

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

WALEED HAMED, as the Executor of the
Estate of MOHAMMAD 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

Consolidated with

WALEED HAMED, as the Executor of the
Estate of MOHAMMAD HAMED,

Plaintiff,

vs.

UNITED CORPORATION,

Defendant.

Case No.: SX-2014-CV-287

**ACTION FOR DECLARATORY
JUDGMENT**

JURY TRIAL DEMANDED

Consolidated with

WALEED HAMED, as the Executor of the
Estate of MOHAMMAD HAMED,

Plaintiff,

vs.

FATHI YUSUF,

Defendant.

Case No.: SX-2014-CV-278

**ACTION FOR DEBT AND
CONVERSION**

JURY TRIAL DEMANDED

**NOTICE - LIST OF ALL YUSUF AND HAMED CLAIMS
(AS REFERENCED IN FILINGS)**

Yusuf Claims

New Claim Number	Description
Y-1	Unpaid rent for Plaza Extra-East Bay 1
Y-2	Unpaid rent for Plaza Extra-East Bays 5 & 8
Y-3	9% interest on rent claims for Bay 1
Y-4	9% interest on rent claims for Bays 5 & 8
Y-5	Reimburse United for Gross Receipt Taxes
Y-6	Black Book Balance Owed United
Y-7	Ledger Balance Owed United
Y-8	Water Revenue Owed United
Y-9	Unreimbursed Transfers from United
Y-11	Lifestyle Analysis
Y-12	Foreign Accts and Jordanian Properties
Y-13	Loss of going concern value of Plaza Extra-West
Y-14	Half of the value of the six containers

Hamed Claims

New Claim Number	Description
H-1	Reimbursement for sale of the Dorthea condo
H-2	\$2.7 million unilateral withdrawal from the Partnership account - uncontested
H-3	Partnership funds used to pay Fathi Yusuf's personal legal fees - uncontested
H-4	2012-2013 Real Estate Taxes for Plaza Extra STT
H-5	Tutu Park Mall 2014 taxes & corresponding Partnership withdrawals by Fathi Yusuf
H-6	Reimbursement for Fathi Yusuf withdrawal related to Tutu Park rent payments
H-7	KAC357, Inc. payment of invoices from J. David Jackson PC
H-8	David Jackson, CPA, bill owed for tax work done related to the Partnership's 2013 taxes
H-9	John Gaffney's salary, benefits and bonus
H-10	Retirement bonus paid to Mary Gonzales
H-11	100 shopping carts purchased for Plaza Extra-East
H-12	Replacement of four condensers, plus associated costs for shipping, delivery and installation
H-13	Hamed payment of taxes during criminal case
H-14	Unsubstantiated checks to Nejeih Yusuf

- H-15** NejeH Yusuf's cash withdrawals from safe
- H-16** NejeH Yusuf's use of Partnership resources for his Private Businesses on STT
- H-17** Wally Hamed's personal payment of accounting and attorneys' fees in United States of America v United Corp., et. al., VI D.Ct. 2005-cr-015
- H-18** KAC357, Inc. payment of invoices from FreedMaxick
- H-19** KAC357, Inc. payment of Partnership WAPA invoices
- H-20** KAC357, Inc. payment of Partnership Tropical Shipping invoices
- H-21** Payment of NejeH Yusuf credit card bill
- H-22** NejeH Yusuf removed property belonging to KAC357 Inc.
- H-23** 2015 Workers' Compensation payments for Plaza East
- H-24** 2015 Health permit payments for Plaza East
- H-25** 2015 Business license payment for Plaza East
- H-26** Inventory moved from Plaza West to East after official inventory
- H-27** BJ's Wholesale Club vendor credit
- H-28** 2015 Real Estate Tax for Plaza Extra-STT
- H-29** 2015 Insurance for St. Thomas Plaza Extra car
- H-30** KAC357, Inc. payment of Partnership AT&T invoices
- H-31** Point of Sale transactions (purchases on account)
- H-32** No credit for expired (spoiled) inventory discovered at Plaza Extra West
- H-33** Merrill Lynch accounts that still existed in 2012 (ML 140-21722, ML 140-07884, and ML 140-07951) financed with Partnership funds
- H-34** Rents collected from Triumphant church
- H-35** KAC357, Inc.'s American Express payments deposited to Partnership account
- H-36** Unclear UVI payment
- H-37** Due to/from Fathi Yusuf
- H-38** Payment to Dudley, Topper and Feuerzeig, LLP (Fathi Yusuf's personal attorney)
- H-39** STT Tutu gift certificates
- H-40** Approximately \$18 million in "purged" (i.e. missing) transactions in 2013
- H-41** Payments to Caribbean Refrigeration & Mechanical LLC
- H-42** Transactions with Miadden Plastic
- H-43** Unclear General Ledger entry "Collection of Setallment [sic]"
- H-44** Unclear General Ledger entries "Foreign taxes paid"
- H-45** Unclear General Ledger entries POS charges for Seaside Market
- H-46** Unclear General Ledger entries "change order" and "cash requisition"
- H-47** Unclear General Ledger entries "credit card paid"
- H-48** Unclear General Ledger entries "RDC Frozen Account"
- H-49** Scotiabank Telecheck transfers were deposited in Partnership accounts

