

**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.)	
)	
FATHI YUSUF and UNITED CORPORATION,	)	ACTION FOR INJUNCTIVE
	)	RELIEF, DECLARATORY
Defendants/Counterclaimants,	)	JUDGMENT, AND
v.	)	PARTNERSHIP DISSOLUTION,
	)	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,)	
)	
Plaintiff,	)	CIVIL NO. SX-14-CV-287
v.)	
)	
UNITED CORPORATION,	)	ACTION FOR DAMAGES AND
	)	DECLARATORY JUDGMENT
)	
Defendant.)	
)	
WALEED HAMED, as Executor of the)	
Estate of MOHAMMAD HAMED,)	
)	
Plaintiff,	)	CIVIL NO. SX-14-CV-278
v.)	
)	
FATHI YUSUF,	)	ACTION FOR DEBT AND
	)	CONVERSION
)	
Defendant.)	

**YUSUF'S OPPOSITION TO
HAMED'S MOTION FOR PARTIAL SUMMARY JUDGMENT AS TO
CLAIM H-33 – ALLEGED PARTNERSHIP FUNDS AT MERRILL LYNCH**

Fathi Yusuf (“Yusuf”) and United Corporation (“United”), through their undersigned attorneys, respectfully submit this Opposition to Hamed’s Motion for Partial Summary Judgment as to Claim H-33–Alleged Partnership Funds at Merrill Lynch and show as follows:

I. SUMMARY

This Motion is an attempt by Hamed to claim that payments made by the Partnership to repay loans it received are, in actuality, Partnership property, which should be subject to division. Yusuf has consistently maintained that his brother, Mohammad Hamdan, provided loans at times when the Partnership stores needed them. Despite having documentation in Hamed's possession since 2013, confirming these facts, Hamed continues to advance a theory belied by the documents. Ironically, Hamed—whose very claims in this case rest upon merely an oral (as opposed to a written) agreement with Yusuf—ignores the formality of the written documentation relating to the loans from Mohammad Hamdan and Hamdan Diamond Corporation (“Hamdan Diamond”) of which Mohammad Hamdan was the sole shareholder before his death in March of 1997. The loans were paid by checks into accounts held at Merrill Lynch originally in the name of Mohammad Hamdan and then in the name of his company, Hamdan Diamond. Yusuf maintains that there is no evidence to prove Hamed's theory that the Merrill Lynch accounts for Mohammad Hamdan and Hamdan Diamond were ever partnership accounts and Hamed has failed to produce any such evidence. In any event, the issue is moot as Yusuf has had no involvement with the Merrill Lynch accounts for Hamdan Diamond or the company Hamdan Diamond, or any other accounts referenced in this Motion since 2001 (19 years ago) and is unaware if they even exist. At best, there clearly exists questions of fact as to whether these accounts were ever Partnership accounts precluding partial summary judgment for Hamed. Moreover, pursuant to the Scheduling Order, this “claim” is scheduled for discovery which is to occur in the later part of 2020 and therefore, a partial summary judgment motion is pre-mature at this time and should be denied.

II. Factual Background

Yusuf has been clear that the Merrill Lynch accounts which are the subject of this motion have never been Partnership accounts and that any payments made by the Partnership or on behalf of the Partnership to those accounts were to repay loans provided for the benefit of the Partnership. *See* Yusuf's responses to discovery, Exhibit 2 to Hamed's Motion. Nonetheless, Hamed contends that there is "absolutely no evidence of any actual underlying loan or funds provided to the Partnership...of any actual 'incoming' funds flowing from either of them into the Partnership..." *See* Hamed Motion, p. 3, n. 8. This is simply incorrect.

A. Funds Received by the Plaza Extra Stores from Hamdan

In the United documents seized in the 2001 raid and then returned from the FBI, there is evidence demonstrating that the Partnership received funds from Mohammad Hamdan (Yusuf's brother) dating back as early as 1994. *See Exhibit A*–Internal Accounting Records and Merrill Lynch Statements for 1994, Bates Numbers Def.'s Production 2696-9 (FBI 035-1472 thru 75), 2739 (FBI 035-1515), 2741 (FBI 035-1517), 2744-5 (FBI 035-1520 thru 21), 2748 (FBI 035-1524).¹ In particular, the St. Thomas store received \$100,000.00 in March of 1994 and the St.

¹ Yusuf notes that Hamdan Diamond Corporation was not formed until May 1996. Hence, before that time in 1994, the funds were received from the Account of Yusuf's brother, Mohammad Hamdan, Merrill Lynch Account #140-16484. *See Exhibit B* – Letter from Merrill Lynch dated September 21, 2016, Bates Number FY 014912, which confirms that Merrill Lynch Account #140-16484 was opened in 1991 for Mohammad Hamdan. All assets from the Mohammad Hamdan, Merrill Lynch Account #140-16484, were then transferred to the Hamdan Diamond Merrill Lynch Account #140-07884 in the later part of 1996. *See* Section II, D.

In Yusuf and United's Initial Disclosures dated August 1, 2013 and Notice of Service of Supplemental Disclosures dated and August 23, 2013, all of the records from the criminal case which had been seized by the FBI were produced in this case. *See Exhibit B-1*. The index of the FBI Bates numbers is over 881 pages long and lists approximately 150 bates numbers on each page for a total of over 132,150 bates numbered documents. This index and all of those documents produced in the criminal case were produced in this case by United and Yusuf's former counsel, Joseph DiRuzzo on August 1, 2013. *Id.* The FBI bates numbers either bear a particular bates label with an eagle or typically follow the same format of: three digits – four digits. The Exhibits A, C-O referenced in this Opposition have been in Hamed's possession since August of 2013 when Yusuf and United produced them at the outset of the case. Further, Hamed also has copies of the FBI documents that he received independently from his

Croix store received \$25,000.00 in April of 1994. *See Exhibit A*—specifically Bates 2696-8, 2739, 2741, 2743-5, and 2748. The check from Mohammad Hamdan's Merrill Lynch Cash Management Account and the deposit slip to United's Banco Popular account for the \$100,000.00 are dated March 16, 1994. *See Exhibit C*—March 1994 Check and Deposit Slip, Bates Numbers 84407 (FBI 185-0806). While these checks do not represent all of the funds received from Mohammad Hamdan, they directly refute Hamed's contention that there is "absolutely no evidence of any actual underlying loan or funds provided to the Partnership...of any actual 'incoming' funds flowing from either of them into the Partnership..." *See Hamed Motion, p. 3, fn. 8.*

B. Internal Accounting Records Reflect Loan and Interest Calculations for Hamdan.

In addition, internal accounting documents from United also reflect loan receipts from Mohammad Hamdan beginning in 1994 as well as interest calculations running through 1995. *See Exhibit D*—Internal Accounting records of loans and accrued interest for Hamdan, Bates Numbers 21601-2 (FBI 072-2662 thru 63).² It appears from the date on the top, that Exhibit D

attorneys in the criminal case. Counsel for Hamed's statements that he has conducted a thorough search and no documents exist is incorrect.

² The loans from Hamdan were not the only loans secured by the Partnership during this difficult financial period. Immediately after Hurricane Marilyn in 1995, the Partnership received hundreds of thousands of dollars from other sources. *See Exhibit F*—Internal Accounting records of a loan from Yacoub Saleh reflecting four loans for \$100,000, \$200,000, \$150,000 and \$250,000 in October 1995. Similar to the documentation for the Hamdan loans, these records reflect calculations, a deposit slip into a Plaza Extra account noting it as a "Loan" and then a check made payable to Yacoub Saleh in May of 1996 with the notation "For Principal & Interest paid in full" in the amount of the calculations on the Internal Accounting records. This is also consistent with the testimony of Fathi Yusuf as to the difficult financial times experienced by the Partnership stores with the rebuilding from the fire, re-opening of Plaza Extra East, constructing and opening Plaza Extra Tutu and then Hurricane Marilyn and damage to the Plaza Extra Tutu store slowing operations and loss of inventory. Hurricane Marilyn struck the islands in September 1995, and the partnership was "dead broke before that" and "absolutely broke" as a result in 1996. *See Exhibit F-1, 1/21/20 Dep. Tr., p. 235-239* (testimony of Fathi Yusuf). Yusuf testified that "we was really losing money until about April or May of '94" and that Waheed Hamed was worried and stated "we're going to lose all our money." *Id.* at 236-237. In late 1994, they started to turn things around but "we still heavily loaded with debt" in 1994 and 1995. *Id.* at 237-238. Yusuf further describes having substantial physical damage to Plaza Tutu and taking months

was run on February 14, 1996 at 5:13 p.m. These Internal Accounting records were also present in 1997. See **Exhibit E**-Internal Accounting records of loans and accrued interest for Hamdan, Bates Numbers 21604-5 (FBI 072-2665 thru 66). It appears from the date on the top, that Exhibit E was run on March 20, 1997 at 2:12 p.m. These documents reflect that United, operating as the Partnership, was viewing the monies received from Hamdan as loans of the Partnership which were due along with interest that was accruing. The fact that United maintained the same type of documentation as to other loans it received further supports the credibility of these documents and corroborates Yusuf's testimony that the Partnership was in need of funds during this period and borrowed money, in some cases from individuals to assist during these financial hardships.

C. Payments made to Hamdan for loan in 1996, before creation of Hamdan Diamond.

In 1996, there were a number of interest payments made as to the Hamdan loans. See **Exhibit G**-Two checks in January 1996 for \$50,000 and \$100,000-Bates Numbers 21610-11 (FBI 072-2671 thru 72). One payment is dated January 12, 1996, made payable to Merrill Lynch with notation as "Mohamad Hamden (interest)" and a deposit slip to the Merrill Lynch account for Mohammad Hamdan, Account #14016484. *Id.* The other payment is dated January 22, 1996, made payable to Merrill Lynch with notation as "payment of Interest on Loan from Hamdan" and a deposit slip to the same account. *Id.*

Therefore, the various records show that the Partnership had, in fact, received monies from Mohammad Hamdan paid directly to the Plaza Extra stores for the benefit of the

to rebuild his inventory in 1995. *Id.* at 239. The partnership was "deeply needing money" in 1996, and Mr. Yusuf concluded that he had "to put my rent money into the store..." *Id.* at 239. See also Newspaper clipping from January 1995 (Bates 0083982, FBI 185-0381) reflecting the tough financial conditions of the Plaza Tutu store.

Partnership. *See* Exhibits A and C. The Internal accounting records reflect loans from Mohammad Hamdan in 1994 and 1995. *See* Exhibits D and E. In addition, payments were made in the form of checks to Hamdan or his Merrill Lynch account noting that they were interest payments on the loans. *See* Exhibit G. All of these documents paint a consistent picture of a Partnership in financial need during this time, funds received from Hamdan, acknowledgment of loans due to Hamdan from the Partnership and payments to Hamdan for interest and principal on said loans. Hamed offered no testimony or other admissible evidence that the payments were anything other than to re-pay loans.

D. Creation of Hamdan Diamond in May, 1996, Payments on Loan in 1996 and thereafter.

According to the internal accounting records relating to loans from Mohammad Hamdan at the end of 1995, the outstanding principal and interest owed was over \$1.6 million. *See* Exhibit D. In 1996, Mohammad Hamdan created Hamdan Diamond and named Fathi Yusuf and Waleed Hamed as directors. *See* **Exhibit H**-Collective exhibit of Incorporation Documents. Hamdan was the President and Faithia Yousef, his niece and daughter-in-law, was named as Secretary. *Id.* The company was formally created in May of 1996 in conjunction with some of Hamdan's estate planning. *See* **Exhibit I**-Last Will and Testament of Mohammad Hamdan; Exhibit H. All of the proper formalities were followed in the creation of the entity. Later in 1996, all of the investments in Mohammad Hamdan's personal investment account with Merrill Lynch #140-16484 were transferred to the Hamdan Diamond account opened at Merrill Lynch, under account #140-07884. *See* Exhibit H, Bates 084730 (FBI 185-1127). Thereafter, Plaza Extra continued to make payments for the loans given by Mohammad Hamdan. United even made some interest payments on behalf of the Partnership from the Tenant Account in July of

1996 and March of 1997. *See Exhibit J*-Collective exhibit of Internal accounting for Tenant Account, V.I. Community Bank Statements and copy of check.³

Unfortunately, in March of 1997, Mohammad Hamdan died and Yusuf was appointed as Executor of his Estate. *See Exhibit K*-Hamdan Death Certificate. On April 22, 1997, Attorney Andrew Simpson wrote to Merrill Lynch to confirm that Yusuf, as Trustee of his brother's estate, would be transferring all of the stock of Hamdan Diamond Corporation to Hamdan's niece and daughter-in-law, Fathia Yousef, who was already named as the Secretary of the company. *See Exhibit L*-April 22, 1997 Letter from Attorney Simpson. To that end, the shares of Hamdan Diamond were transferred to Fathia Yousef. *See Exhibit M*-Documents reflecting transfer of stock shares of Hamdan Diamond in name of Fathia Yousef. Thereafter, Fathia Yousef authorized Mr. Yusuf to manage the account. *See Exhibit N*-May 20-21, 1997 Correspondence.

E. Payment of Loans in 2001 and No Further Involvement after 2001.

Thereafter, payments were made at various points in time. In April 2001, Yusuf wrote to Merrill Lynch to follow up on a telephone conversation:

United Corporation has decided to pay all of the notes payable and accrued interest to Mohammad Hamdan. The debts will be paid into his company, Hamdan Diamond, account nos. 140-07884 and 140-07951.

See Exhibit O-Yusuf letter and payments for the Mohammad Loans. At the end of 2001, Mr. Yusuf relinquished any position with Hamdan Diamond and no longer had any further

³ In United's Motion for Summary Judgment as to Y-7 and Y-9 filed on April 15, 2020, United seeks reimbursement from the Partnership for debts it paid on behalf of the Partnership, which had not been reimbursed. One such payment comprising part of Y-9 is the July 1996 payment of \$17,000 for interest on the Hamdan loans.

involvement with the company and no further authority as to the Merrill Lynch accounts. *See Exhibit P*- Declaration of Fathi Yusuf, 4/17/2020, ¶ 2. Since that time in 2001, Mr. Yusuf has no information as to Hamdan Diamond or the accounts that are the subject of this Motion including whether any of them are still open. *Id.* at ¶ 2. Mr. Yusuf was in charge of all of the financial decisions relating to the Partnership including whether there was the need for loans and determination as to when and how they were paid. *Id.* at ¶ 1.

III. YUSUF'S STATEMENT OF DISPUTED MATERIAL FACTS AND OPPOSITION TO HAMED'S STATEMENT OF UNDISPUTED MATERIAL FACTS

As allowed under Rule 56, “a party opposing summary judgment may, if it elects to do so, state additional facts that the party contends are disputed and material to the motion for summary judgment, presenting one or more genuine issues to be tried” and “[t]he party shall supply affidavit(s) or citations specifically identifying the location(s) of the material(s) in the record relied upon as evidence relating to each such material disputed fact, by number.” V.I. R. Civ. P. 56(c)(2)(C). Yusuf submits additional facts that he contends are disputed and material to Hamed's Motion for Summary Judgment as to H-33, which presents one or more genuine issues of material fact to be tried and precludes summary judgment, which is attached hereto as **Exhibit Q**. Furthermore, Yusuf submits his Opposition to Hamed's Statement of Undisputed Facts, which is attached hereto as **Exhibit R**.

IV. ARGUMENT

In reviewing a summary judgment motion, all inferences from the evidence must be viewed in the light most favorable to the nonmoving party, and take the nonmoving party's conflicting allegations as true if properly supported. V.I. R. Civ. P.56, *see also Williams v. United Corp.*, 50 V.I. 191, 194 (V.I. 2008); *Perez v. Ritz-Carlton (Virgin Islands), Inc.*, 59 V.I. 522, 527 (V.I. 2013).

Because summary judgment is “[a] drastic remedy, a court should only grant summary judgment when the ‘pleadings, the discovery and disclosure materials on file, and any affidavits, show there is no genuine issue as to any material fact.’” *Rymer v. Kmart Corp.*, 68 V.I. 571, 575-76 (V.I. 2018) (quoting *Williams v. United Corp.*, 50 V.I. 191, 194 (V.I. 2008)).

A. Loans for the benefit of the Partnership are Partnership debts.

Hamed fails to address the fact that the only evidence that exists demonstrates that payments made to Mohammad Hamdan and then to his company, Hamdan Diamond Corporation, were for the repayment of debts of the Partnership. Even if the loans were to Yusuf, from his brother, Mohammad Hamdan, if used for the benefit of the Partnership, then they are Partnership debts.

The general rule is that the separate debts of a partner, when they inure to the benefit of the partnership, may be converted into a partnership debt with the consent of the several partners.

Varner v. Garth, 368 So.2d 12, 13–14 (Ala., 1979), citing 68 C.J.S. Partnership s 80. In *Varner*, the Court adopted the recommendation of the Master, who specifically found that funds borrowed by one partner were “for the use and benefit” of the partnership and thus, that there had been an implied agreement that the debts became partnership debts. *Id.* Dispositive of the issue was the fact that “there was evidence that payments had been made on the \$5,000 note out of partnership proceeds.” *Id.* Here, there is ample evidence that “partnership proceeds” were used to pay the debts owed to Mohammad Hamdan. *See* Exhibits G and O. In fact, some payments on the loans were paid from the Partnership proceeds by the Hameds. *See* Hamed’s Exhibit 1-Check signed by Waleed Hamed made payable to Hamdan Diamond. These payments evidence consent to the debt by the Partnership.

As set forth above, there is evidence that the Partnership did, in fact, receive funds into the stores, which shows that funds from Hamdan were “for the use and benefit” of the Partnership. *See* Exhibit A and C. There is evidence that the Partnership considered the funds received as a loan and consequently a debt of the Partnership and accrued interest on the debt in their accounting records. *See* Exhibits D and E. Further, the debt was acknowledged by Yusuf, the partner in charge of all of the Partnership operations, as a debt of the Partnership in his letter in April 2001, wherein he writes that “United has decided to pay all of the notes payable and accrued interest to Mohammad Hamdan” which “debts will be paid into his company Hamdan Diamond, account nos. 140-07884 and 140-07951.” *See* Exhibit O. All of these documents and evidence reflect a cohesive set of facts; a) that the Partnership was in financial need during this time and, thus, had a need to borrow funds from various sources including individuals, b) funds were received from Hamdan, c) the Partnership acknowledged the loans to the Partnership and due to Hamdan, and d) the Partnership made payments to Hamdan noting that they were for interest and to pay off the debts. Hamed offered no testimony or other admissible evidence that the payments from the Partnership were anything other than to re-pay loans. Hence, before considering the arguments raised by Hamed as to presumptions under RUPA, Hamed has failed to address the fact that all of the documentation reflects a Partnership debt for funds loaned to and received by the Partnership for its benefit. Hence, there is no basis to even consider Hamed’s Motion as he cannot demonstrate that the Partnership funds were purchasing some type of property in the first instance, as opposed to paying a Partnership debt.

B. Issue is Moot as there is no evidence that the accounts remain active or have been active since 2001.

Hamed has failed to demonstrate that the accounts that he contends are Partnership accounts are even viable accounts at this time. It is Yusuf's position that since 2001, he has had no involvement with the accounts. Mr. Yusuf withdrew from his position with Hamdan Diamond and further abdicated any responsibility as to the Hamdan Diamond accounts. Moreover, since the debts to Hamdan were paid in 2001, no further payments have been made since 2001. As a result, Hamed is asking for relief before ever demonstrating that the accounts for which he seeks a determination are even viable.

