

**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 Deft., )  
 )  
vs. ) Case No. SX-2012-CV-370  
 )  
FATHI YUSUF and UNITED )  
CORPORATION, )  
 )  
Defendants/Counterclaimants, )  
 )  
vs. )  
 )  
WALEED HAMED, WAHEED HAMED, )  
MUFEED HAMED, HISHAM HAMED, and )  
PLESSEN ENTERPRISES, INC., )  
 )  
Counterclaim Defendants. )  
WALEED HAMED, as Executor of the )  
Estate of MOHAMMAD HAMED, )  
 )  
Plaintiff, )  
 )  
vs. ) Consolidated with  
 ) Case No. SX-2014-CV-287  
 )  
UNITED CORPORATION, )  
 )  
Defendant. )  
WALEED HAMED, as Executor of the )  
Estate of MOHAMMAD HAMED, )  
 )  
Plaintiff, )  
 )  
vs. ) Consolidated with  
 ) Case No. SX-2014-CV-278  
 )  
FATHI YUSUF, )  
 )  
Defendant. )

**VIDEOTAPED ORAL DEPOSITION OF  
MAFEED "MIKE" HAMED**

**THE VIDEOTAPED ORAL DEPOSITION OF MAFEED "MIKE" HAMED**

was taken on the 22nd day of January, 2019, at the Offices of Joel H. Holt, 2132 Company Street, Downstairs Conference Room, Christiansted, St. Croix, U.S. Virgin Islands, between the hours of 2:42 p.m. and 3:12 p.m., pursuant to Notice and Federal Rules of Civil Procedure.

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Reported by:

Susan C. Nissman RPR-RMR  
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By: Carl Hartmann, III  
Kimberly Japinga

**For the Defendants:**

Law Offices of  
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Charlotte Amalie, St. Thomas  
U.S. Virgin Islands 00804

By: Charlotte Perrell

**Also Present:** Maher Yusuf  
Hisham, Neje, and Waheed Hamed  
Michael Gelardi, Videographer

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**E-X-H-I-B-I-T-S**

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**MAFEED "MIKE" HAMED -- DIRECT**

1                   **THE VIDEOGRAPHER:** In the matter of Waleed  
2 Hamed versus Fathi Yusuf and the United Corporation, in the  
3 Superior Court of the Virgin Islands, Division of St. Croix,  
4 Civil Action Number SX-2012-CV-370.

5                   My name is Michael Gelardi. I am the  
6 videographer for today's proceedings. Our court reporter is  
7 Susan Nissman. Today's date is January 22nd, 2019. The  
8 deponent is Mufeed Hamad. The time is 2:42.

9                   For the purpose of voice identification, I'm  
10 requesting that the attorneys present identify themselves at  
11 this time.

12                   **MS. PERRELL:** Charlotte Perrell, on behalf of  
13 United and Fathi Yusuf.

14                   **MR. HARTMANN:** Carl Hartmann, on behalf of  
15 the Hameds.

16                   **THE VIDEOGRAPHER:** Please swear in the  
17 witness.

18                   **MAFEED "MIKE" HAMED,**  
19 called as a witness, having been first duly sworn,  
20 testified on his oath as follows:

21                   **DIRECT EXAMINATION**

22 **BY MS. PERRELL:**

23                   **Q.** Good morning. What am I saying? Good morning.  
24 Good afternoon. Everybody's tired already.

25                   **A.** Yes.

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1 Q. Would you go ahead and just state your full name  
2 for the record?

3 A. Sure. It's Mafeed Hamed.

4 Q. Okay. And Mr. Hamed, where do you currently work?

5 A. Plaza Extra West.

6 Q. Plaza Extra West here on St. Croix?

7 A. Yes.

8 Q. Before the split between the two families, the  
9 Hameds and the Yusufs, what store did you primarily work  
10 for?

