropriate in the context.

These interrogatories are continuing in nature so as to require **you, the Defendant**, to file supplemental answers if any additional or different information responsive to these interrogatories is discovered or obtained subsequent to the filing of answers to these interrogatories.

TERMS AND MEANINGS

The terms used in this Discovery have the following meaning:

As used herein, the term "document(s)" is used in its broadest sense to include, by way of illustration only and not by way of limitation, all originals and non-identical

copies of any writing or any other tangible thing or data compilation in the custody, possession or control of the Defendant - whether printed, typed, reproduced by any process, written or produced by hand, including any graphic matter however produced or reproduced, or produced by any other mechanical means and all data, either electronic, magnetic, chemical, mechanical, or other form of data storage capable of being transformed into written or oral matter, including, but not limited to, CD-ROMs, DVDs, computer disks, Hard-drive computer storage mediums - including e-mails, letters, affidavits, filings, engineering studies and for tests, reports, agreements, communications, correspondence, permits, accounting records, business records, contracts, letters of agreements, telegrams, mailgrams, memoranda, summaries and/or records of personnel or telephone conversations, diaries, calendars, forecasts, photographs, tape recordings, facsimiles, models, statistical statements, graphs, charts, plans, drawings, service and/or pump data, logs, minutes or records of meetings, minutes or records of conferences, reports and /or summaries of interviews, reports, conversations, summaries of investigations, opinions or reports of consultants, topographical or geological maps or surveys, appraisals, records, reports or summaries of negotiations, drafts of any document, revisions of drafts of any document, purchase orders, invoices, receipts, original or preliminary notes, financial statements, accounting work papers, promissory notes, film, microfilm, microfiche, punch cards, slides, pictures, videotapes, moving pictures, computer programs, laboratory results, magnetic tapes or any other matter which is capable of being read, heard or seen with or without mechanical or electronic assistance.

"Communication" means any correspondence, contact, discussion, exchange, contract, or agreement between any two or more persons. Without limiting the foregoing, "communication" includes all documents, as defined above, telephone conversations, internet communications, e-mail, facsimile transmissions, voice mail, face-to-face conversations, meetings, and conferences.

DEFINITIONS

"**Civil No. 65**" refers to the *Sixteen Plus Corp. v Manal Yousef*, SX-15-CV-65 case before the Superior Court of the U.S. Virgin Islands.

The term "**Family**" (as in "Fathi Yusuf's Family") shall mean immediate family members (grandparents, spouses, parents and children and their spouses) and any known, aunts, uncles, cousins, nieces and nephews regardless on the number of times removed.

"**Note**" and/or "**Mortgage**" refers to the note and mortgage between Manal Yousef and Sixteen plus as to the property known as Diamond Keturah on St. Croix, USVI.

INTERROGATORIES

Interrogatory 1:

Describe in detail the actions of persons and the movement, laundering, deposit and use of Plaza Extra funds **TO and IN** St. Martin/St. Maartin for the period from 1996 through 2001. Be specific as to dates and amounts. Include the roles of Sixteen Plus, yourself, Waleed Hamed, Isam Yousuf, Manal Yousef and Jamil Yousef.

Response:

Interrogatory 2:

Describe in detail the actions of persons and the movement, laundering, deposit and use of Plaza Extra funds **FROM** St. Martin/St. Maarten **TO and IN** the U.S. Virgin Islands for the period from 1996 through 2001. Be specific as to dates and amounts. Include the roles of Sixteen Plus, yourself, Waleed Hamed, Isam Yousuf, Manal Yousef and Jamil Yousef.

Response:

Interrogatory 3:

Describe in detail the actions of persons and the movement, laundering, deposit and use of Plaza Extra funds **FROM** St. Martin/St. Maarten **TO and IN** Jordan for the period from 1996 through 2001. Be specific as to dates and amounts. Include the roles of Sixteen Plus, yourself, Waleed Hamed, Isam Yousuf, Manal Yousef and Jamil Yousef.

