

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

**ACTION FOR DECLARATORY
JUDGMENT**

JURY TRIAL DEMANDED

Consolidated with

Case No.: SX-2014-CV-278

**ACTION FOR DEBT AND
CONVERSION**

JURY TRIAL DEMANDED

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.

**REVISED JOINT NOTICE OF RESCHEDULING OF PARTIAL VIDEOTAPED
DEPOSITIONS FOR JANUARY 21 And 22, 2019 --
PURSUANT TO 1/29/18 CLAIMS DISCOVERY PLAN AND THE COURT'S ORDERS
OF AUGUST 6 AND 12, 2018**

PLEASE TAKE NOTICE that pursuant to *Rules V.I. R. Civ. P. 30(a), 30(b)(6)* and 45, the Plaintiff reschedules and will take the initial portion of the videotaped deposition of the following persons and entities as mutually agreed by the parties, at the end of each, that deposition will be adjourned until a future date as to the remainder of the claims topics:

1. The previously scheduled deposition of **WALEED HAMED**, is now set for 9:00 am on Monday, January 21, 2019, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709. The topics will be the claims of the parties as made before the Special Master as listed on **Exhibit 1**.

2. The previously scheduled deposition of **FATHI YUSUF**, set for March 2018, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709, is now set for 1:00 pm on Monday, January 21, 2019, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709. The topics will be the claims of the parties as made before the Special Master as listed on **Exhibit 1**.

3. The previously scheduled deposition of **WAHEED HAMED**, is now set for 9:00 am on Tuesday, January 22, 2019, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709. The topics will be the claims of the parties as made before the Special Master as listed on **Exhibit 1**.

4. The previously scheduled deposition of **NEJEH YUSUF**, set for March, 2018, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709, is now set for 10:00 AM on Tuesday, January 22, 2019, at the

Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709. The topics will be the claims of the parties as made before the Special Master as listed on **Exhibit 1**.

5. The previously scheduled deposition of **MUFEED HAMED**, is now set for 10:30 am on Tuesday, January 22, 2019, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709. The topics will be the claims of the parties as made before the Special Master as listed on **Exhibit 1**.

6. The previously scheduled deposition of **MIKE YUSUF**, set for March, 2018, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709, is now set for 11:00 AM on Tuesday, January 22, 2019, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709. The topics will be the claims of the parties as made before the Special Master as listed on **Exhibit 1**.

7. The previously scheduled deposition of **HISHAM HAMED**, is now set for 11:30 am on Tuesday, January 22, 2019, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709. The topics will be the claims of the parties as made before the Special Master as listed on **Exhibit 1**.

8. The previously scheduled deposition of **United Corporation** set for August 2018, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709, is now set for 1:00 pm on Tuesday, January 22, 2019, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709. The topics will be the claims of the parties as made before the Special Master as listed on **Exhibit 1**.

9. The previously scheduled deposition of **The Yusuf/Hamed Partnership** set for March 2018, at the Law Office of Joel H. Holt, 2132 Company Street,

Christiansted, USVI. (340) 773-8709, is now set for 3:00 pm on Tuesday, January 22, 2018, at the Law Office of Joel H. Holt, 2132 Company Street, Christiansted, USVI. (340) 773-8709. The topics will be the claims of the parties as made before the Special Master as listed on **Exhibit 1**.

Plaintiffs will work with Defendants to re-set these dates upon written request reasonably made and timely given.

The entity deponents will produce as many representatives with knowledge as necessary to give the most informed response to each topic -- **representatives who have apprised themselves of the full knowledge of the entity regarding the topic**. As to each topic, each such representative will be asked the *voir dire* question: "Have you been informed by the entity prior to this testimony regarding Claim __, that you were to **have been apprised of, and be ready to testify as to the full knowledge of the entity regarding this topic?**"

Pursuant to V.I. R. Civ. P. 30(b)(2) and 30(b)(6), as well as V.I. R. Civ. P. 34, the deponents shall bring the following documents in their possession or under their control to the depositions:

1. As to the Partnership and United, all documents necessary to allow full and complete testimony on the topics provided in the attached schedules.

2. As to the individuals, all documents necessary to testify as to the listed topics, which are merely presented to allow each witness to prepare more fully:

Counsel for Yusuf has agreed in writing that this joint Notice will be filed by counsel for Hamed.

Dated: January 7, 2019



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CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of January, 2019, I served a copy of the foregoing by email (via CaseAnywhere), as agreed by the parties, on:

Hon. Edgar Ross
Special Master
% edgarrossjudge@hotmail.com

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Carl J. Hadd

CERTIFICATE OF COMPLIANCE WITH RULE 6-1(e)

This document complies with the page or word limitation set forth in Rule 6-1(e).



Carl J. Hadd

EXHIBIT 1 – AGREED TOPICS

Y-02	Unpaid rent for Plaza Extra-East Bays 5 & 8	\$793,984.34
Y-04	9% interest on rent claims for East Bays 5 & 8	\$241,005.18
Y-12	Foreign Accts and Jordanian Properties	\$434,921.37
Y-14	Half of the value of the six containers	\$210,000.00
H-001	Reimbursement for sale of the Dorthea condo	\$802,966.00
H-002	\$2.7 million unilateral withdrawal from the Partnership account	\$2,784,706.25
H-014	Unsubstantiated checks to Nejeih Yusuf	\$14,756.00
H-015	Nejeih Yusuf's cash withdrawals from safe	\$53,384.67
H-016	Nejeih Yusuf's use of Partnership resources for his Private Businesses on STT	unknown
H-032	No credit for expired (spoiled) inventory discovered at Plaza Extra West	\$54,592.08
H-034	Rents collected from Triumphant church	\$3,900.00
H-152	United's corporate franchise taxes and annual franchise fees	\$2,300.52
H-153	Partnership funds used to pay United Shopping Center's property insurance	\$59,360.84