Counsel for Hamed's statement in his Declaration, Hamed Exhibit 8, that "Hamed's lead counsel verified that there were funds in one or more related accounts at Merrill Lynch" is not admissible to support this Motion for Summary Judgment. First, it is a hearsay representation by Attorney Hartmann that another attorney "Hamed's lead counsel" has "verified" something. Second, the statement is vague as to "funds in one or more related accounts at Merrill Lynch" without describing which accounts and the amount of the funds. Moreover, even if admissible, Yusuf has not had any contact with the accounts since 2001 and the last payments to the account from the Partnership were made in 2001 – nearly 19 years ago. Consequently, even if still viable, Hamed has not demonstrated any connection between the Partnership and the accounts for almost twenty (20) years. Moreover, Hamed has made no attempt to address issues of other possible third parties who may have an interest in said accounts at this point, if they are even in existence. Furthermore, because Yusuf has had no contact with these accounts since 2001, Yusuf is not in a position to provide any further information as to the accounts. Before Hamed can seek summary judgment as to these accounts, he must demonstrate that they exist and are

viable accounts. He has failed to do so. Hence, for this reason, Hamed's Motion should be denied.

C. Even if there is a presumption that the payments made by the Partnership to these accounts are Partnership property, there is ample evidence to rebut that presumption and demonstrate a material issue of disputed fact, precluding partial summary judgment.

It is Yusuf's position that there is no presumption of partnership property as to payments from United to Hamdan or Hamdan Diamond because there is unrefuted evidence that the payments were repayments of loans and Hamed has offered no evidence to the contrary. Hence, he is not entitled to any presumption. However, even if the presumption applies, when "determining whether a party has rebutted the presumption, no single factor or combination of factors is dispositive." *Stephens v. Ainsworth*, 437 P.3d 51, 60–61, 56 Kan.App.2d 668, 679 (Kan.App., 2019), citing *Mogensen*, 273 Neb. at 216, 729 N.W.2d 44. See 59A Am. Jur. 2d Partnership § 244-245. Rather, it is "ultimately, the partners' intentions control whether property belongs to the partnership." *Id.* The "focus is on the partners' objective manifestations of intent" and "the goal is to enforce their intent." *Id.*

Yusuf, the Managing Partner, who had full authority as to financial decisions of the Partnership including determining whether the Partnership was in need of a loan and when and how to pay such loans, has repeatedly maintained that the payments to his brother, Hamdan, were in repayment of loans provided for the use and benefit of the Partnership. See Exhibit P-Decl. ¶ 1. Monies were received from Hamdan. See Exhibits A and C. The Partnership considered the funds received as a debt of the Partnership and calculated accrued interest on the debt in their accounting records. See Exhibits D and E. Payments were made from the Partnership noting that they were for payments of either interest or to pay off the loans. See

Exhibits G, J and O. Further, the debt was acknowledged by Yusuf, the partner in charge of all of the Partnership operations, as a debt of the Partnership in his letter in April 2001, wherein he writes that “United has decided to pay all of the notes payable and accrued interest to Mohammad Hamdan” which “debts will be paid into his company Hamdan Diamond, account nos. 140-07884 and 140-07951.” *See* Exhibit O. All of these documents reflect the objective manifestations of the Partners that funds paid to Hamdan or Hamdan Diamond were for repayment of loans and not a transfer of Partnership property and, therefore, directly rebut Hamed’s theory. Furthermore, Hamed offered no testimony or admissible evidence to the contrary. Yusuf has testified that money was needed and was tight, (Exhibit F-1) and, there were other loans that were taken in this timeframe (Exhibit F), and often times Yusuf had to use funds from the United Tenant Account (i.e. non-partnership monies) to cover expenses for the Partnership grocery store operations and in some instances, to pay interest on the loans to Hamdan (Exhibit F-1; J). All of the documentation consistently manifests this same intent and no documents reflect otherwise. Hamed has offered no evidence or sworn testimony to the contrary. As a result, Hamed has provided no evidence to support his Motion for Partial Summary Judgment. If Hamed’s theory is deemed to be supported, then, at best, there exists a genuine issue of material fact, which precludes partial summary judgment.

Finally, all of the discussion in Hamed’s Motion regarding Yusuf being a Director of Hamdan Diamond does not alter the fact that monies were received from Hamdan for the benefit of the Partnership in 1994, before Hamdan Diamond was ever created, and the Partners’ intentions to repay those loans as manifested by the payments made and other documentation evidencing the loans. Further, there is nothing prohibiting Yusuf from being a Director in his brother’s company, Hamdan Diamond. That fact does not extinguish the earlier loans made by

one brother for the benefit of the Partnership. Even if such evidence was probative, no one factor is dispositive. Given the weight of the testimony of Yusuf, the Managing Partner, and documentary evidence in Exhibits A through O, questions of fact remain precluding summary judgment for Hamed.

CONCLUSION

For the foregoing reasons, Yusuf respectfully requests that Hamed's Motion be denied.

Respectfully submitted,

DUDLEY NEWMAN FEUERZEIG LLP

DATED: April 17, 2020

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Attorneys for Fathi Yusuf and United Corporation

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of April, 2020, I caused the foregoing **Yusuf's Opposition to Hamed's Motion Summary Judgment as to H-33 Alleged Partnership Funds at Merrill Lynch** which complies with the page or word limitation set forth in Rule 6-1(e), to be served upon the following via the Case Anywhere docketing system:

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/s/Charlotte K. Perrell

INDEX OF EXHIBITS

Exhibit A- Internal Accounting Records and Hamdan Merrill Lynch Statements for 1994

Exhibit B- Letter from Merrill Lynch dated September 21, 2016, confirms that Merrill Lynch Account #140-16484 was opened in 1991 for Mohammad Hamdan

Exhibit B-1- Yusuf and United's Initial Disclosures, Aug. 1, 2013 and Notice of Service of Supplemental Disclosures, Aug. 23, 2013 with FBI Index cover sheet

Exhibit C- March 1994 Check and Deposit Slip from Hamdan to United

Exhibit D- Internal Accounting records of loans and accrued interest for Hamdan

Exhibit E- Internal Accounting records of loans and accrued interest for Hamdan

Exhibit F- Internal Accounting records of similar loan documentation

Exhibit F-1 - Fathi Yusuf 1/21/20 Depo. excerpts and January 1995 Daily News article

Exhibit G- Two checks in January 1996 for \$50,000 and \$100,000 to Hamdan

Exhibit H- Collective exhibit of Incorporation Documents for Hamdan Diamond Corp.

Exhibit I- Last Will and Testament of Mohammad Hamdan

Exhibit J - Collective Exhibit of Internal accounting for Tenant Account, V.I. Community Bank Stmtns and copy of check for payment of loan to Hamdan

Exhibit K- Hamdan Death Certificate

Exhibit L- April 22, 1997 Letter from Attorney Simpson

Exhibit M- Documents reflecting transfer of stock shares of Hamdan Diamond in name of Fathia Yousef

Exhibit N- May 20-21, 1997 Correspondence

Exhibit O- Yusuf letter and payments for the Mohammad Hamdan Loans

Exhibit P- Declaration of Fathi Yusuf, 4/17/2020

Exhibit Q- Yusuf and United's Statement of Material Facts

Exhibit R- Yusuf and United's Opposition to Hamed's Statement of Material Facts

Exhibit A

Merrill Lynch -- CMA
Acct. #140-16484
Mr. Fathi Yusuf

	Total Increase (Decrease)
Beginning Balance	240,027.00
Funds Received	86,214.00
To Plaza Extra: St. Thomas	(100,000.00)
To Plaza Extra: St. Croix	(25,000.00)
Interest Charged	(4,022.02)
Increase (Decreased) Value of Sec.	8,125.92
Dividend/Interest Income	27.32
NRA Tax	(108.22)
Ending Balance 12/30/94	<u>205,264.00</u>

Merrill Lynch - CMA
 Acct. #140-16484
 Mr. Fathi Yusuf

10-Mar-95
 09:19 AM

	Jan-94	Feb-94	Mar-94	Apr-94	May-94	Jun-94
Beginning Balance	240,027.00	288,782.52	272,539.08	351,223.42	211,688.00	194,785.00
Funds Received	0.00	0.00	0.00	0.00	0.00	28,214.00
To Plaza Extra: St. Thomas	0.00	0.00	(100,000.00)	0.00	0.00	0.00
To Plaza Extra: St. Croix	0.00	0.00	0.00	(25,000.00)	0.00	0.00
Interest Charged	0.00	0.00	(71.68)	(686.34)	(653.00)	(605.00)
Increase (Decreased) Value of Sec.	48,749.00	(16,250.00)	178,750.00	(113,749.08)	(16,250.00)	24,376.00
Dividend/Interest Income	9.34	9.35	8.63	0.00	0.00	0.00
NRA Tax	(2.82)	(2.79)	(2.61)	(100.00)	0.00	0.00
Ending Balance	288,782.52	272,539.08	351,223.42	211,688.00	194,785.00	246,770.00



Hamed v. United & Yusuf - Def's Production
 0002697

035-1473

Merrill Lynch -- CMA
 Acct. #140-16484
 Mr. Fathi Yusuf

	Jul-94	Aug-94	Sep-94	Oct-94	Nov-94	Dec-94	Total Increase (Decrease)
Beginning Balance	246,770.00	239,237.00	255,237.00	222,411.00	238,398.00	270,625.00	240,027.00
Funds Received	58,000.00	0.00	0.00	0.00	0.00	0.00	86,214.00
To Plaza Extra: St. Thomas	0.00	0.00	0.00	0.00	0.00	0.00	(100,000.00)
To Plaza Extra: St. Croix	0.00	0.00	0.00	0.00	0.00	0.00	(25,000.00)
Interest Charged	(533.00)	(250.00)	(326.00)	(263.00)	(273.00)	(361.00)	(4,022.02)
Increase (Decreased) Value of Sec.	(65,000.00)	16,250.00	(32,500.00)	16,250.00	32,500.00	(65,000.00)	8,125.92
Dividend/Interest Income	0.00	0.00	0.00	0.00	0.00	0.00	27.32
NRA Tax	0.00	0.00	0.00	0.00	0.00	0.00	(108.22)
Ending Balance	239,237.00	255,237.00	222,411.00	238,398.00	270,625.00	205,264.00	205,264.00



Merrill Lynch - CMA
Acct. # 140-16484
Mr. Fathi Yusuf/Mohamad Hamdan



10-Mar-95
09:19 AM

December 1994

Priced Portfolio @ 11/25/94	270,625.00
Funds Received	0.00
To Plaza Extra: St. Thomas Ck. #	0.00
To Plaza Extra: St. Croix Ck. #	0.00
Interest Charged	(361.00)
Increase (Decreased) Value of Sec.	(65,000.00)
Dividend/Interest Income	0.00
NRA Tax	0.00
Priced Portfolio @ 11/25/94	<u>205,264.00</u>

PRIORITY CLIENT SERVICES

Account No.	Taxpayer No.	Statement Period	Page
140-16484	000-00-0000	11/26/94 TO 12/30/94	1 OF 4

Priority Client Cash Management Account

**** Duplicate copy 1 ****

MR. FATHI YUSUF
PO BOX 763
CHRISTIANSTED,
ST CROIX VI 00821

Your Financial Consultant:
KOCH/LINCOLN
FC# 5030
(809) 773-3000

Your Merrill Lynch Office:
PO BOX 4109
ST CROIX US VI 00820

FOR CUSTOMER SERVICE QUESTIONS: 1-800-MER-2228

Monthly Portfolio Summary

Asset	11/25/94 Value	%	12/30/94 Value	%
Cash/Money Funds				
CDs/Equivalents				
Government Securities				
Corporate Bonds				
Municipal Bonds				
Equity Funds	308,750	100	243,750	100
Options				
Other				
Long Market Value	308,750		243,750	
Short Market Value				
Estimated Accrued Interest				
Debit Balance	(38,125)		(38,486)	
Net Portfolio Value	270,625		205,264	

035-1476

Income Summary

	This Statement	Year-to-Date
Money Fund Dividends		27.32
Tax-Exempt CMA Funds		
Tax-Exempt Interest		
Reportable Interest		
Reportable Dividends		
Income Not Reported		
Total		27.32

Items for Attention

Security	Message	Date
No Items For Attention		
Purchasing Power	10,263	Investor Credit Line 10,263

News

Is your portfolio positioned to take advantage of investment opportunities in the new year? The December issue of "First Priority" provides the insights of Merrill Lynch's top research professionals on the 1995 global economic and investment outlook. You will also find important information on 1994 tax reporting and other matters pertaining to your account service.

Financial Market Indicators

	This Statement	Last Statement	Previous Year-End
Dow Jones Industrial Average	3834.44	3708.27	3754.09
Three-Month Treasury Bills	5.68%	5.42%	3.09%
Long-Term Treasury Bonds	7.88%	7.93%	6.35%

CLIENT SERVICES

Account No.	Taxpayer No.	Statement Period	Page
140-16484	000-00-0000	11/26/94 TO 12/30/94	2 OF 4

MR. FATHI YUSUF

** Duplicate copy 1 **

Cash Flow Summary

Activity Summary	Credits		Debits	
	This Statement	Year-to-Date	This Statement	Year-to-Date
Opening Balance Cash & Money Funds	38,125.56DR		Sales Income	27.32
Net Credits & Debits	361.39DR	42,889.50DR	Funds Received	86,214.00
Closing Balance Cash & Money Funds	38,486.95DR		Other	
			Purchases	
			Withdrawals	125,000.00
			CMA Checks	4,022.60
			Interest Charged	108.22
			Other	
			Total Credits	86,241.32
			Total Debits	361.39
				129,130.82

Equity Weighting by Economic Sector

A - Basic Industries	0%	D - Consumer Cyclcals	0%	G - Credit Sensitive	0%
B - Capital Goods	0%	E - Consumer Growth	0%	H - Utilities	0%
C - Technology	100%	F - Energy	0%	I - Other	0%

Hammed Yusuf - Dets Production

035-1477

Account No.	Taxpayer No.	Statement Period	Page
140-16484	000-00-0000	11/26/94 TO 12/30/94	3 OF 4

MR. FATHI YUSUF

** Duplicate copy 1 **

Current Portfolio

Quantity	Security Description	Symbol	Sector	Date Acquired	Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Annual Income	Current Yield %
Equities											
5,000	ADVANCED LOGIC RESH INC	AALR	(C)	03/04/92	7.87	78,735	3.75	37,500	(41,235)		
5,500	ADVANCED LOGIC RESH INC			03/06/92	7.72	96,562	3.75	46,875	(49,687)		
5,500	ADVANCED LOGIC RESH INC			03/09/92	7.85	294,408	3.75	140,625	(153,783)		
5,000	ADVANCED LOGIC RESH INC			03/09/92	7.72	38,629	3.75	18,750	(19,879)		
5,000	Security Sub-Total					508,334		243,750	(264,584)		
	Total Equities					<u>508,334</u>		<u>243,750</u>	<u>(264,584)</u>		
	Total of Long Portfolio					<u>508,334</u>		<u>243,750</u>	<u>(264,584)</u>		

Hamed v. Al-Hamed & Yusuf - Def's Production
0002702

035-1478

SECURITY CLIENT SERVICES

Account No.	Taxpayer No.	Statement Period	Page
140-16484	000-00-0000	11/26/94 TO 12/30/94	4 OF 4

MR. FATHI YUSUF

** Duplicate copy 1 **

Daily Activity Review

Date	Transaction	Quantity	Description	Price	Amount	Cash Balance	Share Balance
11/25	Opening Balance						
12/30	Margin Interest		* INTEREST CHARGE FOR 35 DR DAYS AT 9.750 ON AVG DR BAL \$38125 BAL TO 12 30 \$38125		361.39	38,125.56	
12/30	Closing Balance				38,486.95	38,486.95	

Hamed v. Yusuf - Def's Production
0002703

035-1479

Merrill Lynch - CMA
Acct. #140-16484
Mr. Fathi Yusuf/Mohamad Hamdan

21-Dec-94
12:26 PM

November 1994

Priced Portfolio @ 10/28/94	238,398.00
Funds Received	0.00
To Plaza Extra: St. Thomas Ck. #	0.00
To Plaza Extra: St. Croix Ck. #	0.00
Interest Charged	(273.00)
Increase (Decreased) Value of Sec.	32,500.00
Dividend/Interest Income	0.00
NRA Tax	0.00
Priced Portfolio @ 11/25/94	<u>270,625.00</u>

DEC-14-1994 11:04

PLAZA EXTRA ST. CROIX

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140-16484 000-00-0000 10/29/94 TO 11/25/94 1 OF 4

Priority Client Cash Management Account

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FC# 5030
(809) 773-3000

Your Merrill Lynch Office:
PO BOX 4109
ST CROIX US VI 00820

FOR CUSTOMER SERVICE QUESTIONS: 1-800-MER-2228

Monthly Portfolio Summary

Asset	10/28/94 Value	%	11/25/94 Value	%
Cash/Money Funds				
CD's/Equivalents				
Government Securities				
Corporate Bonds				
Municipal Bonds	276,250	100	308,750	100
Equities				
Mutual Funds				
Options				
Other				
Long Market Value	276,250		308,750	
Short Market Value				
Estimated Accrued Interest	(37,852)		(38,125)	
Debit Balance				
Net Portfolio Value	238,398		270,625	

Income Summary

	This Statement	Year-to-Date
Money Fund Dividends		27.32
Tax-Exempt CMA Funds		
Tax-Exempt Interest		
Reportable Interest		
Reportable Dividends		
Income Not Reported		
Total		27.32

Items for Attention

Security	Message	Date
	No Items For Attention	
Purchasing Power	75,624	Investor Credit Line 75,624

Financial Market Indicators

	This Statement	Last Statement	Previous Year-End
Dow Jones Industrial Average	3708.27	3930.66	3754.09
Three-Month Treasury Bills	5.42%	5.13%	3.09%
Long-Term Treasury Bonds	7.93%	7.95%	6.35%

News

Following the recent election results, we believe that any cuts in the capital-gains tax, an investment tax credit for small businesses, and prospective government downsizing appear more likely and would benefit the economy and the financial markets. This represents our opinion as of 11/18/94, which is based on various sources and is subject to change. Contact your FC for additional information.