Response:

Interrogatory 4:

Please review the draft report of the US DOJ/FBI with regard to the accounting of the money laundering activities of, among others, yourself and Sixteen Plus--particularly the two pages Bates stamped YUSF113690-YUSF113691. After doing so, describe in detail how, when and where Isam Yousuf **acquired** the two \$2 million amounts that he transferred to the Sixteen Plus account at the Bank of Nova Scotia on or about February 19, 1997 and September 4, 1997, **as well as any conversations, correspondence, instructions or communications** between any members of the Yusuf or Hamed families and Isam Yousuf about those funds or transfers.

Response:

Interrogatory 5:

Please describe in detail all that you know about BFC Island Appliance, including but not limited to its location, years of operation, ownership, your relationship to it and its owners/operators and how you or others transferred or otherwise provided any Plaza Extra funds to that entity in prior to September 4, 1997.

Response:

Interrogatory 6:

Describe in detail all residential addresses you know or believe Manal Yousef physically resided at for more than 1 month from 1990 to present, and the sources of funds she had or had a right to prior to September 4, 1997 including, but not limited to, jobs she had held, investment income, inheritances and gifts. Include, but do not limit this, to the locations and names of any banks or other institutions in which these funds were located. Also, describe all travel by Manal you know of regarding the Note or Mortgage.

Response:

Interrogatory 7:

Describe in detail all facts related to the acts and communications that led to Manal Yousef agreeing to provide and then providing the more than four million dollars of funds to Sixteen Plus. This shall include, but not be limited, to any verbal or written communications requesting the funds, agreeing to lend the funds, and providing the funds.

Response:

Interrogatory 8:

Describe in detail 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 all 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:

Interrogatory 9:

Describe in detail all payments received by Manal Yousef and communications to her or from you or others from her about the Note or Mortgage from September 4, 1997 to the present. This shall include, but not be limited, to such payments or communications with members of Fathi Yusuf's family, Waleed Hamed's family, Sixteen Plus, Jamil Yousef, Isam Yousuf, any lawyer, any bank, any accountant or other person or entity.

Response:

Interrogatory 10:

Describe in detail how Manal Yousef arranged for and filed the court documents in *Sixteen Plus Corp. v Manal Yousef*, SX-16-CV-65 ("Civil No. 65") legal action regarding the Note and Mortgage. Include all dates, persons, documents, entities, communications. Also, state all payments or receipt of funds for that representation. Include, but do not limit this, to all communications with Kye Walker, James Hymes or the law firm of Dudley, Topper or their staffs.

Response:

Interrogatory 11:

Describe in detail all communications you or Manal Yousef have had regarding either this legal action or her legal action in Civil No. 65 -- after the dates of filing. Include all dates, persons, document, entities, and payments or receipt of funds for representation.

Response:

Interrogatory 12:

Describe in detail all amount due to you or Manal Yousef as a result of this action or her other action (Civil No. 65), including the calculations as to how you arrived at those amounts. Include, but do not limit this, to calculations to principal due under the Note, interest due under the Note and any other amounts added to those.

Response:

Interrogatory 13:

Describe any and all communications you have had with any members of Manal Yusuf's family or her counsel from September 4, 1997 to present. And for each such communication, state where you were located when it occurred.

Response:

Interrogatory 14:

Describe in detail how Manal Yousef and you arranged for, drafted, executed and filed any and all powers of attorney regarding the Note and Mortgage. Include all dates, persons, documents, entities, communications, and payment or receipt of funds for representation. Include, but do not limit this, to all communications with Kye Walker, James Hymes or the law firm of Dudley, Topper -- or their staffs.

Response:

Interrogatory 15:

Describe in detail how Manal Yousef arranged for, drafted, executed or transmitted any and all other documents to any person or entity regarding the Note and Mortgage. Include all dates, persons, documents, entities, communications, and payment or receipt of funds for representation. This shall include but not be limited to: transfers of any interest, releases of any interest, sale of any interest, and offers or discussion about doing the same. Include but do not limit this to all communications with Kye Walker, her present counsel James Hymes or the law firm of Dudley, Topper – or their staffs.

Response:

Interrogatory 16:

Describe any and all communications you have had with any members of your family or any third person or entity from September 4, 1997 to present regarding proposed or actual transfers of any interest, releases of any interest, sale of any interest, and offers or discussions about doing the same with respect to the property known as Diamond Keturah.

Response:

Dated: July 12, 2017



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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) and that on this July 12, 2017, I served a copy of the foregoing by hand delivery, mail and email, as agreed by the parties, on:

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