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

WALEED HAMED, as Executor Estate of MOHAMMAD HAME	•	
Plaintiff/Counterc	laim Defendant, )	CIVIL NO. SX-12-CV-370
FATHI YUSUF and UNITED Co	ORPORATION, )	ACTION FOR INJUNCTIVE RELIEF, DECLARATORY JUDGMENT, AND
Defendants/Count v.	terclaimants, )	PARTNERSHIP DISSOLUTION WIND UP, AND ACCOUNTING
WALEED HAMED, WAHEED MUFEED HAMED, HISHAM F PLESSEN ENTERPRISES, INC	IAMED, and )	
Additional Counterclaim	Consolidated With	
WALEED HAMED, as Executor Estate of MOHAMMAD HAME		CIVIL NO. SX-14-CV-287
v.	)	ACTION FOR DAMAGES AND DECLARATORY JUDGMENT
UNITED CORPORATION,	)	
	Defendant. )	
WALEED HAMED, as Executor Estate of MOHAMMAD HAME		CIVIL NO. SX-14-CV-278
V.	Plaintiff, )	ACTION FOR DEBT AND CONVERSION
FATHI YUSUF,	)	
	Defendant. )	

YUSUF'S SUPPLEMENTAL RESPONSE TO HAMED'S REQUEST FOR PRODUCTION OF DOCUMENTS NOS. 2 AS TO H-33 MERRILL ACCOUNTS

Yusuf through his attorneys, Dudley, Topper and Feuerzeig, LLP, hereby provides its

Supplemental Response to Hamed's Request for Production of Documents No. 2 as to H-33 -

Merrill Accounts.

Request for Production of Documents 2 of 50:

RFPDs number 2 of 50 relates to Claim H-33 (previously identified as 338) – described in the claims list as "Merrill Lynch accounts that still existed in 2012 (ML-140-21722, ML-140-

07884 and ML-140-07951) financed with Partnership funds."

Please provide all documents related to the following Merrill Lynch accounts from 9/17/2006

through the present: ML 140-21722, ML 140-07884 and ML 140-07951. Documents should

include, but not be limited to, documents identifying the origins of the deposits into each Merrill

Lynch account and the Merrill Lynch statements.

Original Response:

Yusuf objects to this Request as these accounts are not his accounts and thus, "the

proposed discovery is not relevant to any party's claim or defense." V.I. R. Civ. P.

26(b)(2)(C)(iii). ML140-21722 is in the name of Fathieh Yousef, who is Yusuf's niece. ML-

140-07884 and ML-140-07951 are accounts in the name of Hamdan Diamond and are not

Yusuf's accounts. To the extent that payments were made to Hamdan Diamond, they were in

repayment of loans. Partnership funds were deposited in to the United Merrill Lynch account

ML-140-07759.

Supplemental Response:

Yusuf maintains his objection as to relevance, but also shows that upon diligent search,

he does not have copies of any statements relating to the Hamdan Diamond Accounts 140-07884

and ML-140-07951 for the years sought in this request and to the extent that former statements

Yusuf's Supplemental Response To Hamed's Request For the Production of Documents No. 2

Waleed Hamed et al vs. Fathi Yusuf et al.

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were sent to P.O. Box 503358, St. Thomas, VI 00805-3358, they would be located at the Plaza

Extra Store in Tutu Park, St. Thomas as this is the mailing address for that store, which is now

under the control of the Hameds.

As to any information regarding loans from Hamden Diamond, Yusuf produces

FY014911 (a document seized in the FBI raid and thus, equally accessible to the Hameds).

which reflects a payment of \$1.4 million to Hamdan Diamond in April 10, 2001 for which a note

"Partial Payment" is listed on the United Corporation check signed by Waleed Hamed.

As to ML140-21722, this account was one of the accounts that was frozen as part of the

criminal case from 2003 thru 2015. Search efforts are continuing as to documents responsive to

this request and supplementation will be made on or before Friday, April 20, 2018.

DUDLEY, TOPPER AND FEUERZEIG, LLP

**DATED:** April 17, 2018

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Corporation

Yusuf's Supplemental Response To Hamed's Request For the Production of Documents No. 2 Waleed Hamed et al vs. Fathi Yusuf et al. Page 4

## CERTIFICATE OF SERVICE

It is hereby certified that on this 17<sup>th</sup> day of April, 2018, I caused the foregoing a true and exact copy of the foregoing YUSUF'S SUPPLEMENTAL RESPONSE TO HAMED'S REQUEST FOR PRODUCTION OF DOCUMENT NO. 2 to be served upon the following via Case Anywhere docketing system:

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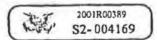
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