11 A. Plaza Extra Sion Farm.

12 Q. We've calling it Plaza Extra East, is it the same?

13 A. You can call it, yes, same.

14 Q. All right. Do you mind if I ask how old are you?

15 A. Forty-seven.

16 Q. Forty-seven. Okay.

17 So have you always worked at Plaza Extra East  
18 before the split?

19 A. Yes.

20 Q. Okay. When did you start working there?

21 A. In 1995.

22 Q. Okay. What were your primary responsibilities at  
23 Plaza Extra East?

24 A. Management.

25 Q. Okay. And did you have -- when you say

**MAFEED "MIKE" HAMED -- DIRECT**

1 "management," was it management over various employees or  
2 what was your role?

3 **A.** Management, it just changed. I mean, general --

4 **Q.** Um-hum. Okay.

5 **A.** -- management.

6 **Q.** Did you have anything to do with managing  
7 inventories?

8 **A.** Yes.

9 **Q.** Okay. Did you have anything to do with managing  
10 employees that were coordinating, stocking, and moving of  
11 inventory?

12 **A.** Yes.

13 **Q.** Okay. And how many employees would you have been  
14 responsible for at Plaza Extra East?

15 **A.** Practically all of them.

16 **Q.** Okay. So there was no like particular department  
17 that was your department?

18 **A.** No.

19 **Q.** Okay. All right. Was there anyone at Plaza Extra  
20 East that was considered head of the inventory? Like, a --  
21 I don't know what the title would be, maybe chief stock  
22 person. I don't know what the name would be. Is there  
23 anyone that would be in that role?

24 **A.** Well, yeah. Throughout the -- I mean, what year?  
25 I mean, we had grocery managers throughout the years that

**MAFEED "MIKE" HAMED -- DIRECT**

1 came, left.

2 **Q.** Okay. So grocery manager is the correct person  
3 that would be in charge of a lot of the stocking and the  
4 inventories?

5 **A.** Yes.

6 **Q.** Okay. And would you agree that there were a  
7 number of employees that would -- let me back up.

8 You would agree that Plaza Extra East  
9 utilized Bays 5 and 8 for storage?

10 **A.** At some points.

11 **Q.** Okay. And in using the space for storage, you  
12 would agree with me that various employees would be coming  
13 in and out of either Bay 5 or 8 in order to move inventory,  
14 correct?

15 **A.** Correct.

16 **Q.** Okay. And just trying to get a number of how many  
17 people are involved in the inventory replacement and the  
18 storage. How many people, let's say on a given week, would  
19 be involved in the moving of stored inventory?

20 **A.** I can't recall.

21 **Q.** Okay. How many employees were at Plaza Extra  
22 East, let's say in the late '90s, when you first started  
23 there?

24 **A.** I can't recall.

25 **Q.** Okay. Would it be 150 people or less?



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1           **A.**    I can't recall.

2           **Q.**    Okay.  I need a ballpark.  Is it more than 10  
3 people?

4           **A.**    Working at Plaza Extra East?  Generally, there's  
5 over a hundred people.

6           **Q.**    Over a hundred.

7                         Out of those over a hundred people, how many  
8 of them would be involved in the moving of inventory?

9           **A.**    I would say about 75 percent.

10          **Q.**    Okay.  So a large percentage of the Plaza Extra  
11 East employees would be involved in the moving of inventory  
12 from storage space into the store, correct?

13          **A.**    Well, you said moving of inventory.

14          **Q.**    Okay.  So are you qualifying your answer that's  
15 not -- they wouldn't -- let me ask you this:  Would these  
16 employees be involved in the moving of inventory from  
17 Storage Space 5 and 8?  How many people would be involved in  
18 that at Plaza Extra East?

19          **A.**    I can't recall.

20          **Q.**    Okay.  You said 75 percent of the people involved  
21 were involved in the moving of inventory?

22          **A.**    Of course.  You have dairy people, produce people.  
23 They're moving inventory.

24          **Q.**    Okay.  I'm talking about the people that would be  
25 moving inventory, the guys that would be running the

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1 forklifts, the guys that would be unloading the containers,  
2 perhaps women are doing that as well, but whoever it is  
3 that's loading and unloading containers and putting it in  
4 storage in Bays 5 or 8, how many folks would be involved in  
5 that?

