

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

**Case No.: SX-2014-CV-287**

Consolidated with

**Case No.: SX-2014-CV-278**

Consolidated with

**Case No.: ST-17-CV-384**

Consolidated with

**Case No.: ST-18-CV-219**

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

vs.

**UNITED CORPORATION**, *Defendant.*

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

vs.

**FATHI YUSUF**, *Defendant.*

**FATHI YUSUF**, *Plaintiff,*

vs.

**MOHAMMAD A. HAMED TRUST**, *et al,*  
*Defendants.*

**KAC357 Inc.**, *Plaintiff,*

vs.

**HAMED/YUSUF PARTNERSHIP**,  
*Defendant.*

**DUDLEY, TOPPER  
AND FEUERZEIG, LLP**

1000 Frederiksberg Gade

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St. Thomas, U.S. V.I. 00804-0756

(340) 774-4422

**NOTICE OF FILING PROPOSED ORDER**

Defendants/counterclaimants Fathi Yusuf and United Corporation, through their undersigned counsel, hereby provide notice of filing the parties' agreed proposed order as instructed by the Special Master in the telephone conference held on November 29, 2018.

Respectfully submitted,

**DUDLEY, TOPPER and FEUERZEIG, LLP**

DATED: November 30, 2018

By:



Gregory H. Hodges (V.I. Bar No. 174)  
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Attorneys for Fathi Yusuf and United Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that on this 30<sup>th</sup> day of November, 2018, I caused the foregoing **Notice Of Filing Proposed Order**, which complies with the page and word limitations of Rule 6-1(e), to be served upon the following via the Case Anywhere docketing system:

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The Honorable Edgar D. Ross  
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and via U.S. Mail to:

The Honorable Edgar D. Ross  
Master  
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Alice Kuo  
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**WALEED HAMED**, as the Executor of the  
Estate of MOHAMMAD HAMED, *Plaintiff,*

vs.

**UNITED CORPORATION**, *Defendant.*

Consolidated with

**Case No.: SX-2014-CV-287**

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

vs.

**FATHI YUSUF**, *Defendant.*

Consolidated with

**Case No.: SX-2014-CV-278**

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**FATHI YUSUF**, *Plaintiff,*

vs.

**MOHAMMAD A. HAMED TRUST**, *et al,*  
*Defendants.*

Consolidated with

**Case No.: ST-17-CV-384**

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**KAC357 Inc.**, *Plaintiff,*

vs.

**HAMED/YUSUF PARTNERSHIP**,  
*Defendant.*

Consolidated with

**Case No.: ST-18-CV-219**

**ORDER**

THIS MATTER, having come on before the Special Master in a telephonic conference on November 29, 2018, on the joint motion of the parties. It is hereby

**ORDERED:**

1. Due to the progress being made with regard to the Part A claims (Gaffney review) and the Special Master having allowed the movement of Part B claims to the Part A process, adjustments to the original Scheduling Order are necessary.
2. The Scheduling Order agreed to by the parties and entered by the Special Master on January 29, 2018, as modified by Order dated August 6, 2018, is hereby amended.
3. The parties will work together and with John Gaffney to complete Gaffney's review of and reporting on the Part A claims by Thursday, August 29, 2019.
4. A telephonic status conference is hereby scheduled for 10:00 a.m. on Friday, August 30, 2019 to review that progress and discuss further amending the Scheduling Order to provide for the completion of the then outstanding Part A and Part B claims, which will include the discovery and briefing schedule for any of those claims that remain.
5. The following Part B claims requiring expert discovery will be moved to the Part A *schedule* in that they will be dealt with after completion of the Part A process provided above:

- |             |  |
|-------------|--|
| <b>Y-05</b> | Reimburse United for Gross Receipt Taxes |
| <b>Y-06</b> | Black Book Balance Owed United           |
| <b>Y-07</b> | Ledger Balance Owed United               |
| <b>Y-08</b> | Water Revenue Owed United                |
| <b>Y-09</b> | Unreimbursed Transfers from United       |
| <b>Y-10</b> | Past Partnership Withdrawals - Receipts  |
| <b>Y-11</b> | Lifestyle Analysis                       |

- H-33 Merrill Lynch Accounts
- H-142 Half acre in Estate Tutu
- H-146 Imbalance in credit card points
- H-150 United Shopping Center's gross receipt taxes
- H-151 Checks written to Fathi Yusuf for personal use
- H-160 United Shopping Center's gross receipt taxes
- H-162 Claims based on monitoring reports/accounting 2007-2012
- 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: \_\_\_\_\_, 2018

\_\_\_\_\_  
**Hon. Edgar D. Ross, Special Master**

**Distribution:**

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