November 1994

Hamed v. United & Yusuf - Der's Production

035-1481

140-16484 000-00-0000 10/29/94 TO 11/25/94 2 OF 4

** Duplicate copy 1 **

MR. FATHI YUSUF

Cash Flow Summary

Activity Summary		Credits		Debits	
This Statement	Year-to-Date	This Statement	Year-to-Date	This Statement	Year-to-Date
Opening Balance		Sales	27.32	Purchases	125,000.00
Cash & Money		Income		Withdrawals	3,661.21
Funds	37,852.18DR	Funds Received	86,214.00	CMA Checks	108.22
Net Credits		Other		Interest Charged	
& Debits	273.38DR			Other	
Closing Balance		Total Credits	86,241.32	Total Debits	128,769.43
Cash & Money					
Funds	38,125.56DR				

Equity Weighting by Economic Sector

A - Basic Industries	0%	D - Consumer Cyclicals	0%	G - Credit Sensitive	0%
B - Capital Goods	0%	E - Consumer Growth	0%	H - Utilities	0%
C - Technology	100%	F - Energy	0%	I - Other	0%

Hamed v. United & Yusuf - Def's Production
0002706

035-1482

November 1994

140-16484 000-00-0000 10/29/94 TO 11/25/94 3 OF 4

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MR. FATHI YUSUF

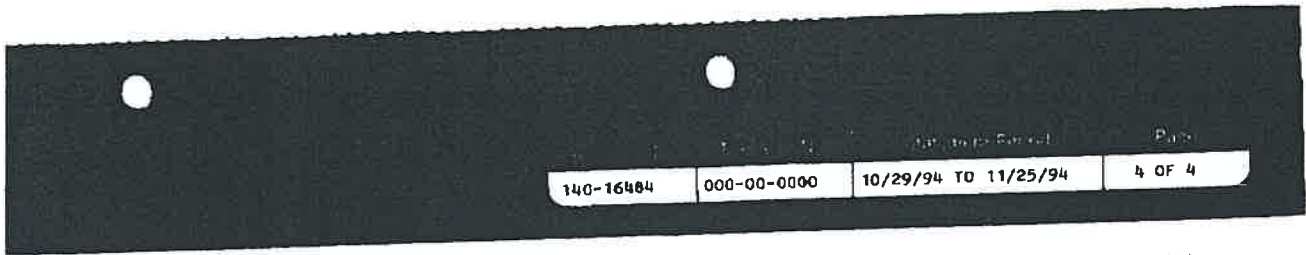
Current Portfolio

Quantity	Security Description	Symbol	Sector	Date Acquired	Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Annual Income	Current Yield %
Equities											
				03/04/92	7.87	78,735	4.75	47,500	(31,235)		
10,000	ADVANCED LOGIC RESH INC	AALR	(C)	03/06/92	7.72	96,562	4.75	59,375	(37,187)		
12,500	ADVANCED LOGIC RESH INC			03/09/92	7.85	294,408	4.75	178,125	(116,283)		
37,500	ADVANCED LOGIC RESH INC			03/09/92	7.72	38,629	4.75	23,750	(14,879)		
5,000	ADVANCED LOGIC RESH INC					508,334		308,750	(199,584)		
	Security Sub-Total					508,334		308,750	(199,584)		
65,000	Total Equities					508,334		308,750	(199,584)		
	Total of Long Portfolio					508,334		308,750	(199,584)		

Hamed v. United & Yusuf - Def's Production

0002707

035-1483



140-16484 000-00-0000 10/29/94 TO 11/25/94 4 OF 4

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MR. FATHI YUSUF

Daily Activity Review

Date	Transaction	Quantity	Description	Price	Amount	Cash Balance	Share Balance
						37,852.18	
10/28	Opening Balance		* INT CHGE OF \$160.87*				
11/14	Margin Interest		FOR 17 DR DAYS AT 9.000				
			ON AVG DR BAL \$37852			37,852.18	
			BAL TO 11 14 \$37852				
11/15	Margin Interest		* INT CHGE OF \$9.99*				
			FOR 1 DR DAYS AT 9.500				
			ON AVG DR BAL \$37852			37,852.18	
			BAL TO 11 15 \$37852				
11/25	Margin Interest		* INT CHGE OF \$102.52*				
			FOR 10 DR DAYS AT 9.750				
			ON AVG DR BAL \$37852				
			BAL TO 11 25 \$37852				
11/25	Margin Interest		TOTAL INTEREST CHARGE		273.38		
11/25	Closing Balance				38,125.56	38,125.56	

Hamed v. United & Yusuf - Def's Production
0002708

035-1484

TOTAL P.26

END OF STATEMENT November 1994

Merrill Lynch - CMA
Acct. #140-16484
Mr. Fathi Yusuf/Mohamad Hamdan

21-Dec-94
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October 1994

Priced Portfolio @ 09/30/94	222,411.00
Funds Received	0.00
To Plaza Extra: St. Thomas Ck. #	0.00
To Plaza Extra: St. Croix Ck. #	0.00
Interest Charged	(263.00)
Increase (Decreased) Value of Sec.	16,250.00
Dividend/Interest Income	0.00
NRA Tax	0.00
Priced Portfolio @ 10/28/94	<u>238,398.00</u>

140-16484 000-00-0000 10/01/94 TO 10/28/94 1 OF 4

Priority Client Cash Management Account

**** Duplicate copy 1 ****

MR. FATHI YUSUF
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CHRISTIANSTED,
ST CROIX VI 00821

Your Financial Consultant:
KOCH/LINCOLN
FC# 5030
(809) 773-3000

Your Merrill Lynch Office:
PO BOX 4109
ST CROIX US VI 00820

FOR CUSTOMER SERVICE QUESTIONS: 1-800-MER-2228

Monthly Portfolio Summary

Asset	09/30/94 Value	%	10/28/94 Value	%
Cash/Money Funds				
CD's/Equivalents				
Government Securities				
Corporate Bonds				
Municipal Bonds				
Equities	260,000	100	276,250	100
Mutual Funds				
Options				
Other				
Long Market Value	260,000		276,250	
Short Market Value				
Estimated Accrued Interest	(37,589)		(37,852)	
Debit Balance				
Net Portfolio Value	222,411		238,398	

Income Summary

	This Statement	Year-to-Date
Money Fund Dividends		27.32
Tax-Exempt CMA Funds		
Tax-Exempt Interest		
Reportable Interest		
Reportable Dividends		
Income Not Reported		
Total		27.32

Items for Attention

Security	Message	Date
No Items For Attention		
Purchasing Power	43,397	Investor Credit Line 43,397

News

Because of the risk of higher yields and because most of the yield pickup in the bond market occurs in the early maturities, we recommend relatively short maturities: 2-to-5 years in the Treasury market and 4-to-12 years in the municipal market. This opinion, as of October 21, 1994, is based on various sources and is subject to change. Contact your FC for additional information.

Financial Market Indicators

	This Statement	Last Statement	Previo Year-E
Dow Jones Industrial Average	3930.66	3843.19	3754.0
Three-Month Treasury Bills	5.13%	4.77%	3.0
Long-Term Treasury Bonds	7.95%	7.81%	6.3

October 1994

Hamed v. United & Yusuf - Def's Production

0002710

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140-16484 000-00-0000 10/01/94 TO 10/28/94 2 OF 4

** Duplicate copy 1 **

MR. FATHI YUSUF

Cash Flow Summary

Activity Summary		Credits		Debits	
		This Statement	Year-to-Date	This Statement	Year-to-Date
Opening Balance					
Cash & Money Funds	37,589.06DR				
Net Credits & Debits	263.12DR	42,254.73DR			
Closing Balance					
Cash & Money Funds	37,852.18DR				
			Total Credits		Total Debits
			86,241.32		263.12
					128,496.

Equity Weighting by Economic Sector

A - Basic Industries	0%	D - Consumer Cyclicals	0%	G - Credit Sensitive	0%
B - Capital Goods	0%	E - Consumer Growth	0%	H - Utilities	0%
C - Technology	100%	F - Energy	0%	I - Other	0%

October 1994

Hamed v. United & Yusuf - Def's Production 0002711

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140-16484 000-00-0000 10/01/94 TO 10/28/94 3 OF 4

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MR. FATHI YUSUF

Current Portfolio

Quantity	Security Description	Symbol	Sector	Date Acquired	Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Annual Income	Curr Yld %
Equities											
				03/04/92	7.87	78,735	4.25	42,500	(36,235)		
10,000	ADVANCED LOGIC RESH INC	AALR	(C)	03/06/92	7.72	96,562	4.25	53,125	(43,437)		
12,500	ADVANCED LOGIC RESH INC			03/09/92	7.85	294,408	4.25	159,375	(135,033)		
37,500	ADVANCED LOGIC RESH INC			03/09/92	7.72	38,629	4.25	21,250	(17,379)		
5,000	ADVANCED LOGIC RESH INC					508,334		276,250	(232,084)		
	Security Sub-Total							276,250	(232,084)		
65,000	Total Equities					508,334		276,250	(232,084)		
	Total of Long Portfolio					508,334		276,250	(232,084)		

Hamed v. United & Yusuf - Def's Production 0002712

035-1488

DEC-14-1994 11:04

PLAZA EXTRA ST. CROIX

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140-16484 000-00-0000 10/01/94 TO 10/28/94 4 OF 4

** Duplicate copy 1 **

MR. FATHI YUSUF

Daily Activity Review

Date	Transaction	Quantity	Description	Price	Amount	Cash Balance	Share Balance
09/30	Opening Balance					37,569.06	
10/28	Margin Interest		* INTEREST CHARGE FOR 28 DR DAYS AT 9.000 ON AVG DR BAL \$37589 BAL TO 10 28 \$37589		263.12		
10/28	Closing Balance				37,852.18	37,852.18	

"END OF STATEMENT" October 1994

Hamed v. United & Yusuf - Def's Production
0002713

035-1489

Merrill Lynch - CMA
Acct. # 140-16484
Mr. Fathi Yusuf/Mohamad Hamdan

21-Dec-94
12:20 PM

September 1994

Priced Portfolio @ 08/26/94	255,237.00
Funds Received	0.00
To Plaza Extra: St. Thomas Ck. #	0.00
To Plaza Extra: St. Croix Ck. #	0.00
Interest Charged	(326.00)
Increase (Decreased) Value of Sec.	(32,500.00)
Dividend/Interest Income	0.00
NRA Tax	0.00
Priced Portfolio @ 09/30/94	<u>222,411.00</u>

140-16484 000-00-0000 08/27/94 TO 09/30/94 1 OF 4

Priority Client Cash Management Account

** Duplicate copy 1 **

MR. FATHI YUSUF
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FC# 5030
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PO BOX 4109
ST CROIX US VI 00820

FOR CUSTOMER SERVICE QUESTIONS: 1-800-MER-2228

Hamed v. United & Yusuf - Def's Production 0002715

035-1491

Monthly Portfolio Summary				
Asset	08/26/94 Value	%	09/30/94 Value	%
Cash/Money Funds				
CD's/Equivalents				
Government Securities				
Corporate Bonds				
Municipal Bonds	292,500	100	260,000	100
Equities				
Mutual Funds				
Options				
Other				
Long Market Value	292,500		260,000	
Short Market Value				
Estimated Accrued Interest	(37,263)		(37,589)	
Debit Balance				
Net Portfolio Value	255,237		222,411	

Income Summary	
This Statement	Year-to-Date
Money Fund Dividends	27.32
Tax-Exempt CMA Funds	
Tax-Exempt Interest	
Reportable Interest	
Reportable Dividends	
Income Not Reported	
Total	27.32

Items for Attention		
Security	Message	Date
No Items For Attention		
Purchasing Power	27,410	Investor Credit Line 27,410

News

We continue to regard outsourcing as a growth theme of the 1990s. Many companies today are outsourcing activities that are not their core businesses to cut the cost of doing business and to compete more effectively in the global marketplace. This represents our opinion as of September 15, 1994, which is based on various sources and is subject to change. Contact your FC for additional information.

Financial Market Indicators			
	This Statement	Last Statement	Prev. Year-1
Dow Jones Industrial Average	3843.19	3681.05	3754.3
Three-Month Treasury Bills	4.77%	4.66%	3.6
Long-Term Treasury Bonds	7.81%	7.48%	6.0

September 1994

140-16484 000-00-0000 08/27/94 TO 09/30/94 3 OF 4

** Duplicate copy 1 **

MR. FATHI YUSUF

Current Portfolio

Quantity	Security Description	Symbol	Sector	Date Acquired	Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Annual Income	Cu Y
Equities											
				03/04/92	7.87	78,735	4.00	40,000	(38,735)		
10,000	ADVANCED LOGIC RESH INC	AALR	(C)	03/06/92	7.72	96,562	4.00	50,000	(46,562)		
12,500	ADVANCED LOGIC RESH INC			03/09/92	7.85	294,408	4.00	150,000	(144,408)		
37,500	ADVANCED LOGIC RESH INC			03/09/92	7.72	38,629	4.00	20,000	(18,629)		
5,000	ADVANCED LOGIC RESH INC					508,334		260,000	(248,334)		
65,000	Security Sub-Total					508,334		260,000	(248,334)		
	Total Equities					508,334		260,000	(248,334)		
	Total of Long Portfolio					508,334		260,000	(248,334)		

September 1994

140-16484	000-00-0000	08/27/94 TO 09/30/94	4 OF 4
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** Duplicate copy 1 **

MR. FATNI YUSUF

Daily Activity Review

Date	Transaction	Quantity	Description	Price	Amount	Cash Balance	Share Balance
08/26	Opening Balance					37,263.01	
09/30	Margin Interest		* INTEREST CHARGE FOR 35 DR DAYS AT 9.000 ON AVG DR BAL \$37263 BAL TO 9 30 \$17263		326.05		
09/30	Closing Balance				37,589.06	37,589.06	

END OF STATEMENT September 1994

Hamed v. United & Yusuf - Def's Production
0002718

035-1494

Merrill Lynch - CMA
Acct. #140-16484
Mr. Fathi Yusuf/Mohamad Hamdan

21-Dec-94
12:12 PM

August 1994

Priced Portfolio @ 07/29/94	239,237.00
Funds Received	0.00
To Plaza Extra: St. Thomas Ck. #	0.00
To Plaza Extra: St. Croix Ck. #	0.00
Interest Charged	(250.00)
Increase (Decreased) Value of Sec.	16,250.00
Dividend/Interest Income	0.00
NRA Tax	0.00
Priced Portfolio @ 08/26/94	<u>255,237.00</u>

140-16484

000-00-0000

07/30/94 TO 08/26/94

1 OF 4

Priority Client Cash Management Account

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MR. FATHI YUSUF
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Your Financial Consultant:
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FC# 5030
(809) 773-3000

Your Merrill Lynch Office:
PO BOX 4109
ST CROIX US VI 00820

FOR CUSTOMER SERVICE QUESTIONS: 1-800-MER-2228

Monthly Portfolio Summary

Asset	07/29/94 Value	%	08/26/94 Value	%
Cash/Money Funds				
CD's/Equivalents				
Government Securities				
Corporate Bonds				
Municipal Bonds				
Equities	276,250	100	292,500	100
Mutual Funds				
Options				
Other				
Long Market Value	276,250		292,500	
Short Market Value				
Estimated Accrued Interest	(37,013)		(37,263)	
Debit Balance				
Net Portfolio Value	239,237		255,237	

Income Summary

	This Statement	Year-to-Date
Money Fund Dividends		27.32
Tax-Exempt CMA Funds		
Tax-Exempt Interest		
Reportable Interest		
Reportable Dividends		
Income Not Reported		
Total		27.32

Items for Attention

Security	Message	Date
	No Items for Attention	
Purchasing Power	60,236	Investor Credit Line 60,236

News

What is the outlook for inflation and interest rates? How should my investments be positioned to take advantage of the economic climate? Merrill Lynch's Global Securities Research has just published a Special Report to help you answer these questions; it is a pleasure to send you a copy with your Priority Client statement.

Financial Market Indicators

	This Statement	Last Statement	Previous Year-End
Dow Jones Industrial Average	3881.05	3764.50	3754.00
Three-Month Treasury Bills	4.66%	4.35%	3.0%
Long-Term Treasury Bonds	7.48%	7.39%	6.3%

August 1994

DEC-14-1994 10:58

PLA24 EXTRA ST. CROIX

899781200

P. 11

140-16464 000-00-0000 07/30/94 TO 08/26/94 3 OF 4

** Duplicate copy 1 **

MR. FATHI YUSUF

Current Portfolio

Quantity	Security Description	Symbol	Sector	Date Acquired	Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Annual Income	Curr Yield %
Equities											
				03/04/92	7.87	78,735	4.50	45,000	(33,735)		
10,000	ADVANCED LOGIC RESH INC	AALR	(C)	03/06/92	7.72	96,562	4.50	56,250	(40,312)		
12,500	ADVANCED LOGIC RESH INC			03/09/92	7.85	294,808	4.50	168,750	(125,658)		
37,500	ADVANCED LOGIC RESH INC			03/09/92	7.72	38,629	4.50	22,500	(16,129)		
5,000	ADVANCED LOGIC RESH INC							292,500	(215,834)		
65,000	Security Sub-Total					508,334		292,500	(215,834)		
	Total Equities					508,334		292,500	(215,834)		
	Total of Long Portfolio					508,334		292,500	(215,834)		

August 1994

DEC-14-1994 10:59

PLAZA EXTRA ST. CRUIX

899791200 P.13

Hamed v. United & Yusuf - Defs Production
0002722

035-1498

140-16484 000-00-0000 07/30/94 TO 08/26/94 4 OF 4

** Duplicate copy 1 **

MR. FATMI YUSUF

Daily Activity Review

Date	Transaction	Quantity	Description	Price	Amount	Cash Balance	Share Balance
						37,013.56	
07/29	Opening Balance						
08/01	Margin Interest		* INT CHGE OF \$25.83* FOR 3 DR DAYS AT 8.375 ON AVG DR BAL \$37013			37,013.56	
08/16	Margin Interest		BAL TO 8 1 \$37013 * INT CHGE OF \$131.09* FOR 15 DR DAYS AT 8.500 ON AVG DR BAL \$37013			37,013.56	
08/26	Margin Interest		BAL TO 8 16 \$37013 * INT CHGE OF \$92.53* FOR 10 DR DAYS AT 9.000 ON AVG DR BAL \$37013				
08/26	Margin Interest		BAL TO 8 26 \$37013 TOTAL INTEREST CHARGE		249.45		
08/26	Closing Balance				37,263.01	37,263.01	

END OF STATEMENT August 1994

Hamed v. United & Yusuf - Def's Production
0002723

035-1499

DEC-14-1994 11:00

PLAZA EXTRA ST. CROIX

899781200 P.14

Merrill Lynch - CMA
Acct. #140-16484
Mr. Fathi Yusuf/Mohamad Hamdan

21-Dec-94
12:08 PM

July 1994

Priced Portfolio @ 06/24/94	246,770.00
Funds Received	58,000.00
To Plaza Extra: St. Thomas Ck. #	0.00
To Plaza Extra: St. Croix Ck. #	0.00
Interest Charged	(533.00)
Increase (Decreased) Value of Sec.	(65,000.00)
Dividend/Interest Income	0.00
NRA Tax	0.00
Priced Portfolio @ 07/29/94	<u>239,237.00</u>

8097781200 P.07

140-16484 000-00-0000 06/25/94 TO 07/29/94 1 OF 4

Priority Client Cash Management Account

**** Duplicate copy 1 ****

MR. FATHI YUSUF
PO BOX 763
CHRISTIANSTED,
ST CROIX VI 00821

Your Financial Consultant:
KOCH/LINCOLN
FC# 5030
(809) 773-3000

Your Merrill Lynch Office:
PO BOX 4109
ST CROIX US VI 00820

FOR CUSTOMER SERVICE QUESTIONS: 1-800-MER-2228

Monthly Portfolio Summary

Asset	06/24/94 Value	%	07/28/94 Value	%
Money Funds	341,250	100	276,250	100
Equivalents				
Government Securities				
Corporate Bonds				
Municipal Bonds				
Other				
Market Value	341,250		276,250	
Market Value				
Accrued Interest	(94,480)		(37,013)	
Net Portfolio Value	246,770		239,237	

Income Summary

	This Statement	Year-to-Date
Money Fund Dividends		27.32
Tax-Exempt CMA Funds		
Tax-Exempt Interest		
Reportable Interest		
Reportable Dividends		
Income Not Reported		
Total		27.32

Items for Attention

Security	Message	Date
No Items For Attention		
Purchasing Power	44,236	Investor Credit Line
		44,236

Financial Market Indicators

	This Statement	Last Statement	Previous Year-End
Dow Jones Industrial Average	3764.50	3636.94	3754.09
Three-Month Treasury Bills	4.35%	4.25%	3.09%
Long-Term Treasury Bonds	7.39%	7.52%	6.35%