6 **A.** I can't recall.

7 **Q.** All right. Do you think it more than 10 people?

8 **A.** Possibly.

9 **Q.** Okay. So at any given point in time, more than 10  
10 people are going in and out of the storage facilities at  
11 Plaza Extra East, let's say, in the '90s?

12 **A.** Possibly.

13 **Q.** Okay. So would you agree with me that these  
14 employees that are the forklift drivers and so forth, would  
15 be the employees -- would be able to testify as to the use  
16 of the space by Plaza Extra East as to Bays 5 and 8?

17 **A.** If they were employed -- let me get this straight.  
18 If the employees would testify? That's up to them.

19 **Q.** Well, let me ask you this: You said that these  
20 employees were involved in the moving of storage -- moving  
21 of materials from the storage space in Bays 5 and 8,  
22 correct?

23 **A.** Repeat the question.

24 **Q.** These employees that were employees from Plaza  
25 Extra East, we've already identified, who were involved in

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1 the moving of materials, storage inventory, from Bays 5 and  
2 8, correct?

3 **A.** Yeah, there were employees, yes.

4 **Q.** Okay. And so isn't it true, wouldn't you agree  
5 with me, that those employees who were involved in the  
6 movement of inventory in and out of Bay 5 and 8, would be  
7 able to testify, at least as to their own knowledge, about  
8 the use by Plaza Extra East of those two bays?

9 **A.** I guess they would.

10 **Q.** Okay. All right. There's a claim that is being  
11 made by the Yusufs relating to various containers that were  
12 at Tutu Park and were not included in the bidding process.

13 Were you at all involved or present during  
14 the bidding process?

15 **A.** No, I wasn't.

16 **Q.** Okay. Do you have any particular knowledge about  
17 the value of the containers -- let me back up.

18 Do you know the size of the containers of the  
19 Tutu Park store?

20 **A.** I have a general idea, yes.

21 **Q.** Okay. Let me clarify the timing.

22 What was the size of the containers at the  
23 Tutu Park store at the time of the split?

24 **A.** The size of the containers, I know they were at  
25 least 40 feet.

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1 Q. Okay. Are you familiar with the utilization of  
2 containers for inventory?

3 A. Yes.

4 Q. Okay. How many pallets can you put in a 40-foot  
5 container to store product?

6 A. Twenty.

7 Q. Okay. What kind of product?

8 Well, let me ask you this: What kind of  
9 product could be stored in a container that remained outside  
10 on a continuous basis?

11 A. Obviously dry goods, unless it's a refrigerated  
12 container.

13 Q. Okay. Let's assume, for the sake of argument,  
14 it's not a refrigerated container.

15 A. Then it's dry goods.

16 Q. Okay. By "dry goods," could you give me a couple  
17 of examples?

18 A. Liquor boxes, paper towel, toilet tissue.

19 Q. Okay. Anything else?

20 A. Water.

21 Q. Okay. On the stores in St. Croix, in the Plaza  
22 Extra East store, how many containers were at the Plaza  
23 Extra East store in the mid-'90s when you first started?

24 A. In the mid-'90s?

25 Q. Yeah.

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1           **A.**    I'm not sure when they came in. I'm not sure if  
2 it was at the mid-'90s the containers were there.

3           **Q.**    Okay. So do you believe that those containers  
4 came later than the mid-'90s?

5           **A.**    I can't recall.

6           **Q.**    Okay.

7           **A.**    I can't give you a specific year.

8           **Q.**    Okay. So at some point, the -- there were  
9 containers that were utilized for storage at the Plaza  
10 East -- Extra East store.

11                               How many containers were there?

12           **A.**    Eight.

13           **Q.**    All right. And were some of those refrigerated  
14 containers?

15           **A.**    There were -- they are refrigerated containers,  
16 but they weren't meant for -- there was no refrigeration  
17 units on them.

