

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

WALEED HAMED, as Executor of the)	
Estate of MOHAMMAD HAMED,)	
)	
Plaintiff/Counterclaim Defendant,	)	CIVIL NO. SX-12-CV-370
v.)	
	)	ACTION FOR INJUNCTIVE
FATHI YUSUF and UNITED CORPORATION,	)	RELIEF, DECLARATORY
	)	JUDGMENT, AND
Defendants/Counterclaimants,	)	PARTNERSHIP DISSOLUTION,
v.	)	WIND UP, AND ACCOUNTING
)	
WALEED HAMED, WAHEED HAMED,)	
MUFEED HAMED, HISHAM HAMED, and)	
PLESSEN ENTERPRISES, INC.,)	
)	
Additional Counterclaim Defendants.	)	Consolidated With
)	
WALEED HAMED, as Executor of the)	
Estate of MOHAMMAD HAMED,)	
	)	CIVIL NO. SX-14-CV-287
Plaintiff,)	
v.	)	ACTION FOR DAMAGES AND
	)	DECLARATORY JUDGMENT
UNITED CORPORATION,)	
)	
Defendant.)	
)	
WALEED HAMED, as Executor of the)	
Estate of MOHAMMAD HAMED,	)	CIVIL NO. SX-14-CV-278
)	
Plaintiff,	)	ACTION FOR DEBT AND
v.	)	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

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

By: 

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*Attorneys for Fathi Yusuf and United
Corporation*

CERTIFICATE OF SERVICE

It is hereby certified that on this 17th 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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