July 1994

Hamed v. Usuf
 1500
 035-1501
 PLAZA EXTRA ST. CROIX
 18:56

DEC-14-1994 18:56

140-16484 000-00-0000 06/25/94 TO 07/29/94 2 OF 4

** Duplicate copy 1 **

R. FATHI YUSUF

Cash Flow Summary

Activity Summary		Credits		Debits	
This Statement	Year-to-Date	This Statement	Year-to-Date	This Statement	Year-to-Date
Balance Cash & Money Funds	94,480.51DR	Sales Income	27.32	Purchases	125,000.00
Credits & Debits	57,466.95	Funds Received	58,000.00 ✓	Withdrawals	2,549.21
Balance Cash & Money Funds	37,013.56DR	Other		CMA Checks	108.22
				Interest Charged	
		Total Credits	58,000.00	Total Debits	533.05
			86,241.32		127,657.43

Equity Weighting by Economic Sector

A - Basic Industries	0%	D - Consumer Cyclicals	0%	G - Credit Sensitive	0%
B - Capital Goods	0%	E - Consumer Growth	0%	H - Utilities	0%
C - Technology	100%	F - Energy	0%	I - Other	0%

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 07/29/94
 Def's Production
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PLAZA EXTRA ST. CROIX

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140-16484 000-00-0000 06/25/94 TO 07/29/94 3 OF 4

** Duplicate copy 1 **

FATHI YUSUF

Current Portfolio											
Quantity	Security Description	Symbol	Sector	Date Acquired	Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Annual Income	Cur Yr
Equities											
0,000	ADVANCED LOGIC RESH INC	AALR	(C)	03/04/92	7.87	70,735	4.25	42,500	(136,235)		
2,500	ADVANCED LOGIC RESH INC			03/06/92	7.72	96,562	4.25	53,125	(43,437)		
7,500	ADVANCED LOGIC RESH INC			03/09/92	7.85	294,408	4.25	159,375	(135,033)		
5,000	ADVANCED LOGIC RESH INC			03/09/92	7.72	38,629	4.25	21,250	(17,379)		
	Security Sub-Total					508,334		276,250	(232,084)		
	Total Equities					508,334		276,250	(232,084)		
	Total of Long Portfolio					508,334		276,250	(232,084)		

Monthly Activity						
Date	Transaction	Quantity	Description	Price	Debit	Credit
Funds Received						
	Funds Received		CASHIER CHK	07/13*		25,000.00
7/14	Funds Received		CASHIER CHK	07/13*		25,000.00
7/14	Funds Received		CASHIER CHK	07/13*		8,000.00
	Net Total					58,000.00

July 1994

Hamed v. United & Yusuf - Def's Production
 0002727
 035-1503

DEC-14-1994 10:57

PLAZA EXTRA ST. CROIX

8097781200 P. 10

140-16484 000-00-0000 06/25/94 TO 07/29/94 4 OF 4

** Duplicate copy 1 **

MR. FATHI YUSUF

Daily Activity Review

Date	Transaction	Quantity	Description	Price	Amount	Cash Balance	Share Balance
06/24	Opening Balance					94,480.51	
07/14	Funds Received		CASHIER CHK 07/13*		25,000.00CR		
07/14	Funds Received		CASHIER CHK 07/13*		25,000.00CR		
07/14	Funds Received		CASHIER CHK 07/13*		8,000.00CR		
07/29	Margin Interest		* INTEREST CHARGE FOR 35 DR DAYS AT 7.875 ON AVG DR BAL \$69623 BAL TO 7 29 \$36480		533.05		
07/29	Closing Balance				37,013.56	37,013.56	

END OF STATEMENT July 1994

Hamed V. United & Yusuf - Def's Production 0002728

035-1504

Merrill Lynch - CMA
Acct. #140-16484
Mr. Fathi Yusuf/Mohamad Hamdan

21-Dec-94
11:59 AM

June 1994

Priced Portfolio @ 05/27/94	194,785.00
Funds Received	28,214.00
To Plaza Extra: St. Thomas Ck. #	0.00
To Plaza Extra: St. Croix Ck. #	0.00
Interest Charged	(605.00)
Increase (Decreased) Value of Sec.	24,376.00
Dividend/Interest Income	0.00
NRA Tax	0.00
Priced Portfolio @ 06/24/94	<u>246,770.00</u>

140-16484 000-00-0000 05/28/94 TO 06/24/94 1 OF 4

Priority Client Cash Management Account

** Duplicate copy 1 **

MR. FATHI YUSUF
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CHRISTIANSTED,
ST CROIX VI 00821

Your Financial Consultant:
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FC# 5030
(809) 773-3000

Your Merrill Lynch Office:
PO BOX 4109
ST CROIX US VI 00820

FOR CUSTOMER SERVICE QUESTIONS: 1-800-MER-2228

Monthly Portfolio Summary

Asset	05/27/94 Value	%	06/24/94 Value	%
Money Funds				
Equivalents				
Government Securities				
Corporate Bonds				
Municipal Bonds				
Real Estate				
Other				
Total Portfolio Value	194,785		246,770	

Income Summary

	This Statement	Year-to-Date
Money Fund Dividends		27.32
Tax-Exempt CMA Funds		
Tax-Exempt Interest		
Reportable Interest		
Reportable Dividends		
Income Not Reported		
Total		27.32

Items for Attention

Security	Message	Date
No Items For Attention		
Purchasing Power	51,769	Investor Credit Line 51,769

News

Global Research's Fixed Income Strategy Unit believes that the municipal market will be one of the best performing sectors of the fixed-income market for the rest of the year based on the shrinking new issue supply and attractive yields in relation to Treasuries. The above represents our opinion as of 6/16/94. The opinion is based upon various sources and is subject to change. Contact your FC for additional information.

Financial Market Indicators

	This Statement	Last Statement	Previous Year-End
Dow Jones Industrial Average	3636.94	3757.14	3754.09
Three-Month Treasury Bills	4.25%	4.26%	3.09%
Long-Term Treasury Bonds	7.52%	7.39%	6.35%

June 1994

Handed to Merrill Lynch
 PLAZA EXTRA ST. CROIX
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 DEC-14-1994

** Duplicate copy 1 **

C. FATHI YUSUF

Cash Flow Summary

Activity Summary		Credits		Debits	
This Statement	Year-to-Date	This Statement	Year-to-Date	This Statement	Year-to-Date
Ending Balance Cash & Money Funds	122,089.09DR	Sales Income	27.32	Purchases	
		Funds Received	28,214.00	Withdrawals	125,000.00
		Other		CMA Checks	2,016.16
				Interest Charged	108.22
				Other	
Ending Balance Cash & Money Funds	94,480.51DR	Total Credits	28,214.00	Total Debits	127,124.38
			28,241.32		

Equity Weighting by Economic Sector

A - Basic Industries	0%	D - Consumer Cyclicals	0%	G - Credit Sensitive	0%
B - Capital Goods	0%	E - Consumer Growth	0%	H - Utilities	0%
C - Technology	100%	F - Energy	0%	I - Other	0%

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DEC-14-1994 10:54

035-1507

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PLAZA EXTRA ST 2000

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140-16484 000-00-0000 05/28/94 TO 06/24/94 3 OF 4

** Duplicate copy 1 **

FATHI YUSUF

Current Portfolio

Entity	Security Description	Symbol	Sector	Date Acquired	Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Annual Income	Current Yield %
Equities											
10000	ADVANCED LOGIC RESH INC	AALR	(C)	03/04/92	7.87	78,735	5.25	52,500	(26,235)		
12500	ADVANCED LOGIC RESH INC			03/06/92	7.72	96,562	5.25	65,625	(30,937)		
37500	ADVANCED LOGIC RESH INC			03/09/92	7.85	294,408	5.25	196,875	(97,533)		
9000	ADVANCED LOGIC RESH INC			03/09/92	7.72	38,629	5.25	26,250	(12,379)		
50000	Security Sub-Total					508,334		341,250	(167,084)		
	Total Equities					508,334		341,250	(167,084)		
	Total of Long Portfolio					508,334		341,250	(167,084)		

Monthly Activity

Date	Transaction	Quantity	Description	Price	Debit	Credit	
Funds Received							
6/28	Funds Received		JRD PARTY CK 06/07*			218.00	
6/28	Funds Received		CASHIER CHK 06/09*			26,000.00	
	Net Total						26,218.00

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140-16484

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05/28/94 TO 06/24/94

4 OF 4



FATHI YUSWF

** Duplicate copy 1 **

Daily Activity Review

Date	Transaction	Quantity	Description	Price	Amount	Cash Balance	Share Balance
05/27	Opening Balance					122,089.09	
05/31	Margin Interest		* INT CHGE OF \$94.96* FOR 4 DR DAYS AT 7.000 ON AVG DR BAL \$122089 BAL TO 5 31 \$122089			122,089.09	
06/08	Funds Received		3RD PARTY CK 06/07*		214.00CR	121,875.09	
06/10	Funds Received		CASHIER CHK 06/09*		28,000.00CR	93,875.09	
06/24	Margin Interest		* INT CHGE OF \$510.46* FOR 24 DR DAYS AT 7.250 ON AVG DR BAL \$105613 BAL TO 6 24 \$93875				
06/24	Margin Interest		TOTAL INTEREST CHARGE		605.42		
06/24	Closing Balance				94,480.51	94,480.51	

0002733

PLAZA EXTRA

035-1509

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END OF STATEMENT

June 1994

Merrill Lynch - CMA
Acct. #140-16484
Mr. Fathi Yusuf/Mohamad Hamdan

21-Dec-94
12:00 PM

May 1994

Priced Portfolio @ 04/29/94	211,688.00
Funds Received	0.00
To Plaza Extra: St. Thomas Ck. #	0.00
To Plaza Extra: St. Croix Ck. #	0.00
Interest Charged	(653.00)
Increase (Decreased) Value of Sec.	(16,250.00)
Dividend/Interest Income	0.00
NRA Tax	0.00
Priced Portfolio @ 06/24/94	<u>194,785.00</u>

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 Hamel v. Merrill Lynch
 035-1511
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 DEC-14-1994 10:53

140-16484	000-00-0000	04/30/94 TO 05/27/94	1 OF 4
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Priority Client Cash Management Account

** Duplicate copy 1 **

MR. FATHI YUSUF
 PO BOX 763
 CHRISTIANSTED,
 ST CROIX VI 00821

Your Financial Consultant:
KOCH/LINCOLN
 FC# 5030
 (809) 773-3000

Your Merrill Lynch Office:
 PO BOX 4109
 ST CROIX US VI 00820

Monthly Portfolio Summary

Asset	04/29/84 Value	%	05/27/94 Value	%
Money Funds	333,124	100	316,874	100
Equivalents				
Government Securities				
Corporate Bonds				
Municipal Bonds				
Other Funds				
Market Value	333,124		316,874	
Accrued Interest	(121,436)		(122,089)	
Portfolio Value	211,688		194,785	

Income Summary

	This Statement	Year-to-Date
Money Fund Dividends		27.32
Tax-Exempt CMA Funds		
Tax-Exempt Interest		
Reportable Interest		
Reportable Dividends		
Income Not Reported		
Total		27.32

Items for Attention

Security	Message	Date
No Items For Attention		

News

Following the Federal Reserve action on May 17, boosting both the funds rate and the discount rate, our Economics Unit believes that short-term interest rates should stabilize, with one further Fed tightening this year to 4.5% on Fed funds not likely before the July 5-6 Federal Open Market Committee meeting. The above represents our opinion as of 5/27/94. Contact your FC for additional information.

Financial Market Indicators

	This Statement	Last Statement	Previous Year-End
Dow Jones Industrial Average	3757.14	3681.69	3754.09
Three-Month Treasury Bills	4.26%	3.95%	3.09%
Long-Term Treasury Bonds	7.39%	7.31%	6.35%

MAY 1994

140-16484 000-00-0000 04/30/94 TO 05/27/94 2 OF 4

** Duplicate copy 1 **

MR. FATHI YUSUF

Cash Flow Summary

Activity Summary		Credits		Debits	
This Statement	Year-to-Date	This Statement	Year-to-Date	This Statement	Year-to-Date
Opening Balance Cash & Money Funds	121,436.370R	Sales Income Funds Received Other	27.32	Purchases Withdrawals CMA Checks Interest Charged Other	125,000.00 1,410.74 108.22
Net Credits & Debits	652.720R			652.72	
Closing Balance Cash & Money Funds	122,089.090R	Total Credits	27.32	Total Debits	126,518.96

Equity Weighting by Economic Sector

A - Basic Industries	0%	D - Consumer Cyclicals	0%	G - Credit Sensitive	0%
B - Capital Goods	0%	E - Consumer Growth	0%	H - Utilities	0%
C - Technology	100%	F - Energy	0%	I - Other	0%

Hamed v. United & Yusuf - Def's Production 0002736

035-1512

140-16484 000-00-0000 04/30/94 TO 05/27/94 3 OF 4

** Duplicate copy 1 **

MR. FATHI YUSUF

Current Portfolio

Quantity	Security Description	Symbol	Sector	Date Acquired	Unit Cost Basis	Total Cost Basis	Estimated Market Price	Estimated Market Value	Unrealized Gain or (Loss)	Estimated Annual Income	Current
Equities											
10,000	ADVANCED LOGIC RESH INC	AALR	(C)	03/04/92	7.87	78,735	4.87	48,750	(29,985)		
12,500	ADVANCED LOGIC RESH INC			03/06/92	7.72	96,562	4.87	60,937	(35,625)		
37,500	ADVANCED LOGIC RESH INC			03/09/92	7.85	294,408	4.87	182,812	(111,596)		
5,000	ADVANCED LOGIC RESH INC			03/09/92	7.72	38,629	4.87	24,375	(14,254)		
65,000	Security Sub-Total					508,334		316,874	(191,460)		
	Total Equities					508,334		316,874	(191,460)		
	Total of Long Portfolio					508,334		316,874	(191,460)		

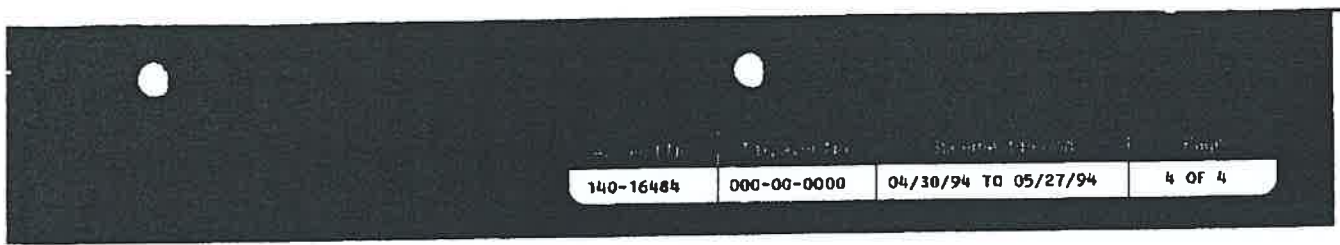
Harmed v. United & Yusuf - Def's Production 0002737

035-1513

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PLAZA EXTRA ST. CROIX

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140-16484 000-00-0000 04/30/94 TO 05/27/94 4 OF 4

** Duplicate copy 1 **

MR. FATNI YUSUF

Daily Activity Review

Date	Transaction	Quantity	Description	Price	Amount	Cash Balance	Share Balance
04/29	Opening Balance					121,436.37	
05/09	Margin Interest		* INT CHGE OF \$227.69* FOR 10 DR DAYS AT 6.750 ON AVG DR BAL \$121436 BAL TO 5 9 \$121436			121,436.37	
05/27	Margin Interest		* INT CHGE OF \$425.03* FOR 18 DR DAYS AT 7.000 ON AVG DR BAL \$121436 BAL TO 5 27 \$121436				
05/27	Margin Interest		TOTAL INTEREST CHARGE		652.72		
05/27	Closing Balance				122,089.09	122,089.09	

Hamed v. United & Yusuf - Def's Production 0002738

035-1514

END OF STATEMENT

MAY 1994

Merrill Lynch - CMA
Acct. #140-16484
Mr. Fathi Yusuf/Mohamad Hamdan

21-Dec-94
12:01 PM

April 1994

Priced Portfolio @ 09/25/94	351,223.42
Funds Received	0.00
To Plaza Extra: St. Thomas Ck. #	0.00
To Plaza Extra: St. Croix Ck. #	(25,000.00)
Interest Charged	(686.34)
Increase (Decreased) Value of Sec.	(113,749.08)
Dividend/Interest Income	0.00
NRA Tax	(100.00)
Priced Portfolio @ 04/29/94	<u>211,688.00</u>



Priority Client Cash Management Account

" Duplicate copy 1 "



MR. FATHI YUSUF
PO BOX 763
CHRISTIANSTED,
ST CROIX VI 00821

Your Financial Consultant:
BRIAN J LINCOLN
FC# 5013
(809) 773-2607

Your Merrill Lynch Office:
PO BOX 4109
ST CROIX US VI 00820

Monthly Portfolio Summary

Asset	03/25/94 Value	%	04/29/94 Value	%
Cash/Money Funds				
CD's/Equivalents				
Government Securities				
Corporate Bonds				
Municipal Bonds				
Equities	446,874	100	333,124	100
Mutual Funds				
Options				
Other				
Long Market Value	446,874		333,124	
Short Market Value				
Estimated Accrued Interest				
Debit Balance	(95,650)		(121,436)	
Net Portfolio Value	351,224		211,688	

Income Summary

	This Statement	Year-to-Date
Money Fund Dividends		27.32
Tax-Exempt CMA Funds		
Tax-Exempt Interest		
Reportable Interest		
Reportable Dividends		
Income Not Reported		
Total		27.32

Items for Attention

Security	Message	Date
No Items For Attention		
Purchasing Power	16,688	Investor Credit Line 16,688

News

This feature of the new Priority Client statement provides timely notice of events in the economic, financial or tax environment for review with your Financial Consultant in light of your personal planning. Please see the initial issue of "First Priority" for special, informative interviews with two of Merrill Lynch's leading investment strategists. Important information about your account service may also appear here.

Financial Market Indicators

	This Statement	Last Statement	Previous Year-End
Dow Jones Industrial Average	3681.69	3635.96	3754.09
Three-Month Treasury Bills	3.95%	3.57%	3.09%
Long-Term Treasury Bonds	7.31%	7.10%	6.35%

APRIL 1994

Hamed v. United & Yusuf - Def's Production 035-1516 0002740

TOTAL P.01

DEC-14-1994 10:51 PLAZA EXTRA ST. CROIX 8097781200 P.01

Account No: 140-16484 Portfolio No: 000-00-0000 Statement Period: 03/26/94 TO 04/29/94 Page: 2 OF 4

DEC-14-1994 10:53

MR. FATMI YUSUF

** Duplicate copy 1 **

Cash Flow Summary						
Activity Summary			Credits		Debits	
	This Statement	Year-to-Date	This Statement	Year-to-Date	This Statement	Year-to-Date
Opening Balance Cash & Money Funds	95,650.03DR		Sales		Purchases	
Net Credits & Debits	25,786.34DR	125,838.92DR	Income	27.32	Withdrawals	
Closing Balance Cash & Money Funds	121,436.37DR		Funds Received		CMA Checks	25,000.00
			Other		Interest Charged	686.34
			Total Credits	27.32	Other	100.00
					Total Debits	25,786.34
						125,866.24

PLAZA EXTRA ST. CROIX

Equity Weighting by Economic Sector					
A - Basic Industries	0%	D - Consumer Cyclicals	0%	G - Credit Sensitive	0%
B - Capital Goods	0%	E - Consumer Growth	0%	H - Utilities	0%
C - Technology	100%	F - Energy	0%	I - Other	0%

Hamed v. United & Yusuf - Der's Production 035-1517 0002741

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DEC-14-1994 11:47

PLAZA EXTRA ST. CROIX

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140-16484 000-00-0000 03/26/94 TO 04/29/94 1 OF 4

Priority Client Cash Management Account

** Duplicate copy 1 **



MR. FATMI YUSUF
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Your Merrill Lynch Office:
PO BOX 4108
ST CROIX US VI 00820

Monthly Portfolio Summary

Asset	03/25/94 Value	%	04/29/94 Value	%
Cash/Money Funds				
CD's/Equivalents				
Government Securities				
Corporate Bonds				
Municipal Bonds				
Equities	446,874	100	333,124	100
Mutual Funds				
Options				
Other				
Long Market Value	446,874		333,124	
Short Market Value				
Estimated Accrued Interest				
Debit Balance	(95,650)		(121,436)	
Net Portfolio Value	351,224		211,688	

Income Summary

	This Statement	Year-to-Date
Money Fund Dividends		27.32
Tax-Exempt CMA Funds		
Tax-Exempt Interest		
Reportable Interest		
Reportable Dividends		
Income Not Reported		
Total		27.32

Items for Attention

Security	Message	Date
No Items For Attention		
Purchasing Power	16,688	Investor Credit Line 16,688

News

This feature of the new Priority Client statement provides timely notice of events in the economic, financial or tax environment for review with your Financial Consultant in light of your personal planning. Please see the initial issue of "First Priority" for special, informative interviews with two of Merrill Lynch's leading investment strategists. Important information about your account service may also appear here.