18           **Q.**    Okay. So were they utilized as refrigerated  
19 containers?

20           **A.**    No, they're not. No.

21           **Q.**    Okay. So they were utilized as storage?

22           **A.**    Yes.

23           **Q.**    Okay. And the containers that were at the Plaza  
24 Extra East store, how many pallets were typically stored in  
25 there?

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1           **A.**    It all depends.

2           **Q.**    Okay. Well, I'm sorry, you said a number, and I  
3 didn't write it down.

4                        How many pallets --

5           **A.**    But you asked me how much pallets fit in a  
6 container, 20. How many are typically stored? I don't  
7 know.

8           **Q.**    Okay. Twenty pallets on a -- in a 40-foot  
9 container?

10          **A.**    That's what fits in the container. I didn't say  
11 that's how much is in there.

12          **Q.**    No, I know. I'm not saying that. I know -- I  
13 know you're not saying that.

14          **A.**    Okay. That's what it sounded to me, so I just  
15 wanted to be clear.

16          **Q.**    I'm sorry. And I appreciate you clarifying.

17                        I'm just asking, if you were going to be  
18 using a particular container for storage, how many  
19 pallets -- and "storage," what I mean, it's sitting there,  
20 you're not moving it, it's there. You're going to be using  
21 it as like inventory storage, how many pallets can you put  
22 in a 40-foot container?

23          **A.**    Twenty.

24          **Q.**    Okay. And does that allow you room to get in and  
25 out of there?

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1           **A.**    No.

2           **Q.**    Okay.  So how would you typically store things on  
3 one of those stationary containers?

4           **A.**    You put one side.

5           **Q.**    Okay.  So if you're going to use it as a  
6 stationary storage facility, in essence, storage container,  
7 how many pallets would you be able to put in there and still  
8 utilize the thing?

9           **A.**    Approximately 10.

10          **Q.**    Okay.  And if it was a 45-foot container, how many  
11 pallets could you put in?

12          **A.**    Eleven --

13          **Q.**    Okay.

14          **A.**    -- on one side if you're going to use a -- a  
15 walkway.

16          **Q.**    All right.  And it's your testimony that if you  
17 were going to use it for storage capacity, you would have to  
18 put the walkway in, correct?

19          **A.**    Correct.

20          **Q.**    Okay.  All right.  How are the containers  
21 configured in the Plaza Extra East store, the eight  
22 containers?

23          **A.**    Four across, two up.

24          **Q.**    Okay.  How did you access the two above?

25          **A.**    With a forklift.

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1           **Q.**    Okay.  The forklift would -- would it actually go  
2           in there or how would it get it -- how would it get to stuff  
3           in the top level?

4           **A.**    Well, the stuff on the top, we didn't have much.  
5           We didn't store goods in it.  What we stored was shelving,  
6           store equipment, things that we didn't need, but couldn't,  
7           you know, stay out in the weather.

8           **Q.**    Okay.  And is that because it's sort of difficult  
9           to get in and out of there?

10          **A.**    Exactly.

11          **Q.**    Okay.  And so let's talk about the ones below.  
12                    You can at least get in and out of those,  
13          correct?

14          **A.**    Yes.

15          **Q.**    Okay.  And so getting in and out of those was  
16          still done with a forklift?

17          **A.**    Somewhat, but most of the time, because of the  
18          walkway, you could walk in and get what you need.

19          **Q.**    Get what you need.  All right.  All right.

20                    Let me ask you about -- I'm sort of changing  
21          topics a bit.  Let me ask you about the Dorthea property and  
22          stock sale.

23                    Do you have any knowledge relating to that?

24          **A.**    No.

25          **Q.**    Okay.  All right.  Any conversations that you had



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1 with anybody about that?

2 **A.** Well, I saw the handwritten note that Fathi Yusuf  
3 made.

4 **Q.** Okay.

5 **A.** And my concern was, don't trust him. We want to  
6 get paid before we sign over the shares.

7 **Q.** Okay. When did you see that handwritten document?