- H-50** Unclear General Ledger entries regarding "return check mutilated"
- H-51** Unclear General Ledger entry regarding "Cash - Transfer Clearing, Banco Proc Error re Xfer"
- H-52** Unclear General Ledger entry regarding "2013 US Customs Exp Per Schedule"
- H-53** Unclear General Ledger entries regarding Merrill Lynch
- H-54** Unclear General Ledger entries regarding Daas corporate loan
- H-55** Unclear General Ledger entries to "Due from (to) Yusuf"
- H-56** Unclear what the reclassification of partnership income in 2013 and 2014 notation on the general ledger means
- H-57** Many general ledger entries are missing descriptions
- H-58** Unclear general ledger entries regarding "nominal cash reconciliation"
- H-59** Unclear general ledger entry "Accrue 2012 rent as directed by legal"
- H-60** Partnership may have paid Fathi Yusuf's personal attorney's fees
- H-61** Unclear general ledger entries regarding deposit adjustments
- H-62** Unclear general ledger entries regarding due/to Shopping Center
- H-63** Transactions with Alamnai Co.
- H-64** Unclear general ledger entries regarding "Adjust due/to from"
- H-65** Improper payments to Carol's newspaper distribution
- H-66** Unclear general ledger entries regarding "Cash Reques"
- H-67** Unclear general ledger entry regarding "AT&T MOBILITY"
- H-68** Transactions with JKC Communication
- H-69** Transactions with House of Printing
- H-70** Transactions with Foampack
- H-71** Unclear general ledger entries regarding "All Scotia Account Closures"
- H-72** Unclear general ledger entries regarding "Fathi Yusuf matching draw"
- H-73** Unclear general ledger entries regarding United Corporation
- H-74** Numerous unexplained general ledger entries regarding Hamed
- H-75** Unclear general ledger entry for \$176,353.61 dated 9/30/15
- H-76** Unclear general ledger entries regarding transfers and closed accounts
- H-77** Unclear general ledger entry regarding 50/50 distribution
- H-78** Unclear general ledger entry regarding accrued accounting fees to complete 2015 year-end taxes
- H-79** Unclear general ledger entry regarding accounting error for Tropical Shipping invoices
- H-80** Unclear general ledger entry regarding adjust cash on hand to count on 3/11/15
- H-81** Unclear general ledger entry regarding clearing Banco irregularities
- H-82** Unclear general ledger entry regarding balance sheet balances closed for insurance items to expedite close
- H-83** Unclear general ledger entries regarding clear misc Yusuf/Pship Due to/fr accounts

- H-84** Unclear general ledger entry regarding United reimbursement to Hamed of 7/13 overpayment
- H-85** Unclear general ledger entry regarding combined services inv dtd 2/24/15 paid on behalf of East
- H-86** Unclear general ledger entry regarding CRA check 215 to reimburse KAC357 for STT deposit errors
- H-87** Unclear general ledger entry regarding Daily (United C. CK)
- H-88** Unclear general ledger entry regarding excess cash over \$50k per court order
- H-89** Unclear general ledger entries regarding prepayment of insurance
- H-90** 2015 Accounts Payable-Trade to John Gaffney
- H-91** 2013 Accounts Payable-Trade to John Gaffney
- H-92** Unclear general ledger entries regarding 2015 Accounts Payable-Trade to Maher Yusuf
- H-93** Unclear Unsubstantiated check to Nejeah Yusuf
- H-94** Unclear general ledger entry, Non-cash distribution to Yusuf
- H-95** Unclear general ledger entry, North Western Selectra Inc.
- H-96** Unclear general ledger entry, J Ortiz
- H-97** Unclear general ledger entries regarding St. Thomas petty cash
- H-98** Unclear general ledger entry regarding United Shopping Center payment of accounting fees for the Partnership
- H-99** Unclear general ledger entry regarding United Shopping Center payment of legal fees for the Partnership
- H-100** Transaction with Source Accounting
- H-101** Unclear general ledger entry regarding St. Thomas 1.5% CR Reduction (FUTA) paid by West to United
- H-102** Unclear general ledger entry regarding temporary adjustment for unreimbursed cash expenses during 2014/15
- H-103** Unclear general ledger entry regarding price gun deposits
- H-104** Unclear general ledger entries regarding 2013 Q3 VIESA deficiency, plus penalty and interest in 2005
- H-105** Unclear general ledger entries regarding United Corporation
- H-106** Unclear general ledger entries regarding United Corporation – FUTA
- H-107** Unclear general ledger entry regarding United Corporation – Gift Certificates
- H-108** Unclear general ledger entries regarding Industrial Video and Luxor Goods
- H-109** Unclear general ledger entry regarding Hector Torres' invoice
- H-110** Unclear general ledger entries for Ramone Reid Felix invoices
- H-111** Unclear general ledger entries regarding Tasty Alternatives
- H-112** Scotia Invoices
- H-113** Lissette Colon's salary, benefits, bonuses and incidental expenses
- H-114** Myra Senhouse's salary, benefits, bonuses and incidental expenses