Financial Market Indicators

	This Statement	Last Statement	Previous Year-End
Dow Jones Industrial Average	3681.69	3635.96	3754.09
Three-Month Treasury Bills	3.95%	3.57%	3.09%
Long-Term Treasury Bonds	7.31%	7.10%	6.35%

APRIL 1994

Hamed v. United & Yusuf - Def's Production
0002742

035-1518

DEC-14-1994 11:48

PLR2R EXTRA ST. CRDIX

8097781200 P.05

MR. FATHI YUSUF ** Duplicate copy 1 **

Cash Flow Summary

Activity Summary		Credits		Debits	
This Statement	Year-to-Date	This Statement	Year-to-Date	This Statement	Year-to-Date
Opening Balance Cash & Money Funds	95,650.03DR	Sales		Purchases	
Net Credits & Debits	25,786.34DR	Income	27.32	Withdrawals	
Closing Balance Cash & Money Funds	121,436.37DR	Funds Received		CMA Checks	25,000.00
		Other		Interest Charged	686.34
		Total Credits	27.32	Other	100.00
				Total Debits	25,786.34
					125,866.1
					758.1
					108.1
					125,866.1

Equity Weighting by Economic Sector

A - Basic Industries	0%	D - Consumer Cyclicals	0%	G - Credit Sensitive	0%
B - Capital Goods	0%	E - Consumer Growth	0%	H - Utilities	0%
C - Technology	100%	F - Energy	0%	I - Other	0%

Hamed v. United & Yusuf - Def's Production 0002743

035-1519

Merrill Lynch - CMA
Acct. #140-16484
Mr. Fathi Yusuf/Mohamad Hamdan

21-Dec-94
12:02 PM

March 1994

Balance @ 02/25/94	272,539.08
Funds Received	0.00
To Plaza Extra: St. Thomas Ck. #0159	(100,000.00)
To Plaza Extra: St. Croix	0.00
Interest Charged	(71.68)
Increase (Decreased) Value of Sec.	178,750.00
Dividend/Interest Income	8.63
NRA Tax	(2.61)
Priced Portfolio @ 03/25/94	<u>351,223.42</u>



Please review your financial statements immediately. If any discrepancies in your account statements or the change in your investment positions or your address, please notify your financial consultant immediately. Please also review your account number and send all correspondence to the office serving your account. We urge you to keep this statement with your investment records.

*** H 23 ***

Merrill Lynch Pierce Fenner & Smith Inc.
Member Securities Investor Protection Corporation (SIPC)

Account Statement

KEY LIGHT CASH MANAGEMENT ACCOUNT
MOHAMMAD HAMDAN
P.O. BOX 826030
ARAB JORDAN

PO BOX 4109
ST CROIX US VI 00820

YOUR FINANCIAL CONSULTANT 6013
BRIAN J. LINCOLN
(809) 273-2607

Account No.	Taxpayer No.	Statement Period	Page
140-16484	000-00-0000	02/25/94 TO 03/25/94	1 OF 5

MONTHLY ACTIVITY SUMMARY		
	THIS MONTH	YEAR-TO-DATE
OPENING BALANCE CASH AND MONEY FUNDS	4,415.63	
CREDITS		
SALES	6.63	27.32
INCOME FUNDS RECEIVED		
OTHER		
TOTAL CREDITS	6.63	27.32
DEBITS		
PURCHASES WITH DRAGGERS	100,000.00	100,000.00
OTHER TRANSACTIONS		
INTEREST CHARGED	71.68	71.68
OTHER	2.61	8.22
TOTAL DEBITS	100,074.29	100,079.90
NET CREDITS AND DEBITS	100,065.66DA	100,052.58DA
CLOSING BALANCE CASH AND MONEY FUNDS	95,650.03DA	
PURCHASING POWER	149,662.00	

PORTFOLIO SUMMARY		
ASSET	02/25/94 VALUE \$	03/25/94 VALUE \$
CASH/MONEY FUNDS	4,415.63	
CO'S/EQUIVALENTS		
GOVERNMENT SECURITIES		
CORPORATE BONDS		
MUNICIPAL BONDS	268,124.90	146,874.10D
EQUITIES		
MUTUAL FUNDS		
OPTIONS		
OTHER		
LONG MARKET VALUE	272,539	146,874
SHORT MARKET VALUE		
ACCUMULATED INTEREST		(95,650)
DEBIT BALANCE		
NET PORTFOLIO VALUE	272,539	351,224
BORROWING POWER	73,125	149,662

INCOME SUMMARY		
	THIS MONTH	YEAR-TO-DATE
MONEY FUND DIVIDENDS	8.63	27.32
TAX-EXEMPT INTEREST		
REPORTABLE INTEREST		
REPORTABLE DIVIDENDS		
INCOME NOT REPORTED		
TOTAL	8.63	27.32

ITEMS FOR ATTENTION

SECURITY	MESSAGE	DATE
	IN PREPARING YOUR STATEMENT FOR THIS MONTH NO ITEMS FOR ATTENTION WERE ENCOUNTERED.	

THE KEY FEATURES IMPORTANT TAX-SAVING STRATEGIES AND ANNOUNCES A SIGNIFICANT ENHANCEMENT TO YOUR MERRILL LYNCH SERVICES - THE INTRODUCTION OF THE NEW PRIORITY CLIENT STATEMENT.

MARCH 1994

Please review your financial statements immediately. If any discrepancies in your account statements or the change in your investment positions or your address, please notify your financial consultant immediately. Please also review your account number and send all correspondence to the office serving your account. We urge you to keep this statement with your investment records.

*** I 23 ***

Hamed v. United & Yusuf - Def's Production 035-1521
 0002745
 CURRENT YIELD %
 2.06
 2.33
 2.33
 0.70
 0.70
 5.07

12/20/94 10:44
 0809 773 8188
 MERRILL LYNCH

0002

TO YOUR MERRILL LYNCH SERVICES - THE INTRODUCTION OF THE NEW PRIORITY CLIENT STATEMENT.

MARCH 1994

Please advise your Financial Consultant immediately of any discrepancies in your account statement, or any change in your investment objectives or your strategy. When acting as a broker, please give your account number and send all correspondence to the office serving your account. We will pay to you this statement with your investment proceeds.

*** I 23 ***

Merrill Lynch Pierce Fenner & Smith Inc.
 Member Securities Investor Protection Corporation (SIPC)

Account Statement

Account No.	Taxpayer No.	Statement Period	Page
140-16484	000-00-0000	02/26/94 TO 03/25/94	2 OF 5

KEY CLIENT CASH MANAGEMENT ACCOUNT
 MOHARRAD HARBAH

CURRENT PORTFOLIO

QUANTITY	SECURITY DESCRIPTION	DATE ACQUIRED	UNIT COST BASIS	TOTAL COST BASIS	ESTIMATED MARKET PRICE	ESTIMATED MARKET VALUE	ESTIMATED UNREALIZED GAIN OR (LOSS)	ESTIMATED ACCRUED INTEREST	ESTIMATED ANNUAL INCOME	CURRENT YIELD %
EQUITIES										
WEIGHTING BY ECONOMIC SECTION										
	A - BASIC INDUSTRIES	0%	B - CONSUMER CYCLICALS	0%	G - CREDIT SENSITIVE	0%				
	B - CAPITAL GOODS	0%	E - CONSUMER GROWTH	0%	H - UTILITIES	0%				
	C - TECHNOLOGY	100%	F - ENERGY	0%	I - OTHER	0%				
10000	ADVANCED LOGIC RESH INC (C)	03/04/92	2.07	78735	6.87	68750	(9985)			
12500	ADVANCED LOGIC RESH INC	03/06/92	7.76	96562	6.87	85837	(10625)			
37500	ADVANCED LOGIC RESH INC	03/09/92	7.85	294108	6.87	257812	(36296)			
5000	ADVANCED LOGIC RESH INC	03/09/92	3.32	38629	6.87	34375	(4254)			
	SYMBOL: NALB									
65000	SECURITY SUB-TOTAL			508334		446874	(61460)			
	TOTAL			508334		446874	(61460)			
	TOTAL OF LONG PORTFOLIO			508334		446874	(61460)			

MARCH 1994

Please advise your Financial Consultant immediately of any discrepancies in your account statement, or any change in your investment objectives or your strategy. When acting as a broker, please give your account number and send all correspondence to the office serving your account. We will pay to you this statement with your investment proceeds.

*** J 23 ***

Hamed v. United & Yusuf - Def's Production 035-1522
 0002746

12/20/94 10:45 808 773 8188 MERRILL/LYNCH 003

MARCH 1994

Please review your financial institution immediately for discrepancies in your account statement, or any change in your investment objectives or your address. If you have any questions, please give your account number and send all correspondence to the office serving your account. We urge you to keep this statement with your investment records.

*** J 23 ***



Merrill Lynch Pierce Fenner & Smith Inc.
Member, Securities Investor Protection Corporation (SIPC)

Account Statement

Account No.	Taxpayer No.	Statement Period	Page
140-16484	000-00-0000	02/25/94 TO 03/25/94	3 OF 5

KEY CLIENT CASH MANAGEMENT ACCOUNT
MOHAMAD HARDAN

MONTHLY ACTIVITY						
DATE	TRANSACTION	QUANTITY	DESCRIPTION	PRICE	DEBIT	CREDIT
----- DIVIDENDS AND INTEREST -----						
03/22	CASH DIVIDEND		CMA MONEY FUND DIVIDEND \$6.02 FOR 25 DAYS FROM 02-25 THRU 03-21			6.63
			NET TOTAL			6.63
----- OTHER ACTIVITY -----						
03/22	MFA TAX		MONEY FUND TAX THRU03-21		2.61	
			NET TOTAL		2.61	

MARCH 1994

Please review your financial institution immediately for discrepancies in your account statement, or any change in your investment objectives or your address. If you have any questions, please give your account number and send all correspondence to the office serving your account. We urge you to keep this statement with your investment records.

*** K 23 ***

12/20/94 10:48 8609 773 8186

MERRILL LYNCH

004

Hamed v. United & Yusuf - Def's Production
0002747
035-1523

MARCH 1994

Please advise your Financial Consultant immediately of any discrepancies in your account statement, or any change in your investment objectives or your address. When making inquiries, please give your account number and state all correspondence to the office serving your account. We urge you to keep this statement with your important records.

*** K 23 ***



Merrill Lynch Pierce Fenner & Smith Inc.
Member, Securities Investor Protection Corporation (SIPC)

Account Statement

Account No.	Taxpayer No.	Statement Period	Page
140-16404	000-00-0000	02/26/94 TO 03/25/94	4 OF 5

KEY CLIENT CASH MANAGEMENT ACCOUNT
MOMARAD HANBAH

SUMMARY OF CHECKING ACTIVITY

DATE CLEARED	CHECK NUMBER	PAYEE	DATE WRITTEN	AMOUNT
03/21	0159	PLAZA EXTRA ST THOMAS	03/16	100000.00
TOTAL CHECKING ACTIVITY				100000.00

MARCH 1994

Please advise your Financial Consultant immediately of any discrepancies in your account statement, or any change in your investment objectives or your address. When making inquiries, please give your account number and state all correspondence to the office serving your account. We urge you to keep this statement with your important records.

*** L 23 ***

12/20/94 10:47 8809 773 8188

MERRILL LYNCH

005

Hamed v. United & Yusuf - Def's Production 035-1524 0002748

12/20/94 10:48 8809 773 8166

MERRILL LYNCH

0006

MARCH 1994

Please review your financial commitments immediately and any discrepancies in your account statement, or any change in your investment objectives or your address, when you receive this statement. Please give your account number and send all correspondence to the office serving your account. We will send you this statement with your investment records.

*** L 23 ***



Merrill Lynch Pierce Fenner & Smith Inc.
Member Securities Investor Protection Corporation (SIPC)

Account Statement

Account No.	Taxpayer No.	Statement PerIOD	Page
140-15484	000-00-0000	02/25/94 TO 03/25/94	5 OF 5

KEY CLIENT CASH MANAGEMENT ACCOUNT
MOHAMMAD MANDAL

DAILY ACTIVITY REVIEW

DATE	TRANSACTION	QUANTITY	DESCRIPTION	PRICE	AMOUNT	CASH BALANCE	SHARE BALANCE
02/25	OPENING BALANCE					.63CR	4,415
03/21	CHECK		PLAZA EXTRA ST THOMAS		100000.00		
03/21	SOLD	-4415	CMA MONEY FUND		4115.00CR	95504.37	
03/22	CASH DIVIDEND		CMA MONEY FUND DIVIDEND		18.63CR		
			\$6.00 FOR 25 DAYS				
			FROM 02/25 THRU 03/21				
03/22	MAR INK		MONEY FUND TAX THRU03-21		2.51	95570.35	
03/25	MARGIN INTEREST		INTEREST CHARGE		171.60		
			FOR 4 DR DAYS AT 6.750				
			ON AVG DR BAL \$95580				
			BAL TO 3 25 \$95570				
03/25	CLOSING BALANCE				95650.03	95650.03	

END OF STATEMENT 000

MARCH 1994

Please review your financial commitments immediately and any discrepancies in your account statement, or any change in your investment objectives or your address, when you receive this statement. Please give your account number and send all correspondence to the office serving your account. We will send you this statement with your investment records.

*** M 23 ***

Hamed v. United & Yusuf - Ders Production

0002749

035-1525

Exhibit B



James L. Ross
Senior Vice-President - Wealth Management
Senior Resident Director
Global Wealth Management
6143 PALM PSQE STE 3
ST. THOMAS, VI 00802-6413
Ph. (340) 715-5401
Fax (866) 210-7166
Email: james_ross@mll.com

September 21, 2016

FATHI YUSUF
UNITED CORPORATION
PO BOX 763
CHRISTIANSTED, VI 00821-0763

Dear Fathi,

Confirming our telephone conversation of earlier today, account number 140-16484 was established on 4/1/91 in the name of:

Mohamed Hamdan
PO Box 926838
Garden Street, Aman
JORDAN

Sincerely,

James L. Ross
Senior Vice-President - Wealth Management
Senior Resident Director

JR/cb

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Are Not FDIC Insured	Are Not Bank Guaranteed	May Lose Value
Are Not Deposits	Are Not Insured by Any Federal Government Agency	Are Not a Condition to Any Banking Service or Activity

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FACSIMILE COVER SHEET

TO: Fathi Yusuf
PHONE:
FAX: 13407781200

FROM: Merrill Lynch
SENDER: CLEONE,BROWNE
DATE: Wed Sep 21 16:04:46 EDT 2016
PHONE: 340-715-5406
FAX: 18662197165

No. of Page(s) (including this page): 3

Subject: F.Yusuf re M.Hamdan

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Important: You must inform the bank of the specific fax number(s) to which the fax opt-out request will apply. As required by Federal law we will honor your opt-out request within 30 days. Bank of America Corporation. All rights reserved.

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Exhibit B-1

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

MOHAMMAD HAMED, by his)	
authorized agent, WALEED HAMED,)	
)	
Plaintiffs,)	
)	
v.	)	CIVIL NO. SX-12-CV-370
)	
FATHI YUSUF and UNITED CORPORATION,)	
)	
Defendants.)	
<hr/>		

DEFENDANTS' INITIAL RULE 26 DISCLOSURES

Defendants FATHI YUSUF and UNITED CORPORATION, through undersigned counsel, pursuant to Fed. R. Civ. P. 26(a)(1)(A), provides the following:

- (i) Defendants' witnesses:
- 1. Plaintiff;
- 2. Plaintiff's agents;
- 3. Wally Hamed;
- 4. Willy Hamed;
- 5. Mafi Hamed;
- 6. Shawn Hamed;
- 7. Plaintiff's accountant/tax return preparer;
- 8. Fathi Yusuf;
- 9. Mike Yusuf;
- 10. Nejeh Yusuf;
- 11. Yusuf Yusuf;
- 12. Zeyad Yusuf;
- 13. Syaid Yusuf;

Hameds v. Yusuf, CIVIL NO. SX-12-CV-370
Defendants' Initial Rule 26 Disclosures

14. Pablo O'Neil;
15. John Gaffney;
16. Ayman al Khalid;
17. Wadda Charriez;
18. Kareema Dorsette;
19. Corporate representative for Tutu Park Limited;
20. Ron Soluri, CPA;
21. Howard Epstein, CPA;
22. Randy Andreozzi, Esq.;
23. Gordon Rhea, Esq.;
24. Pam Colon, Esq.;
25. Corporate Representative for Banco Popular;
26. Corporate Representative for 5H;
27. Corporate Representative for Marina Market;
28. All of the witnesses identified by the Plaintiff.

(ii) All exhibits attached to Complaint, Amended Complaint, attached to the various filings in this case (including before the District Court of the Virgin Islands), all exhibits admitted into evidence at the TRO/Preliminary Injunction hearing. Other exhibits obtained during the pendency of the Defendants' investigation of this case.

Additionally, please find the following: one (1) CD containing the discovery produced by the Government to the criminal defendants in the case of *United States, et al., v. United Corporation, et al.*, case no. 1:05-cr-15 (D.V.I.). Attached herewith is the coversheet from the Government (881 pages) detailing the file name, date, and description.

(iii) Computation of Damages: Professionals' fees and costs in this case. Additional damages based on counter-claims, if any. Possible punitive damages, if applicable based on counter-claims. Investigation continues.

(iv) N/A

Respectfully submitted,



Joseph A. DiRuzzo, III
USVI Bar # 1114

FUERST ITTLEMAN DAVID & JOSEPH, PL
1001 Brickell Bay Drive, 32nd Floor
Miami, Florida 33131
305.350.5690 (O)
305.371.8989 (F)

jdiruzzo@fuerstlaw.com

Co-counsel for Defendants Fathi Yusuf and United Corporation

Dated August 1, 2013

CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2013, a true and accurate copy of the foregoing was forwarded via email to the following: *Joel H. Holt, Esq.*, 2132 Company St., St. Croix, VI 00820, holtvi@aol.com; *Carl J. Hartmann III, Esq.*, 5000 Estate Coakley Bay, L-6, Christiansted, VI 00820, carl@carlhartmann.com.