8 **A.** I -- I saw that handwritten document, I -- I can't  
9 remember the date. I know I was in Florida when my father  
10 was sick and he was being treated for cancer and that's the  
11 first time I saw it.

12 **Q.** Okay. And who provided it to you?

13 **A.** I believe my brother, Wally, was there at that  
14 time, too.

15 **Q.** All right. And was this lawsuit already pending  
16 at that point?

17 **A.** I -- I can't recall, but I -- I think it -- the  
18 lawsuit wasn't set yet.

19 **Q.** Okay. And we're talking to a handwritten  
20 document, just so that the record's clear, we're talking  
21 about Exhibit H-1-8, the document you were discussing?

22 **A.** Yes, the 802,000, that's it.

23 **Q.** Okay. All right. And in what context was this  
24 provided to you? Why -- why did -- why did they give this  
25 to you?

## MAFEED "MIKE" HAMED -- DIRECT

1           **A.** I was in the room when they were discussing it and  
2 I saw it. My concern was, don't trust him. I gave my  
3 opinion. He says one thing, he does the other.

4           **Q.** Okay. Just to be clear, you said you were in the  
5 room when they were discussing it. Do you mean --

6           **A.** Yeah. My father and Wally, yes.

7           **Q.** Your father and Wally?

8           **A.** Yes, not --

9           **Q.** Okay.

10          **A.** Yeah.

11          **Q.** All right. And did your father say anything about  
12 this transaction?

13          **A.** I don't recall.

14          **Q.** Okay. So you said you were up in Florida with  
15 your father when he was ill?

16          **A.** Yes.

17          **Q.** And that's when this came up?

18          **A.** That's when I remember seeing it for the first  
19 time.

20          **Q.** Okay. And was there any discussion about where  
21 this had come from and how long people had had it or the  
22 timing?

23          **A.** No, not that I know of. I mean, I -- I can't  
24 recall that, what was being said.

25          **Q.** Okay. And I know your father's passed, so I'm

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1 not -- I don't mean to -- to -- to open up an emotional  
2 issue.

3 **A.** Oh, no.

4 **Q.** I'm just asking you the timing.

5 **A.** I appreciate your sympathy. Thank you.

6 **Q.** What I'm asking is, is I know you said you were up  
7 there with your father when he was ill.

8 Can you give me a time frame when that was?

9 **A.** Can't recall exactly when.

10 **Q.** Okay.

11 **A.** Yeah, I can't recall.

12 **Q.** Okay.

13 **A.** Well --

14 **Q.** Go ahead. You can --

15 **A.** It was somewhere around 2011.

16 **Q.** Okay.

17 **A.** I -- I believe it was 2011. Maybe, yeah. I think  
18 it was around 2011. That's when he was up there for his  
19 first treatment.

20 **Q.** Okay. Okay. And prior to that time, had you seen  
21 this document?

22 **A.** No.

23 **Q.** Okay. Have you ever seen -- I won't be able to  
24 find it. Sorry. Here it is.

25 Have you ever seen H-1-7?

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1           **A.**    No.

2           **Q.**    Okay. All right. There's a claim that's being  
3 made relating to \$2.7 million that was removed by the Yusufs  
4 in August of 2012. And at the time that that was done,  
5 there was a letter attached that indicated what the purpose  
6 or what the offsets were.

7                            Do you have any knowledge or information  
8 relating to that?

9           **A.**    The letter?

10          **Q.**    Yes.

11          **A.**    Can you -- I'm trying to understand your question.  
12 It's just a broad question.

13          **Q.**    Yeah, let me -- let me back up.

14                            So there's a do -- you know that the Hameds  
15 are making a claim for \$2.7 million that the Yusufs took in  
16 August of 2012?

17          **A.**    Okay.

18          **Q.**    Did you know that before just now?

19          **A.**    Yes, I know of it.

20          **Q.**    Okay.

21          **A.**    And it's been litigated before. It's been ruled  
22 on with the judges. I mean, with the courts and the judge  
23 has ruled on it.

