

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.

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:

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|------|--|
| Y-05 | Reimburse United for Gross Receipt Taxes |
| Y-06 | Black Book Balance Owed United |
| Y-07 | Ledger Balance Owed United |
| Y-08 | Water Revenue Owed United |
| Y-09 | Unreimbursed Transfers from United |
| Y-10 | Past Partnership Withdrawals - Receipts |
| Y-11 | 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: Dec. 1, 2018


Hon. Edgar D. Ross, Special Master

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