Joseph A. DiRuzzo, III


U.S. v. Fathi Yusuf, et al. Discovery Items and Description

<i>Image Filename</i>	<i>Date</i>	<i>Description</i>
017-0001		File Folder
017-0002	2/28/1995	Accounting Records
017-0005	2/28/1995	Accounting Records
017-0008	2/28/1995	Accounting Records
017-0023	2/28/1995	Accounting Records
017-0044	12/13/1994	Accounting Records
017-0046	12/13/1994	Accounting Records
017-0048	12/13/1994	Accounting Records
017-0050	12/13/1994	Accounting Records
017-0052	12/13/1994	Accounting Records
017-0054	12/13/1994	Accounting Records
017-0056	2/7/1995	Accounting Records
017-0061	12/27/1994	Accounting Records
017-0072	12/13/1994	Bank Records
017-0075	12/28/1994	Accounting Records
017-0080	12/28/1994	Accounting Records
017-0095	2/7/1995	Accounting Records
017-0111	2/7/1995	Accounting Records
017-0115	2/7/1995	Accounting Records
017-0117	2/7/1995	Accounting Records
017-0119	11/15/1994	Bank Records
017-0123	12/1/1994	Bank Records
017-0125	7/22/1994	Bank Records
017-0128	2/7/1995	Accounting Records
017-0131		File Folder
017-0132	2/7/1995	Accounting Records
017-0135	2/7/1995	Accounting Records
017-0138	2/7/1995	Accounting Records

 **3 digit - 4 digit FBI Format**

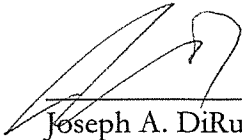
Thursday, September 25, 2003

Page 1 of 881



Respectfully submitted,

August 26, 2013



Joseph A. DiRuzzo, III
USVI Bar # 1114
FUERST ITTLEMAN DAVID & JOSEPH, PL
1001 Brickell Bay Drive, 32nd Floor
Miami, Florida 33131
305.350.5690 (O)
305.371.8989 (F)
jdiruzzo@fuerstlaw.com
Co-counsel for Defendants Fathi Yusuf and United Corporation

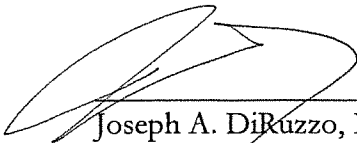
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was sent via FedEx on August 26, 2013. I hereby certify a true and accurate copy of the foregoing document was served via FedEx to the following:

Joel H. Holt, Esq., 2132 Company St., St. Croix, VI 00820, holtvi@aol.com

Carl J. Hartmann III, Esq., 5000 Estate Coakley Bay, L-6, Christiansted, VI 00820,
carl@carlhartmann.com

Respectfully submitted,



Joseph A. DiRuzzo, III
USVI Bar # 1114
FUERST ITTLEMAN DAVID & JOSEPH, PL
1001 Brickell Bay Drive, 32nd Floor
Miami, Florida 33131
305.350.5690 (O)
305.371.8989 (F)
jdiruzzo@fuerstlaw.com

Exhibit C

Exhibit D

Plaza Extra - St. Thomas
 Accrued Interest
 Mohamad Hamdan

14-Feb-96

05:13 PM

Date	Acct. #2620	Acct. #2630	Total	Accumulated Total	Interest Rate @10.0%	Interest Per Month	Accumulated Interest
Jan-94	1,010,802.00	1,083,719.00	2,094,521.00	2,094,521.00	0.833333%	17,454.34	17,454.34
Feb-94	1,000,802.00	1,083,719.00	2,084,521.00	2,101,975.34	0.833333%	17,516.46	34,970.80
Mar-94	1,000,802.00	1,083,719.00	2,084,521.00	2,119,491.80	0.833333%	17,662.43	52,633.23
Apr-94	1,000,802.00	1,083,719.00	2,084,521.00	2,137,154.23	0.833333%	17,809.62	70,442.85
May-94	1,000,802.00	1,083,719.00	2,084,521.00	2,154,963.85	0.833333%	17,958.03	88,400.89
Jun-94	1,000,802.00	1,055,505.00	2,056,307.00	2,172,921.89	0.833333%	18,107.68	106,508.57
Jul-94	1,000,802.00	997,505.00	1,998,307.00	2,191,029.57	0.833333%	18,258.58	124,767.15
Aug-94	1,000,802.00	997,505.00	1,998,307.00	2,209,288.15	0.833333%	18,410.73	143,177.88
Sep-94	1,000,802.00	997,505.00	1,998,307.00	2,227,698.88	0.833333%	18,564.16	161,742.04
Oct-94	1,000,802.00	997,505.00	1,998,307.00	2,246,263.04	0.833333%	18,718.86	180,460.90
Nov-94	1,000,802.00	997,505.00	1,998,307.00	2,264,981.90	0.833333%	18,874.85	199,335.75
Dec-94	1,000,802.00	997,505.00	1,998,307.00	2,283,856.75	0.833333%	19,032.14	218,367.89

Accrued Interest @12/31/94:

\$218,367.89

Plaza Extra - St. Thomas
 Accrued Interest
 Mohamad Hamdan

Date	Acct. #2620	Acct. #2630	Total	Accumulated Total	Interest Rate @10.0%	Interest Per Month	Accumulated Interest
Jan-95	1,000,802.00	997,505.00	1,998,307.00	2,283,856.75	0.833333%	19,032.14	237,558.63
Feb-95	1,000,802.00	997,505.00	1,998,307.00	2,322,079.63	0.833333%	19,190.74	256,909.29
Mar-95	1,000,802.00	997,505.00	1,998,307.00	2,341,430.29	0.833333%	19,350.66	276,421.21
Security Transfer				Bal @ 03/31/95		19,511.92	0.00
Apr-95	1,503,693.71	0.00	1,503,693.71	1,503,693.71	0.833333%	12,530.78	12,530.78
May-95	1,503,693.71	0.00	1,503,693.71	1,516,224.49	0.833333%	12,739.63	25,270.41
Jun-95	1,503,693.71	0.00	1,503,693.71	1,528,755.27	0.833333%	12,845.79	38,116.20
Jul-95	1,503,693.71	0.00	1,503,693.71	1,541,494.90	0.833333%	12,952.84	51,069.04
Aug-95	1,503,693.71	0.00	1,503,693.71	1,554,340.69	0.833333%	13,060.78	64,129.82
Sep-95	1,503,693.71	0.00	1,503,693.71	1,567,293.53	0.833333%	13,169.62	77,299.44
Oct-95	1,503,693.71	0.00	1,503,693.71	1,580,354.31	0.833333%	13,279.37	90,578.80
Nov-95	1,503,693.71	0.00	1,503,693.71	1,593,523.93	0.833333%	13,390.03	103,968.83
Dec-95	1,503,693.71	0.00	1,503,693.71	1,620,193.32	0.833333%	13,501.61	117,470.44

Accrued Interest @12/31/95:

\$117,470.44

Total Accrued Interest:

\$117,470.44

Plaza Extra -- St. Croix
 Accrued Interest
 Mohamed Hamdan

Date	Acct. #2620	Accumulated Total	Interest Rate @10.0%	Interest Per Month	Accumulated Interest
Jan-94	0.00	0.00	0.833333%	0.00	
Feb-94	0.00	0.00	0.833333%	0.00	
Mar-94	0.00	0.00	0.833333%	0.00	
Apr-94	50,000.00	50,000.00	0.833333%	416.67	416.67
May-94	50,000.00	50,416.67	0.833333%	420.14	836.81
Jun-94	50,000.00	50,836.81	0.833333%	423.64	1,260.45
Jul-94	50,000.00	51,260.45	0.833333%	427.17	1,687.62
Aug-94	50,000.00	51,687.62	0.833333%	430.73	2,118.35
Sep-94	50,000.00	52,118.35	0.833333%	434.32	2,552.67
Oct-94	50,000.00	52,552.67	0.833333%	437.94	2,990.60
Nov-94	50,000.00	52,990.60	0.833333%	441.59	3,432.19
Dec-94	50,000.00	53,432.19	0.833333%	445.27	3,877.46

Accrued Interest @12/31/94: **\$3,877.46**

Plaza Extra -- St. Croix
 Accrued Interest
 Mohamed Hamdan

Date	Acct. #2620	Accumulated Total	Interest Rate @10.0%	Interest Per Month	Accumulated Interest
Jan-95	50,000.00	53,432.19		445.27	
Feb-95	50,000.00	53,877.46	0.833333%	448.98	4,326.44
Mar-95	50,000.00	54,326.44	0.833333%	452.72	4,779.16
Apr-95	0.00	54,779.16	0.833333%	456.49	5,235.65
May-95	0.00	0.00	0.833333%	0.00	0.00
Jun-95	0.00	0.00	0.833333%	0.00	0.00
Jul-95	0.00	0.00	0.833333%	0.00	0.00
Aug-95	0.00	0.00	0.833333%	0.00	0.00
Sep-95	0.00	0.00	0.833333%	0.00	0.00
Oct-95	0.00	0.00	0.833333%	0.00	0.00
Nov-95	0.00	0.00	0.833333%	0.00	0.00
Dec-95	0.00	0.00	0.833333%	0.00	0.00

Accrued Interest @12/31/95: **\$1,358.18**

Total Accrued Interest: **\$5,235.65**

Exhibit E

Plaza Extra - St. Thomas
 Accrued Interest
 Mohamad Hamdan

20-Mar-97

02:12 PM

Date	Acct. #2620	Acct. #2630	Total	Accumulated Total	Interest Rate @10.0%	Interest Per Month	Accumulated Interest
Jan-94	1,010,802.00	1,083,719.00	2,094,521.00	2,094,521.00	0.83333333%	17,454.34	17,454.34
Feb-94	1,000,802.00	1,083,719.00	2,084,521.00	2,101,975.34	0.83333333%	17,516.46	34,970.80
Mar-94	1,000,802.00	1,083,719.00	2,084,521.00	2,119,491.80	0.83333333%	17,662.43	52,633.23
Apr-94	1,000,802.00	1,083,719.00	2,084,521.00	2,137,154.23	0.83333333%	17,809.62	70,442.85
May-94	1,000,802.00	1,083,719.00	2,084,521.00	2,154,963.85	0.83333333%	17,958.03	88,400.89
Jun-94	1,000,802.00	1,055,505.00	2,056,307.00	2,172,921.89	0.83333333%	18,107.68	106,508.57
Jul-94	1,000,802.00	997,505.00	1,998,307.00	2,191,029.57	0.83333333%	18,258.58	124,767.15
Aug-94	1,000,802.00	997,505.00	1,998,307.00	2,209,288.15	0.83333333%	18,410.73	143,177.88
Sep-94	1,000,802.00	997,505.00	1,998,307.00	2,227,698.88	0.83333333%	18,564.16	161,742.04
Oct-94	1,000,802.00	997,505.00	1,998,307.00	2,246,263.04	0.83333333%	18,718.86	180,460.90
Nov-94	1,000,802.00	997,505.00	1,998,307.00	2,264,981.90	0.83333333%	18,874.85	199,335.75
Dec-94	1,000,802.00	997,505.00	1,998,307.00	2,283,856.75	0.83333333%	19,032.14	218,367.89

Accrued Interest @12/31/94:

\$218,367.89

Plaza Extra - St. Thomas
 Accrued Interest
 Mohamad Hamdan

Date	Acct. #2620	Acct. #2630	Total	Accumulated Total	Interest Rate @10.0%	Interest Per Month	Accumulated Interest
Jan-95	1,000,802.00	997,505.00	1,998,307.00	2,283,856.75		19,032.14	
Feb-95	1,000,802.00	997,505.00	1,998,307.00	2,302,888.89	0.83333333%	19,190.74	237,558.63
Mar-95	1,000,802.00	997,505.00	1,998,307.00	2,322,079.63	0.83333333%	19,350.66	256,909.29
Security Transfer			Bal @ 03/31/95	2,341,430.29	0.83333333%	19,511.92	276,421.21
Apr-95	1,503,693.71	0.00	1,503,693.71	1,503,693.71			0.00
May-95	1,503,693.71	0.00	1,503,693.71	1,516,224.49	0.83333333%	12,530.78	12,530.78
Jun-95	1,503,693.71	0.00	1,503,693.71	1,528,755.27	0.83333333%	12,739.63	25,270.41
Jul-95	1,503,693.71	0.00	1,503,693.71	1,541,494.90	0.83333333%	12,845.79	38,116.20
Aug-95	1,503,693.71	0.00	1,503,693.71	1,554,340.69	0.83333333%	12,952.84	51,069.04
Sep-95	1,503,693.71	0.00	1,503,693.71	1,567,293.53	0.83333333%	13,060.78	64,129.82
Oct-95	1,503,693.71	0.00	1,503,693.71	1,580,354.31	0.83333333%	13,169.62	77,299.44
Nov-95	1,503,693.71	0.00	1,503,693.71	1,593,523.93	0.83333333%	13,279.37	90,578.80
Dec-95	1,503,693.71	0.00	1,503,693.71	1,606,803.29	0.83333333%	13,390.03	103,968.83
				1,620,193.32	0.83333333%	13,501.61	117,470.44

Accrued Interest @12/31/95:

\$117,470.44

Total Accrued Interest:

\$117,470.44

Exhibit F

Plaza Extra – St. Thomas
 Post Hurricane Marilyn Loan to Rebuild Inventory
 Note Payable – Yacoub Saleh

	Date of Loan 02–Oct–95	Date of Loan 10–Oct–95	Date of Loan 11–Oct–95	Date of Loan 17–Oct–95
Loan	\$100,000.00	\$200,000.00	\$150,000.00	\$200,000.00
Interest Rate	12.00%	12.00%	12.00%	12.00%
Interest per year	\$12,000.00	\$24,000.00	\$18,000.00	\$24,000.00
Days per year	360.00	360.00	360.00	360.00
Interest per Day	\$33.33	\$66.67	\$50.00	\$66.67
Day of Interest	29	21	20	14
October 1995 Interest	\$966.67	\$1,400.00	\$1,000.00	\$933.33
Total Interest Expense October 1995				\$4,300.00

	Balance	Interest per Month	Interest	Balance
Oct–95	690,000.00		4,300.00	694,300.00
Nov–95	694,300.00	1.00%	6,943.00	701,243.00
Dec–95	701,243.00	1.00%	7,012.43	708,255.43
Total 1995 Interest:			18,255.43	

072-2661

A.H. Mr. YUSUF

DEPOSIT TICKET
 UNITED CORPORATION D/B/A
 PLAZA EXTRA
 PO BOX 503358
 ST THOMAS, V I 00805

DATE 10/17 1995

DEPOSITS MAY NOT BE AVAILABLE FOR WITHDRAWAL UNTIL NEXT BUSINESS DAY
 ENDORSE & LIST CHECKS SEPARATELY OR ATTACH LIST

	DOLLARS	CENTS
CURRENCY	200,000	00
COIN	—	—
TOTAL CASH	200,000	00
CHECKS		
1		
2		
3		
4		
5		
6		
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8		
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50		

TOTAL FROM ATTACHED LIST 200,000.00

PLEASE RETURN TO THE HOME OFFICE

CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE AND ANY APPLICABLE COLLECTION AGREEMENT.

Scotiabank
 THE BANK OF NOVA SCOTIA
 1100 PARK HALL BRANCH
 ST. THOMAS, U.S. VIRGIN ISLANDS

⑆021606056⑆ 629⑈003120⑈0⑈

TOTAL ITEMS \$ 200,000.00

30585 002
 OCT 17 1995
 THE BANK OF NOVA SCOTIA
 ST. THOMAS, U.S. VIRGIN ISLANDS



Note Payable -- Yacoub Saleh
 Loan to Repair Plaza Extra
 After Hurricane Marilyn
 12.00% Interest per Year

Date	02-Oct-95	Nov-95	Dec-95	Jan-96	Feb-96	Mar-96	Apr-96	10-May-96
Principal	140,000.00	141,354.84	142,768.39	144,196.07	145,638.03	147,094.41	148,565.36	150,051.01
Interest rate per month	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%
Interest	1,400.00	1,413.55	1,427.66	1,441.96	1,456.38	1,470.94	1,485.65	1,500.51
Days per month	31	30	31	31	29	31	30	31
Interest per Day	45.16	47.12	46.05	46.51	50.22	47.45	49.52	48.40
Days of Interest	30	30	31	31	29	31	30	10
Total Interest	1,354.84	1,413.55	1,427.68	1,441.96	1,456.38	1,470.94	1,485.65	484.04
Total Principal & Interest	141,354.84	142,768.39	144,196.07	145,638.03	147,094.41	148,565.36	150,051.01	\$150,535.05

Date	10-Oct-95	Nov-95	Dec-95	Jan-96	Feb-96	Mar-96	Apr-96	10-May-96
Principal	200,000.00	201,419.35	203,433.55	205,467.88	207,522.56	209,597.79	211,693.77	213,810.70
Interest rate per month	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%
Interest	2,000.00	2,014.19	2,034.34	2,054.68	2,075.23	2,095.98	2,116.94	2,138.11
Days per month	31	30	31	31	29	31	30	31
Interest per Day	64.52	67.14	65.62	66.28	71.56	67.61	70.56	68.97
Days of Interest	22	30	31	31	29	31	30	10
Total Interest	1,419.35	2,014.19	2,034.34	2,054.68	2,075.23	2,095.98	2,116.94	689.71
Total Principal & Interest	201,419.35	203,433.55	205,467.88	207,522.56	209,597.79	211,693.77	213,810.70	\$214,500.42

Note Payable - Yacoub Saleh
 Loan to Repair Plaza Extra
 After Hurricane Marilyn
 12.00% Interest per Year

Date	11-Oct-95	Nov-95	Dec-95	Jan-96	Feb-96	Mar-96	Apr-96	10-May-96
Principal	150,000.00	151,016.13	152,526.29	154,051.55	155,592.07	157,147.99	158,719.47	160,306.66
Interest rate per month	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%
Interest	1,500.00	1,510.16	1,525.26	1,540.52	1,555.92	1,571.48	1,587.19	1,603.07
Days per month	31	30	31	31	29	31	30	31
Interest per Day	48.39	50.34	49.20	49.69	53.65	50.69	52.91	51.71
Days of Interest	21	30	31	31	29	31	30	10
Total Interest	1,016.13	1,510.16	1,525.26	1,540.52	1,555.92	1,571.48	1,587.19	517.12
Total Principal & Interest	151,016.13	152,526.29	154,051.55	155,592.07	157,147.99	158,719.47	160,306.66	\$160,823.78

Date	17-Oct-95	Nov-95	Dec-95	Jan-96	Feb-96	Mar-96	Apr-96	10-May-96
Principal	200,000.00	200,967.74	202,977.42	205,007.19	207,057.27	209,127.84	211,219.12	213,331.31
Interest rate per month	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%
Interest	2,000.00	2,009.68	2,029.77	2,050.07	2,070.57	2,091.28	2,112.19	2,133.31
Days per month	31	30	31	31	29	31	30	31
Interest per Day	64.52	66.99	65.48	66.13	71.40	67.46	70.41	68.82
Days of Interest	15	30	31	31	29	31	30	10
Total Interest	967.74	2,009.68	2,029.77	2,050.07	2,070.57	2,091.28	2,112.19	688.17
Total Principal & Interest	200,967.74	202,977.42	205,007.19	207,057.27	209,127.84	211,219.12	213,331.31	\$214,019.47

Total Principal & Interest:
 As Of 10 May 1996

\$739,876.72

UNITED CORPORATION
D/B/A PLAZA EXTRA
PO BOX 503358
ST THOMAS, U S V I 00805

3509

101-805/216

May 10 19 96

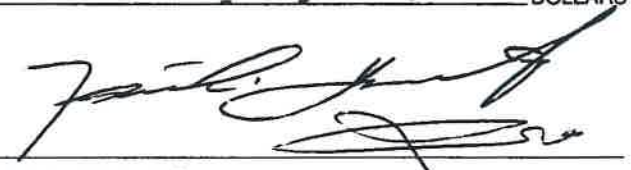
PAY
TO THE
ORDER OF

Yacoub Saleh

\$ 739,878.72

Seven hundred thirty nine thousand eight hundred seventy eight 72/100 DOLLARS

Scotiabank
THE BANK OF NOVA SCOTIA
TUTU PARK MALL BRANCH
ST. THOMAS, U.S. VIRGIN ISLANDS



FOR **Principal & Interest paid in full**

⑈0003509⑈ ⑆021606056⑆ 629⑈00312010⑈

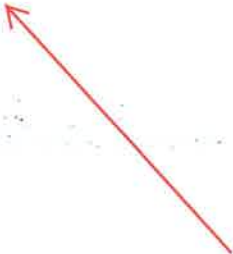


Exhibit F-1

**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.)

**DEPOSITIONS TAKEN:
JANUARY 21, 2020**

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.)