- H-115 Humphrey Caswell's salary, benefits, bonuses and travel and entertainment expenses
- H-116 Unclear 2016 general ledger entries regarding the United Corporation in 2016
- H-117 Unclear general ledger entry regarding United Corporation – Worker's Compensation
- H-118 Unclear general ledger entries regarding FUTA late fee
- H-119 Transaction with Raja Foods
- H-120 2016 transactions with Caribbean Refrigeration & Mechanical LLC
- H-121 Unclear general ledger entries We Are Wine LLC
- H-122 Unclear general ledger entries regarding US Customs penalty
- H-123 2016 payments to Dudley, Topper and Feuerzeig, LLP (Fathi Yusuf's personal attorney)
- H-124 Unclear general ledger entries regarding Inter Ocean refund
- H-125 Unclear general ledger entries regarding "Lutheran Family Social Services"
- H-126 Unclear general ledger entries regarding KAC357
- H-127 Unclear 2016 general ledger entries for Banco Popular Puerto Rico
- H-128 Unclear general ledger entries regarding 2016 V.I. Employment Security contributions and penalties
- H-129 Fathi Yusuf draw from Partnership funds for gift
- H-130 Wireless Tech Rent
- H-131 Unclear general ledger entries regarding Hanun loan
- H-132 Unclear general ledger entries regarding distributing cash on hand in 2015
- H-133 Unclear general ledger entry regarding Yusuf distribution of WAPA deposit
- H-134 Unclear general ledger entries regarding "Yusuf distribu for trade AR"
- H-135 Unclear general ledger entry regarding "xfer fr Yusuf fam BPPR a/c to United BPPR a/c"
- H-136 Unclear general ledger entry regarding "Yusuf refund of overpayment"
- H-137 Unclear general ledger entry regarding "CLEAR MISC YUSUF/PSHIP DUE TO/FR ACCOUNTS"
- H-138 Unclear general ledger entries regarding "correct Yusuf/Hamed distrib settle on 9/30 ref ck 251 for \$183,381.91"
- H-139 Unclear general ledger entry regarding "clear pship a/c 28600 intraco bal's to equity"
- H-140 Unclear general ledger entry "clear misc Hamed/pship due to/fr accounts" in the amount of \$39,788.40.
- H-141 Unclear general ledger entry regarding "due t/fr settlement re stmt at 9/30/15"
- H-142 Half acre in Estate Tutu
- H-143 Plaza Extra East land
- H-144 \$900,000 Estimated tax payment for United Corporation shareholders
- H-145 WAPA deposits paid with Partnership funds
- H-146 Imbalance in credit card points
- H-147 Vendor rebates

- H-148** Excessive travel and entertainment expenses
- H-149** Seaside Market & Deli LLC
- H-150** United Shopping Center's gross receipt taxes
- H-151** Checks written to Fathi Yusuf for personal use
- H-152** United's corporate franchise taxes and annual franchise fees
- H-153** Partnership funds used to pay United Shopping Center's property insurance
- H-154** Attorney and accounting's fees paid by the Partnership for the criminal case
- H-155** Employee Loans
- H-156** Unclear General Ledger entries regarding miscellaneous adjustments to employee loans
- H-157** Unclear general ledger entry regarding "Fathi Yusuf refund of overpayment"
- H-158** Unclear general ledger entries for By Order
- H-159** Unclear general ledger entries indicating Accounts Payable Trade payments to United Corporation in 2015
- H-160** United Shopping Center's gross receipt taxes
- H-161** Attorney and accounting's fees paid by the Partnership for the criminal case - Pro-rated from September 17, 2006 forward
- H-162** Claims based on monitoring reports/accounting 2007-2012
- H-163** Loss of assets due to wrongful dissolution - attorney's fees
- H-164** Inventory adjusted downward by \$1,660,000 due to unrecorded inventory transfers to other stores, as per first supplemental Hamed claims dated October 6, 2016
- H-165** In Yusuf's Accounting and Proposed Distribution Plan filing on September 30, 2016, Yusuf stated that "[t]here are Debts totaling \$176,267.97, which must be paid prior to any distribution of the remaining Partnership Assets to the Partners." (Footnote omitted) This is an unclear accounting entry.

Dated: January 11, 2018



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CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of January, 2018, I served a copy of the foregoing by email, as agreed by the parties, on:

Hon. Edgar Ross

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