24          **Q.**    Okay. What I'm asking, though, is, is you're  
25 familiar with what I'm talking about now.

**MAFEED "MIKE" HAMED -- DIRECT**

1                   Now, my question is, is other than in the  
2 context of this case, did you know anything about that, the  
3 removal of it, or the letter that accompanied it -- hang  
4 on -- the letter that accompanied it that indicated what it  
5 was that those were to offset?

6           **A.**    No, I know that they stole it. They weren't  
7 allowed -- they weren't supposed to take the money and then  
8 say, Hey, we took the money.

9           **Q.**    Okay.

10          **A.**    You're supposed to show and say, Okay, why didn't  
11 you give us the letter before you cashed the check?

12          **Q.**    Okay. Were you there when the letter and the  
13 check were given to anybody from the Hameds?

14          **A.**    If I was there, did I receive the letter? No, I  
15 did not receive the letter.

16          **Q.**    Okay. That's -- I'm trying to -- who was there at  
17 the time? I understand what your contention is, but I'm  
18 trying to understand who knew what at the time.

19                   All right. Have you reviewed the letter that  
20 accompanied the check?

21          **A.**    I've read the letter.

22          **Q.**    Okay. And did you read the letter in or about the  
23 time that it was provided, or is it something you've read  
24 now since the lawsuit got filed?

25          **A.**    I read it when it was provided.

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1           **Q.**    Okay.  And how was it provided, do you know?

2           **A.**    I can't remember.

3           **Q.**    Okay.  There is certain amounts that are listed on  
4 there.

5                        Do you have any information as to the offsets  
6 that were listed?

7           **A.**    They were -- they were -- this has went through  
8 several attorneys, through Dewood, through DiRuzzo, through  
9 Hodges, now you.  It has been ruled on in court.  I mean,  
10 it's -- it's --

11          **Q.**    I'm asking --

12          **A.**    There's a ruling on it.  I mean, what else we're  
13 going to do?

14          **Q.**    I'm asking if you have any information about that?

15          **A.**    I can't recall.

16          **Q.**    Okay.

17                                (Respite.)

18                        Did the \$2.7 million withdraw ever come up in  
19 mediations that you, your family, and the Yusufs had outside  
20 the court system?

21                        **MR. HARTMANN:**  Objection.  Seeks to invade  
22 the mediation process.  I instruct him not to answer.

23                        **MS. PERRELL:**  Okay.

24                        **MR. HARTMANN:**  You don't have to answer that.

25          **A.**    Thank you.

**MAFEED "MIKE" HAMED -- DIRECT**

1           **Q.**    **(Ms. Perrell)** Did you ever discuss the \$2.7  
2 million with anybody, other than your immediate family and  
3 your lawyers?

4           **A.**    I don't recall.

5           **Q.**    The Hameds are making a claim regarding certain  
6 inventory that was expired at the Plaza Extra West store.

7                    Are you familiar with that claim?

8           **A.**    Yes, I am.

9           **Q.**    All right. What is the nature of that claim?

10          **A.**    Spoiled inventory.

11          **Q.**    Okay. Was it something that you discovered upon  
12 going over to Plaza Extra West? How did you --

13          **A.**    Well --

14          **Q.**    -- come to know about this?

15          **A.**    On March 9th, 2015, when I -- when I walked into  
16 that store and I took over the store with my brothers, Shawn  
17 and Wally, that store was in a mess. It was poorly run. It  
18 was mismanagement, and there was just a lot of garbage, and,  
19 I mean, it was a mess, so --

20                   **MR. HARTMANN:** Can I -- can I interject?  
21 We've moved this to the Gaffney list. This is off today.

22                   **MS. PERRELL:** The spoiled inventory?

23                   **MR. HARTMANN:** Yeah.

24                   **MS. PERRELL:** It's 30 -- I'm sorry, I thought  
25 this one was -- remained on. This is Item 32.

## MAFEED "MIKE" HAMED -- DIRECT

1                   **MS. JAPINGA:** We -- I had moved --

2                   **MS. PERRELL:** I thought we said 15, 16, and  
3 17.