FATHI YUSUF, Plaintiff,)

vs.)

Consolidated with
Case No. ST-17-CV-384

MOHAMMAD A. HAMD TRUST, et al.,)
Defendants.)

KAC357 Inc., Plaintiff,)

vs.)

Consolidated with
Case No. ST-18-CV-219

HAMED/YUSUF PARTNERSHIP,)

Defendant.)

**THE VIDEOTAPED ORAL DEPOSITIONS OF FATHI YUSUF,
MAHER "MIKE" YUSUF, WALEED "WALLY" HAMED, NEJEH YUSUF,
MAFEED "MAFI" HAMED, AND JOHN GAFFNEY**

was taken on the 21st day of January, 2020, at the Law
Offices of Joel H. Holt, 2132 Company Street, The Alcove
Room, Christiansted, St. Croix, U.S. Virgin Islands, between
the hours of 10:00 a.m. and 5:09 p.m., pursuant to Notice
and Federal Rules of Civil Procedure.

Reported by:

Susan C. Nissman RPR-RMR
Registered Merit Reporter
Caribbean Scribes, Inc.
2132 Company Street, Suite 3
Christiansted, St. Croix
U.S. Virgin Islands 00820
(340) 773-8161

APPEARANCES**A-P-P-E-A-R-A-N-C-E-S****For the Plaintiffs:**

Law Offices of
Joel H. Holt
2132 Company Street, Suite 2
Christiansted, St. Croix
U.S. Virgin Islands 00820

By: Joel H. Holt

and

Carl J. Hartmann, III
5000 Estate Coakley Bay, L6
Christiansted, St. Croix
U.S. Virgin Islands 00820

By: Carl J. Hartmann, III
Kim Japinga

For the Defendants:

Law Offices of
DNF
Law House
P.O. Box 756
Charlotte Amalie, St. Thomas
U.S. Virgin Islands 00802

By: Charlotte Perrell

Also Present: Michael Gelardi, Videographer

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FATHI YUSUF -- DIRECT

1 rolling in and rolling out during that period?

2 **A.** It's good business.

3 **MR. HARTMANN:** Okay. I have no more
4 questions for him, but I'd like to call Mr. Yusuf now on the
5 same thing.

6 **THE VIDEOGRAPHER:** Okay. This is a
7 continuance of the deposition. The time is 4:17.

8 (Short recess taken.)

9 **FATHI YUSUF**

10 **THE VIDEOGRAPHER:** This is the continuation
11 of the deposition of Fathi Yusuf, and the time is 4:18.

12 **DIRECT EXAMINATION**

13 **BY MR. HARTMANN:**

14 **Q.** Mr. Yusuf, tell me what happened after Hurricane
15 Marilyn with regard to your business.

16 **A.** We have to establish when Hurricane Marilyn occur.
17 What year?

18 **Q.** '95.

19 **A.** '95.

20 **Q.** Um-hum.

21 **A.** We dead broke before that. 

22 **Q.** Right.

23 **A.** Because we were building maybe October 28, 1992 in
24 St. Thomas. We open with a grand opening, big advertising.
25 We sell \$292,000 that week. And -- and the second week, we

FATHI YUSUF -- DIRECT

1 lost funds about 10-20,000. We kept going down, going down
2 until we reach \$135,000 a week. And for me to break even, I
3 have to do at least 160- to 170,000 in sale just to break
4 even.

5 And when we was doing so bad, I have -- I
6 have a very coward partner. Very coward. He give us all
7 kind of problem. He put pressure on us to -- to split. I
8 charge him, after the pressure, from -- not from him.
9 Pressure to pressure, it don't bother me, but I'm a human
10 being and I have a lot of people that I highly, respect very
11 highly, they put pressure to me just to get him out. And I
12 get him out with a loss of 150,000. Why?

13 From October 28 till sometime in March, I was
14 estimating we have a loss at least of 450,000. Therefore,
15 I'm not going to let him lose without putting his share of
16 the loss at least. And I do not have a cent to pay him.
17 His investment was seven fifty. My offer was 600. And the
18 down -- I think I get a down payment from a relative of his.
19 He just give it to me because he want -- don't want to
20 create a problem to give it to him.

21 And so you can see that we was really losing
22 money until about April or maybe May of '94. '94 sometime
23 on the 10th or sometime in the April, St. Croix store opened
24 up after the fire. So you can see that we open up a store
25 that was losing money. Wally, he's here. I'm sitting in

FATHI YUSUF -- DIRECT

1 front of him. And his brother, Willie, came to me more than
2 once shaky. Uncle, uncle, we're going to lose all our
3 money. I said, Don't worry. I'll take care of it. Don't
4 worry. Just give me time to think.

5 So I -- we get -- I keep trying and trying
6 and trying. And finally I turn the store around by copying
7 the concept of Costco. Because Costco has people coming
8 from all over the island to Cost-U -- to Costco. And Costco
9 investment was not even 25 percent of my investment. And he
10 was considered the -- the key person, the supermarket, and I
11 became the convenience store. I said, No way in the world
12 I'm going to stay like that.

13 So, I told Wally, come up to the office.
14 After I tried several ideas. I just copied the concept of
15 Cost-U-Less. I have about 50,000 item, Cost-U-Less have
16 maybe two, three thousand. I say I'm going to copy it, and
17 use his items as leaders.

18 **Q.** And when did it turn around?

19 **A.** The turn around, sometime late in '94.

20 **Q.** Okay.

21 **A.** Okay. It turn around, but we still heavily loaded
22 with debt. I don't know if it's to the bank and also to the
23 suppliers. But the suppliers, first in St. Thomas, I order
24 50 cases, suppliers start to give me 30. They want to sell
25 me, but they don't want to give me what I want because they

FATHI YUSUF -- DIRECT

1 could see the business is going forward -- backward. So
2 when I turn the store around, then I show it in my credit
3 rating, because suppliers human being. Like me and you.
4 They could see if I'm losing money. And it's straight
5 people. So you can say we finish 1994 with -- '94
6 definitely loaded with debts. We're not losing money, but
7 it take some time for -- for St. Croix store to regain his
8 own customers, because the supermarket is -- the hardest
9 thing in a supermarket is to get a customer. Because I like
10 you, is my friend, but I don't have time to come and shop in
11 your store. I don't know where you putting the item is.
12 I'm not too familiar with your stores.

13 **Q.** Um-hum.

14 **A.** So I normally stays shopping at the same store I
15 normally go to. It's much easier for me. I could find
16 everything where it is. So actually supermarket takes time
17 for it to build its own customers, okay?

18 **Q.** Okay.

19 **A.** Unless -- just to show you, that absolutely was in
20 solid debts, maybe at least all part of '95.

21 **Q.** Okay.

22 **A.** Then our business start to be really profitable.
23 And then we start, you know, making money, but, you know, if
24 today --

25 **Q.** After '95?

FATHI YUSUF -- DIRECT

1 **A.** Hmm?

2 **Q.** After '95?

3 **A.** After '95.

4 **Q.** Okay. When Hurricane Marilyn, it hit on
5 September 15th and 16th of '95.

6 **A.** Okay. September.

7 **Q.** 15th and 16th.

8 **A.** At least until that day, we were in trouble.

9 **Q.** And --

10 **A.** Excuse me. Let me finish.

11 **Q.** Okay.

12 **A.** And it take me two, three months to rebuild my
13 inventory. So I was out of work for two or three weeks.
14 And because I lost my -- my ceiling, my roof, I end up
15 having a total loss in -- right after the hurricane, I get a
16 total loss. And unless -- I didn't suffer until late, late
17 '96, or maybe early '97. So right there in '96, we're
18 absolutely broke and we're absolutely in need of money. And
19 I don't mind no problem for me to put my rent money into the
20 store, 'cause I know my capability of running the store.
21 Wally knows my capability of running the store. This is
22 enough to prove to you that in '96, we was deeply needing
23 money.

24 Remember, my partner, he have loss at one
25 fifty and get out, and get out with no money. Why? That

Virgin Islands

The Daily News, Wednesday, January 4, 1995 5

St. Thomas Plaza Extra's owners looking for buyer in tough market

By HAROLD T. NEDD
Daily News Staff

ST. THOMAS — The island's newest and biggest retail supermarket is looking for a buyer.

Plaza Extra's owner said sales have not met expectations and survival in the island's \$596 million food market is too costly.

United Corporations, which owns the 65,000-square-foot supermarket, said it is merely breaking even on its \$6 million investment.

"We had hoped for much more profit," said Fathi Yusuf, a company spokesman.

"The market is too small for the amount of stores we have and we are working 18-hour days to stay afloat."

The company also owns a supermarket on St. Croix, plus the United Shopping Center, a commercial development on 6.5 acres in Sion Farm, St. Croix.

Yusuf said running the supermarket at the Tutu Park Mall center costs \$3.8 million a year. The com-

“
The market is too small for the amount of stores we have and we are working 18-hour days to stay afloat.

FAXED

SEP 27 1995
— Fathi Yusuf,
company spokesman

pany has a 25-year lease with an optional 15-year extension.

He would not give the annual sales figure for the St. Thomas store, which is known for its wide aisles, high level of maintenance and wide selection of products.

He did say that expenses made a major dent and that:

- 6 percent of revenue goes toward freight costs.
- 4 percent goes toward gross receipts taxes.

• 9 percent goes toward labor.

"The average in the states is 7.5 percent for labor," Yusuf said.

"We could save at least \$1.2 million on our payroll with better productivity. Right now, a job that's done by two people on the U.S. mainland is being done by three or four people here. That's killing us," he said.

Plaza Extra, which opened a little over a year ago, employs 152 people.

A few potential buyers from the mainland have expressed interest, but there's been no follow through, Yusuf said.

He would not go into details about the backgrounds of prospective buyers.

The company primarily wants to sell the St. Thomas supermarket, but if it gets a reasonable offer it will sell the St. Croix store as well.

"It's hard to run a supermarket, and it's not feasible to stay in it right now when we are just breaking even," Yusuf said.

Unemployment drops in November

Daily News Staff

ST. THOMAS — The number of people in unemployment lines shrank in November, the latest labor figures show.

For the month, the territory posted a 4.9 percent unemployment rate, a drop from 5.3 percent in October, according to the Bureau of Labor Statistics.

Labor analysts attributed the good news to extra hiring for the tourism season and for the holiday shopping rush.

In November, the unemployment rate on St. Croix was logged at 7.4 percent, down five points from October.

The figure for the month also marked an improvement compared with November 1993, when the unemployment rate was 7.8 percent.

In the St. Thomas-St. John district, the unemployment picture in November was even brighter.

The jobless rate dropped to 2.9 percent compared to 3.3 percent in October, according to labor statistics.

But the St. Thomas-St. John unemployment rate did not represent an improvement over November 1993, when the unemployment rate in the district was 2.5 percent.

In explaining the improvement in November compared with October, labor analysts said the arrival of the

tourist season means retail and hotel industries have hired extra help.

Overall, more jobs were available in both districts. More people were available to work, too.

For the territory, the labor force consisted of 49,940 people in November, 100 more than it did in October.

St. Croix had a labor force of 22,050 people, compared with 27,890 for St. Thomas, according to labor statistics.

Analysts pointed out that the jobless figures represent only the number of people who have filed unemployment claims. The number of residents who are jobless but not filing claims is higher.

Ali Hardware fire investigated

Daily News Staff

ST. CROIX — Firefighters are

The cause of the fire is still under investigation. Fire Service officials

Harold T. Nedd & Yusuf-Def's Properties

0083981

**Got a hot news tip?
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TH!
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Exhibit G

UNITED CORPORATION
D/B/A PLAZA EXTRA
PO BOX 503358
ST THOMAS, U S V I 00805

3068

101-605/216

PAY
TO THE
ORDER OF

1-12 1996

Merrill Lynch Pierce Fenner and Smith, Inc. \$ 50,000.00

Fifty Thousand and ²²/₁₀₀

DOLLARS

Scotiabank 
THE BANK OF NOVA SCOTIA
TUTU PARK MALL BRANCH
ST. THOMAS, U.S. VIRGIN ISLANDS

FOR Mohamad Hamdan (Interest)

⑆0003068⑆ ⑆021606056⑆ 629⑆00312010⑆

 Merrill Lynch

FUNDS RECEIPT
FOR ACCOUNT

140-16484

DATE 1/12/96

CREDIT THE
ACCOUNT OF Mohammed Hamdan

3068 PLAZA- STS.

FINANCIAL CONSULTANT _____

CHECK ONE - DO NOT MAIL CASH!

- CASH MANAGEMENT ACCOUNT (CMA)
- CAPITAL BUILDER ACCOUNT (CBA)
- MERRILL LYNCH READY ASSET TRUST
- SECURITIES PURCHASE
- UNREGULATED COMMODITY
- OTHER

DO NOT WRITE BELOW THIS LINE

	DOLLARS	CENTS
	50.00	00
TOTAL	50000	00

CHECKS

CLIENT COPY

3103

UNITED CORPORATION
D/B/A PLAZA EXTRA
PO BOX 503358
ST THOMAS, U S V I 00805

101-805/216

1-22 1996

PAY TO THE ORDER OF

Merill Lynch

\$ 100,000.00

one Hundred Thousand and ^{xx}/₁₀₀

DOLLARS

Scotiabank

THE BANK OF NOVA SCOTIA
TUTU PARK MALL BRANCH
ST. THOMAS, U.S. VIRGIN ISLANDS

John Yusuf

FOR

payment of Interest on Loans from Hamdan

⑆0003103⑆ ⑆021606056⑆ 629⑆00312010⑆



FUNDS RECEIPT FOR ACCOUNT

140-16904

DATE 01/22/96

CREDIT THE ACCOUNT OF MOHAMMAD HAMDAN

FINANCIAL CONSULTANT

✓ CHECK ONE - DO NOT MAIL CASH!

- CASH MANAGEMENT ACCOUNT (CMA)
- CAPITAL BUILDER ACCOUNT (CBA)
- MERRILL LYNCH READY ASSET TRUST
- SECURITIES PURCHASE
- UNREGULATED COMMODITY
- OTHER

DO NOT WRITE BELOW THIS LINE

RCUP 1/22
R.W.P.

CHECKS	DOLLARS	CENTS
	100,000	00
TOTAL	100,000	00

Exhibit H

ANGUILLA

INTERNATIONAL BUSINESS COMPANIES ORDINANCE, 1994

CERTIFICATE OF INCORPORATION (Section 9)

I hereby certify that the Articles of Incorporation of

HAMDAN DIAMOND CORPORATION

having this day been registered

HAMDAN DIAMOND CORPORATION

is hereby incorporated

DATED THE 16th DAY OF May 1996



NO. 432

ANGUILLA
THE INTERNATIONAL BUSINESS COMPANIES ORDINANCE, 1994

ARTICLES OF INCORPORATION
(Section 8)

1. Name of Company: HAMDAN DIAMOND CORPORATION

2. Registered Office:

Name: Mitchell's Chambers
Address: P O Box 174, Airport Road, The Valley, Anguilla
Code No:

3. Registered Agent:

Name: Mitchell's Chambers
Address: P O Box 174, Airport Road, The Valley, Anguilla
Code No:

4. Share Capital

- **No Par Value** _____
- **Par Value** X
- **Both Par Value and No Par Value Shares** _____

- (a) **The classes and any maximum number of shares that the company is authorised to issue.** 50,000 ordinary shares
- (b) **The aggregate par value of all shares and the par value of each share.**
 US\$50,000.00 - US\$1.00 each.
- (c) **The rights, privileges, restrictions and conditions attaching to each class of share.** N/A
- (d) **If a class of shares can be issued in series, the authority given to the directors to fix the number of shares in, or to determine the designation of, and the rights, privileges, restrictions and conditions attaching to the shares of each series.** N/A
- (e) **Restrictions, if any, on share transfers.** N/A




5. Restrictions, if any, on business the company may carry on

The company shall not

- (a) carry on business with persons resident in Anguilla;
- (b) carry on banking or trust business within the meaning of the Offshore Banks and Trust Companies Ordinance, 1991;
- (c) carry on business as an insurance or re-insurance company, insurance agent, insurance broker, or insurance manager; or
- (d) carry on the business of providing the registered office for companies.


6. Other provisions, if any N/A

7. Incorporator(s)

Full Name	Address	Signature
Joan M Johnson	Mitchell's Chambers P O Box 174 Airport Road The Valley, Anguilla	

16 May 1996

8. FOR REGISTRY USE ONLY:

Company No: 432
Agent Code No:
Date Filed: 16/5/96
Received By: 



ANGUILLA

The International Business Companies Ordinance, 1994

BY-LAW NO 1

A By-law relating generally to the conduct of the affairs of:

HAMDAN DIAMOND CORPORATION

BE IT ENACTED as the general By-law of HAMDAN DIAMOND CORPORATION (hereinafter called "the Company") as follows:

1 SHARES

- 1.1 Shares of the Company may be allotted and issued by resolution of the directors at such time and on such terms and conditions and to such persons or class of persons as the directors determine.
- 1.2 Share certificates and the form of share transfer shall be in such form as the directors may by resolution approve and such certificates shall be signed by any officer or director.
- 1.3 The directors or any agent designated by the directors may in their or his discretion direct the issuance of a new share or other such certificate in lieu of and upon cancellation of a certificate that has been mutilated or in substitution for a certificate claimed to have been lost, destroyed or wrongfully taken, on payment of such reasonable fee and on such terms as to indemnify, reimbursement of expenses and evidence of loss and of title as the directors may from time to time prescribe, whether generally or in any particular case.
- 1.4 The Company may issue bearer share certificates in respect of any fully paid-up shares of the Company. Every such certificate shall be issued under the seal of the Company and signed autographically by a director. The shares so held shall be transferred by the delivery of the certificate, and the provisions of these by-laws with respect to transfer and transmission of shares shall not apply thereto. The bearer for the time being of any such certificate shall be deemed to be a member of the Company to the full extent in respect of the shares represented by such certificate. Bearer shares shall be issued on a request in writing signed by the person for the time being entered on the register as the holder of the shares in respect of which the warrant is to be issued. The request in such form as the directors approve shall be lodged at the office and the share certificates, if any, then outstanding in respect of the shares intended to be included in the bearer share certificate shall at the same time be delivered up to the Company to be cancelled and replaced by a bearer share certificate. If the bearer of any such certificate shall subsequently surrender it to be cancelled requesting that he be registered as a member in respect of the shares he shall be entitled to have his name entered as a member in respect of the shares specified in the certificate so surrendered.

2 TRANSFER OF SHARES AND DEBENTURES

- 2.1 The shares or debentures of the Company may be transferred by a written instrument of transfer signed by the transferor and naming the transferee.
- 2.2 Registers of shares and debentures issued by the Company shall be kept at the registered office of the Company or at such other place in Anguilla as may from time to time be designated by resolution of the directors.

185-0981

2.3 No transfer of shares or debentures of the Company shall be registered unless or until the certificate representing the shares or debentures to be transferred has been surrendered for cancellation.

2.4 If so provided in the Articles, the Company has a lien on a share registered for a debt of that shareholder to the Company. By way of enforcement of such lien, the directors may refuse to permit the registration of a transfer of such share.