4                   **MS. JAPINGA:** You would need Gaffney for this  
5 one.

6                   **MS. PERRELL:** Okay.

7                   **MS. JAPINGA:** So that's why we moved it.

8                   **MS. PERRELL:** Well, but why can't we get his  
9 testimony from it, at least, so we understand what he -- he  
10 knows about?

11                   **MR. HARTMANN:** We're going to go through the  
12 whole Gaffney process so you'll be able to take his  
13 deposition after Gaffney submits his report. We're just  
14 going to submit it, everything in that process. To that  
15 process.

16                   **MS. PERRELL:** Okay. You don't even want to  
17 go into --

18                   **MR. HARTMANN:** I don't care if you do. I'm  
19 just saying -- if you want to examine him on it, go ahead.  
20 I'm just pointing out to you that it's --

21                   **MS. PERRELL:** Okay.

22                   **MR. HARTMANN:** -- it's one of the ones we've  
23 agreed to move across so you'll get to do this all again --

24                   **MS. PERRELL:** All right.

25                   **MR. HARTMANN:** -- some day in the future.



**MAFEED "MIKE" HAMED -- DIRECT**

1           **A.**    Again?

2                   **MS. PERRELL:**  Let me -- let me just -- since  
3   I got him here.  We're close.  Let's just go ahead and  
4   finish him off.

5                   **MR. HARTMANN:**  I was just letting you know.

6           **Q.**    **(Ms. Perrell)**  Okay.  So when you -- I'm sorry.  
7   Now, you said when you went over in March of 2015, how did  
8   you put a list together?  Did you put a list together of the  
9   spoiled inventory?

10           **A.**    No, I had -- I identified the things that were  
11   spoiled.  I was assisting with that.  I was working with my  
12   brothers --

13           **Q.**    Um-hum.

14           **A.**    -- to get all that stuff cleared out.

15           **Q.**    Okay.

16           **A.**    It was a lot of damages.  I mean, for example, 17  
17   cases of beef tongue.  I mean, who orders that stuff?  Who  
18   eats it?  We were just finding all kind of crazy things that  
19   were -- can't sell.  It's spoiled.  It has bugs in it.  It  
20   has -- I mean, we went through a very difficult cleaning  
21   process to get that store fixed up the way it should be.

22           **Q.**    Okay.  So did you assist in creating this list?

23           **A.**    Yes.

24           **Q.**    Okay.  I'm going to hand you what's been marked as  
25   Exhibit 11.

## MAFEED "MIKE" HAMED -- DIRECT

1 (Deposition Exhibit No. 11 was  
2 marked for identification.)  
3 Carl?

4 **MR. HARTMANN:** I'm sorry. I'm not asleep.

5 **Q. (Ms. Perrell)** I'm gonna -- yeah. All right.

6 I'm handing you what's been marked Exhibit  
7 11. Can you identify that?

8 **A.** Yes.

9 **Q.** Okay. What is it?

10 **A.** It's a list totaling fifty-four thousand dollars  
11 five hundred and ninety-two eight dollars, I mean eight  
12 cents, for the spoiled inventory at Plaza West.

13 **Q.** Okay.

14 **A.** Post split.

15 **Q.** Okay. And is this a document or something that  
16 you assisted in putting together?

17 **A.** This actual document, I -- no. The assistance  
18 that I had is I was part of the -- getting -- identifying  
19 the spoilages. And then it was given to my brother, Shawn,  
20 and then he put it all together.

21 **Q.** Okay. So you assisted with sort of the -- the  
22 hands-on identification, but not necessarily the putting of  
23 this list; is that correct?

24 **A.** Right. The actual -- yeah.

25 **Q.** Okay. I'm just --



**MAFEED "MIKE" HAMED -- DIRECT**

1 running -- Shawn was co-managing the store, but Shawn's  
2 responsibility was the front-end, the computer room, all the  
3 technology stuff. He has nothing -- I don't think he ever  
4 did any buying.

5 **Q.** Okay.

6 **A.** No -- none of the stocking. None of that stuff.  
7 All that was handled by the -- the managers that are -- you  
8 know, thank God they're somewhere else.

9 **Q.** Okay. And when you say "the managers," are you  
10 saying Mr. -- any of the Yusufs?

11 **A.** Oh, yeah. Yeah, he's one of them, and then the  
12 other -- the other -- works for management.

13 **MR. HARTMANN:** "He," who?

14 **A.** Kareem --

15 **MR. HARTMANN:** Thank you.

16 **A.** -- is the other store manager.

17 **Q.** (Ms. Perrell) Okay.

18 **A.** I mean, no offense to him. He's still a friend of  
19 mine, but he's worthless, but --

20 **Q.** Okay. So -- but these would have been things  
21 that, you said it was Hisham who was there at that store?

22 **A.** You asked me if -- I'm sorry. Repeat your  
23 question.

24 **Q.** Okay. Was Hisham at the West store before the  
25 split?

**MAFEED "MIKE" HAMED -- DIRECT**

1           **A.**    Yes.

2           **Q.**    Okay.  And the issues that you identified at the  
3 West store after the split are issues that Hisham would have  
4 either been able to identify or -- or know prior to the  
5 split, correct?

6           **A.**    I think if he knew, he would have acted on it, but  
7 I don't think he knew.

8           **Q.**    Okay.  Even though he was a co-manager at the  
9 store?

10          **A.**    Yes, he was a co-manager.

11          **Q.**    Okay.

12          **A.**    But he was responsible for the front end, just  
13 like Mike there was responsible for the buying.

14          **Q.**    All right.  Do you have any knowledge or  
15 information relating to rents collected by either the  
16 Triumphant Church or any other outside parties?

17          **A.**    No, I don't.

18                   **MS. PERRELL:**  Okay.  All right.  I don't  
19 think I've got any further questions.

20                   **MR. HARTMANN:**  I have no questions.

21                   **MS. PERRELL:**  Okay.

22                   **MR. HARTMANN:**  Thank you very much.

23                   **THE WITNESS:**  You're welcome.

24                   **THE VIDEOGRAPHER:**  This is the conclusion of  
25 the deposition.

**MAFEED "MIKE" HAMED -- DIRECT**

1                   **MR. HARTMANN:** I'm sorry, pursuant to a  
2 stipulation between counsel, it's been agreed that certain  
3 issues that were set forth in Exhibit 1 to the notice of  
4 deposition today would be handled today and other issues  
5 would be handled -- sorry about that -- you can just copy  
6 from the other -- would be handled at a further date,  
7 therefore today's deposition will not be ended, it will be  
8 adjourned.

9                   **THE VIDEOGRAPHER:** Okay. We are going to  
10 adjourn this deposition. The time is 3:12.

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15                   (Whereupon the deposition adjourned

16                                   at 3:12 p.m.)

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**C-E-R-T-I-F-I-C-A-T-E**

I, SUSAN C. NISSMAN, a Registered Merit Reporter and Notary Public for the U.S. Virgin Islands, Christiansted, St. Croix, do hereby certify that the above and named witness, **MAFEED "MIKE" HAMED**, was first duly sworn to testify the truth; that said witness did thereupon testify as is set forth; that the answers of said witness to the oral interrogatories propounded by counsel were taken by me in stenotype and thereafter reduced to typewriting under my personal direction and supervision.

I further certify that the facts stated in the caption hereto are true; and that all of the proceedings in the course of the hearing of said deposition are correctly and accurately set forth herein.

I further certify that I am not counsel, attorney or relative of either party, nor financially or otherwise interested in the event of this suit.

IN WITNESS WHEREOF, I have hereunto set my hand as such Registered Merit Reporter on this the 8th day of February, 2019, at Christiansted, St. Croix, United States Virgin Islands.

My Commission Expires:  
July 18, 2019

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Susan C. Nissman, RPR-RMR  
NP-70-15