3 DIVIDENDS

3.1 The directors may from time to time by resolution declare and the Company may pay dividends on the issued and outstanding shares in the capital of the Company subject to the provisions (if any) of the Articles and Section 30 of the Ordinance.

3.2 In case several persons are registered as the joint holders of any share, any one of such persons may give effectual receipts for all dividends and payments on account of dividends.

4 VOTING IN OTHER COMPANIES

4.1 All shares or debentures carrying voting rights in any other body corporate that are held from time to time by the Company may be voted at any and all meetings of shareholders or debentures holders, as the case may be, of such other body corporate in such manner and by such person or persons as the directors of the company shall from time to time determine. The officers of the Company may for and on behalf of the Company from time to time (a) execute and deliver proxies; and (b) arrange for the issuance of voting certificates or other evidence of the right to vote in such names as they may determine without the necessity of a resolution or other action by the directors.

5 INFORMATION AVAILABLE TO SHAREHOLDERS

5.1 Except as provided by the Ordinance, no shareholder shall be entitled to any information respecting any details or conduct of the Company's business which in the opinion of the directors would be contrary to the interest of the Company to communicate to the public.

5.2 The directors may from time to time, subject to rights conferred by the Ordinance, determine whether and to what extent and at what time and place and under what conditions or regulations the document, books and registers and accounting records of the Company or any of them shall be open to the inspection of shareholders and no shareholders shall have any right to inspect any document or book or register or accounting record of the Company except as conferred by statute or authorized by the directors or by a resolution of the shareholders.

6 SHAREHOLDERS' MEETINGS

6.1 The annual meeting of the shareholders shall be held on such day in each year and at such time as the directors may by resolution determine at any place within Anguilla or, if all the shareholders entitled to vote at such meeting so agree, outside Anguilla.

6.2 Special meetings of the shareholders may be convened by order of the directors at any date and time and at any place within Anguilla or, if all the shareholders entitled to vote at such meeting so agree, outside Anguilla.

6.3 Printed, written, or typewritten notice or notice given by electronic means stating the day, hour and place of meeting shall be given by serving such notice on each shareholder entitled to vote at such meeting, on each director and on any auditor of the Company in the manner

185-0982

specified in these By-laws not less than seven days before the date of the meeting. Notice of a meeting at which special business is to be transacted shall state (a) the nature of that business in sufficient detail to permit the shareholder to form a reasoned judgement thereon, and (b) the text of any special resolution to be submitted to the meeting.

- 6.4 A shareholder and any other person entitled to attend a meeting of shareholders may in any manner waive notice of a meeting of shareholders and attendance of any such person at a meeting of shareholders shall constitute a waiver of notice of the meeting except where such person attends a meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called.
- 6.5 The accidental omission to give notice of a meeting or any irregularity in the notice of any meeting or the non-receipt of any notice by any shareholder, director or the auditor of the Company shall not invalidate any resolution passed or any proceedings taken at any meeting of the shareholders.
- 6.6 Every question submitted to any meeting of shareholders shall be decided by a show of hands unless a person entitled to vote at the meeting shall demand a ballot and in the case of an equality of votes the chairman of the meeting shall on a ballot have a casting vote in addition to any votes to which he may be otherwise entitled.
- 6.7 At every meeting at which he is entitled to vote, every shareholder, proxy holder or individual authorized to represent a shareholder, who is present in person shall have one vote on a show of hands. Upon a ballot at which he is entitled to vote, every shareholder shall have one vote for every share held by the shareholder.
- 6.8 At any meeting, unless a ballot is demanded, a declaration by the chairman of the meeting that a resolution has been carried unanimously or by a particular majority or lost or not carried by a particular majority shall be conclusive evidence of the fact.
- 6.9 A ballot may, either before or after any vote by a show of hands, be demanded by any person, entitled to vote at the meeting. If at any meeting a ballot is demanded on the election of a chairman or on the question of adjournment it shall be taken forthwith without adjournment. If at any meeting a ballot is demanded on any other question or as to the election of directors, the vote shall be taken by ballot in such manner and either at once, later in the meeting or after adjournment, as the chairman of the meeting directs. The result of a ballot shall be deemed to be the resolution of the meeting at which the ballot was demanded. A demand for a ballot may be withdrawn.
- 6.10 If two or more persons hold shares jointly, one of those holders present at a meeting of shareholders may, in the absence of the other, vote on the shares; but if two or more of those persons who are present, in person or by proxy, vote, they must vote as one on the shares jointly held by them.
- 6.11 Votes at meetings of shareholders may be given either personally or by proxy or, in the case of a shareholder who is a body corporate, by an individual authorized by a resolution to represent it at a meeting of shareholders. The Company and a body corporate or association so represented shall be deemed to be present in person.
- 6.12 A proxy shall be executed by the shareholders or his attorney authorized in writing and is valid only at the meeting in respect of which it is given or any adjournment thereof.
- 6.13 A person appointed by proxy need not be a shareholder.

185-0983

6.14 A proxy may be in the following form:

"The undersigned hereby appoints []
of []
or failing him []
of [] as the nominee of the undersigned
to attend and act for the undersigned and on behalf of the undersigned
at the meeting of the shareholders of the said Company to be held on the
[] day of [] 19 [] and at any adjournment
or adjournments thereof in the same manner, to the same extent and
with the same powers as if the undersigned were present at the said
meeting or such adjournment or adjournments thereof.

Dated this [] day of []
199[].

Signature of Shareholder"

6.15 The chairman of any meeting may with the consent of the meeting adjourn the same from time to time to a fixed time and place and no notice of such adjournment need be given to the shareholders, unless the meeting is adjourned by one or more adjournments for an aggregate of thirty (30) days or more in which case notice of the adjourned meeting shall be given as for an original meeting. Any business that might have been brought before or dealt with at the original meeting in accordance with the notice calling the same may be brought before or dealt with at any adjourned meeting for which no notice is required.

6.16 Subject to the Ordinance, a quorum of shareholders is present at a meeting of shareholders if at least two (2) shareholders holding between them a clear majority of shares entitled to vote at the meeting, are present in person or by proxy. If there is only one shareholder entitled to vote at any meeting, he shall constitute a meeting if present in person or by proxy. If a quorum is present at the opening of any meeting of the shareholders, the shareholders present or represented may proceed with the business of the meeting notwithstanding a quorum is not present throughout the meeting. If a quorum is not present within thirty (30) minutes of the time appointed for a meeting of shareholders, the meeting shall stand adjourned to the same day two (2) weeks thereafter at the same time and place; and, if at the adjourned meeting a quorum is not present within thirty (30) minutes of the appointed time, the shareholders present constitute a quorum.

6.17 Notwithstanding any of the foregoing provisions of this By-law, a resolution in writing signed by all the shareholders entitled to vote on that resolution at a meeting of the shareholders is as valid as if it had been passed at a meeting of the shareholders.

7 DIRECTORS

7.1 The business and affairs of the Company shall be managed by the directors.

7.2 There shall be a minimum of one (1) and a maximum of five (5) directors who may be individuals or companies.

7.3 Directors shall be elected by the shareholders on a show of hands unless a ballot is demanded in which case such election shall be by ballot.

7.4 A director shall hold office until he resigns or is replaced.

185-0984

7.5 The shareholders of the Company may, by ordinary resolution, remove any director from office and a vacancy created by the removal of a director may be filled at the meeting of the shareholders at which the director is removed.

7.6 A person who is a director of the Company but who is not an individual shall, by such procedure as may be appropriate for the management of the business and affairs of such person, appoint an individual to act as such person's representative as a director of the Company with power to exercise all of the powers of a director of the Company but the person who appoints any such individual shall remain fully liable as a director of the Company notwithstanding any such appointment. A duly certified copy of the resolution or document whereby any such appointment is made shall be filed with the Company before any such individual acts as representative as aforesaid. Any person appointing an individual under the provisions of this paragraph may from time to time revoke the appointment of any such individual and appoint another in his place or stead.

7.7 The directors may delegate powers to committees, a Managing Director or officers of the Company.

8 BORROWING POWERS OF DIRECTORS

8.1 The directors may from time to time:

- (a) borrow money upon the credit of the Company;
- (b) issue, reissue, sell or pledge debentures of the Company;
- (c) give a guarantee on behalf of the Company to secure performance of an obligation of any person; and
- (d) mortgage, charge, pledge or otherwise create a security interest in all or any property of the Company, owned or subsequently acquired, to secure any obligation of the Company.

8.2 The directors may from time to time by resolution delegate to any officer of the Company all or any of the powers conferred on the directors by paragraph 8.1 hereof to the full extent thereof or such lesser extent as the directors may in any such resolution provide.

8.3 The powers conferred by paragraph 8.1 hereof shall be in supplement of and not in substitution for any powers to borrow money for the purposes of the Company possessed by its directors or officers independently of a borrowing By-law.

9 MEETINGS OF DIRECTORS

9.1 Meetings of the directors and of any committee of the directors may be held within or outside Anguilla.

9.2 A meeting of the directors may be convened at any time by any director or the Secretary, when directed or authorized by any director. The notice of any such meeting need not specify the purpose of or the business to be transacted at the meeting. Notice of any such meeting shall be served in the manner specified in paragraph 19.1 hereof not less than two (2) days (exclusive of the day on which the notice is delivered or sent but exclusive of the day for which notice is given) before the meeting is to take place. A director may in any manner waive notice of a meeting of the directors and attendance of a director at a meeting except where a

185-0985

director attends a meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called.

- 9.3 A majority of directors shall form a quorum for the transaction of business and, notwithstanding any vacancy among the directors, a quorum may exercise all the powers of the directors. No business shall be transacted at a meeting of directors unless a quorum is present. However, a quorum of one will suffice in circumstances as determined by the directors where there exists a conflict of interest requiring one or more directors to abstain from voting.
- 9.4 A director may, if all the directors consent, participate in a meeting of directors or of any committee of the directors by means of such telephone or other communications facilities as permit all persons participating in the meeting to hear each other and a director participating in such a meeting by such means is deemed to be present at that meeting. If a director participating in such a meeting is then in Anguilla then the meeting shall be deemed to have been held in Anguilla.
- 9.5 Notwithstanding any of the foregoing provisions of this By-law a resolution in writing signed by the directors is as valid as if it had been passed at a meeting of the directors.

10 REMUNERATION OF DIRECTORS

- 10.1 The remuneration to be paid to the directors shall be such as the shareholders may from time to time determine. The directors shall also be entitled to be paid their travelling and other expenses properly incurred by them in connection with the affairs of the Company.

11 SUBMISSION OF CONTRACTS OR TRANSACTIONS TO SHAREHOLDERS FOR APPROVAL

- 11.1 The directors in their discretion may submit any contract, act or transaction for approval or ratification at any meeting of the shareholders called for the purpose of considering the same and, any such contract, act or transaction that is approved or ratified or confirmed by a resolution passed by a majority of the votes cast at any such meeting (unless any different or additional requirement is imposed by the International Business Companies Ordinance (hereinafter called "the Ordinance") or by the Company's Articles or any other By-law) shall be as valid and as binding upon the company and upon all the shareholders as though it had been approved, ratified or confirmed by every shareholder of the Company.

12 OFFICERS

- 12.1 The directors shall, as often as may be required, designate such offices and appoint such officers as the directors deem necessary. No officer, including company secretary, need be appointed.
- 12.2 The remuneration of all officers appointed by the directors shall be determined from time to time by resolution of the directors. The fact that any officer or employee is a director or shareholder of the Company shall not disqualify him from receiving such remuneration as may be determined.
- 12.3 All officers shall sign such contracts, documents or instruments in writing as require their respective signatures and shall respectively have and perform all powers and duties incident to their respective offices and such other powers and duties respectively as may from time to time be assigned to them by the directors.

185-0986

- 12.4 In case of the absence or inability to act of any officer of the Company, except a Managing Director, or for any other reason that the directors may deem sufficient the directors may delegate all or any of the powers of such officer to any other officer or to any director.
- 12.5 If the office of any officer of the Company becomes vacant by reason of death, resignation, disqualification or otherwise, the directors by resolution may appoint a person to fill such vacancy.
- 12.6 Unless he vacates office under paragraph 12.1 or 12.5 hereof, an officer who is a director shall continue in office for so long as he is a director of the Company notwithstanding that, from time to time, his term of office as a director may expire and he may be re-elected a director of the Company.

13 FOR THE PROTECTION OF DIRECTORS AND OFFICERS

- 13.1 No director or officer of the Company shall be liable to the Company for any loss, damage or misfortune whatever which may happen in the execution of the duties of his respective office or trust or in relation thereto unless the same happens by or through his failure to exercise the powers and to discharge the duties of his office honestly and in good faith with a view to the best interests of the Company and in connection therewith to exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.
- 13.2 Nothing herein contained shall relieve a director or officer from the duty to act in accordance with the Ordinance or regulations made thereunder or relieve him from liability for a breach thereof.
- 13.3 The directors for the time being of the Company shall not be under any duty or responsibility in respect of any contract, act or transaction whether or not made, done or entered into in the name or on behalf of the Company, except such as are submitted to and authorized or approved by the directors.
- 13.4 If any director or officer of the Company is employed by or performs services for the Company otherwise than as a director or officer or is a member of a firm or a shareholder, director or officer of a body corporate which is employed by or performs services for the Company, the fact of his being a shareholder, director or officer of the Company shall not disentitle such director or officer or such firm or body corporate, as the case may be, from receiving proper remuneration for such services.

14 INDEMNITIES TO DIRECTORS AND OFFICERS

- 14.1 The Company shall indemnify a director or person who acts or acted at the Company's request as a director or officer and his personal representatives, against all costs, charges and expenses, including an amount paid to settle an action or satisfy a judgement, reasonably incurred by him in respect of any civil, criminal or administrative action or proceeding to which he is made a party by reason of being or having been a director or officer of such company, if he acted honestly and in good faith with a view to the best interests of the Company; and in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, he had reasonable grounds for believing that this conduct was lawful.

15 POWER OF ATTORNEY

- 15.1 The Company may by an instrument in writing authorise a person, either generally or in respect of specified matters, as its agent to act on behalf of the Company and to execute contracts, agreements, deeds and other instruments on behalf of the Company.

185-0987

16 NOTES AND BILLS

- 16.1 A promissory note, cheque, draft, order for the payment of money or bill of exchange shall be made, accepted or endorsed by any director or other person acting under the express or implied authority of the Company.

17 EXECUTION OF INSTRUMENTS

- 17.1 Contracts, documents or instruments in writing requiring the signature of the Company may be signed by any director or other authorised person acting under the express or implied authority of the Company, and all contracts, documents and instruments in writing so signed shall be binding upon the Company without any further authorization or formality. The directors shall have power from time to time by resolution to appoint any officers or persons on behalf of the Company either to sign certificates for shares in the Company and contracts, documents and instruments in writing generally or to sign specific contracts, documents or instruments in writing.
- 17.2 The official seal, if any, may be affixed to any document to which the Company is party in the country, district or place where such official seal can be used by a person appointed for that purpose by the Company by an instrument in writing under the common seal.

18 SIGNATURES

- 18.1 The signature of any officer or director may, if specifically authorized by resolution of the directors, be printed, engraved, lithographed or otherwise mechanically reproduced upon any certificate for shares in the Company or contract, document or instrument in writing, bond, debenture or other security of the Company executed or issued by or on behalf of the Company. Any document or instrument in writing on which the signature of any such officer or person is so reproduced shall be deemed to have been manually signed by such officer or person whose signature is so reproduced and shall be valid to all intents and purposes as if such document or instrument in writing had been signed manually and notwithstanding that the officer or person whose signature is so reproduced has ceased to hold office at the date on which such document or instrument in writing is delivered or issued.

19 NOTICES

- 19.1 Any notice or other document required by the Ordinance, the Articles or the By-laws to be sent to any shareholder, debenture holder, director or auditor may be delivered personally or sent by prepaid mail or cable, telex, fax, e-mail or other electronic means to any such person at his last address as shown in the records of the Company or the Company's transfer agent and to any such director at his last address as shown in the records of the Company and to the auditor at his business address.
- 19.2 Notice may be waived or the time for the notice may be waived or abridged at any time with the consent in writing of the person entitled thereto.
- 19.3 If a notice or document is sent to a shareholder or debenture holder by prepaid mail in accordance with this paragraph and the notice or document is returned on three (3) consecutive occasions because the shareholder or debenture holder cannot be found, it shall not be necessary to send any further notices or documents to the shareholder or debenture holder until he informs the Company in writing or his new address.
- 19.4 All notices or other documents with respect to any shares or debentures registered in the names of more than one person shall be given to whichever of such persons is named first in

the records of the Company and any notice or other document so given shall be sufficient notice of delivery to all the holders of such shares or debentures.

- 19.5 Every person who by operation of law, transfer or by any other means whatsoever becomes entitled to any share is bound by every notice or other document in respect of such share that, previous to his name and address being entered in the records of the Company, is duly given to the person from whom he derives his title to such share.
- 19.6 Any notice or other document delivered or sent by prepaid mail, cable, telex, fax, e-mail or other electronic means or left at the address of any shareholder notwithstanding that such shareholder is deceased, and whether or not the Company has notice of his death, is deemed to have been duly served in respect of the shares held by him (whether held solely or with any other person) until some other person is entered in his stead in the records of the Company as the holder or one of the holders thereof and such service shall for all purposes be deemed a sufficient service of such notice or document on his personal representatives and on all persons, if any, interested in such shares.
- 19.7 The signature of any director or officer of the Company to any notice or document to be given by the Company may be written, stamped, typewritten or printed or partly written, stamped, typewritten or printed.
- 19.8 Where a notice extending over a number of days or other period is required under any provisions of the Articles or the By-laws the day of sending the notice shall, unless it is otherwise provided, be counted in such number of days or other period.
- 19.9 Where a notice required under paragraph 19.1 hereof is delivered personally to the person to whom it is addressed or delivered to his address as mentioned in paragraph 19.1 hereof, service shall be deemed to be at the time of delivery of such notice.
- 19.10 Where such notice is sent by post or by cable, service of the notice shall be deemed to be effected forty eight (48) hours after posting if the notice was properly addressed and posted by prepaid mail. Where such notice is sent by telex, fax, e-mail or other electronic means service shall be deemed to be effected on the date of sending.
- 19.11 A certificate of an officer of the Company in office at the time of the making of the certificate or of any transfer agent of shares of any class of the Company as to facts in relation to the delivery or sending of any notice shall be conclusive evidence of those facts.

20 REGISTERED OFFICE

- 20.1 The registered office of the Company shall be in Anguilla at such address as the directors may fix from time to time by resolution.

21 SEAL

- 21.1 The common seal of the Company shall be such as the directors may by resolution from time to time adopt.

22 FINANCIAL YEAR

- 22.1 The directors may from time to time by resolution establish the financial year of the Company.

23 AMENDMENT

- 23.1 These By-laws may be amended by the directors.

185-0989

23.2 The Articles may be amended by the directors.

24 WINDING UP

24.1 If the Company has never issued shares it may be wound up and dissolved by a resolution of the directors.

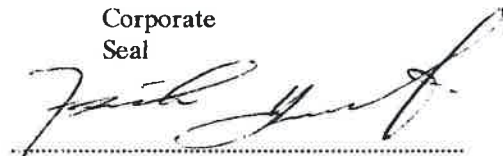
24.2 The Company may otherwise be wound up and dissolved by a resolution of the shareholders.

25 REDOMICILIATION

25.1 The Company may on a resolution of its directors continue as a company incorporated under the laws of any jurisdiction outside Anguilla.

ENACTED this 16th day of May 1996.

Corporate
Seal



FATHI YUSUF
Director



185-0990

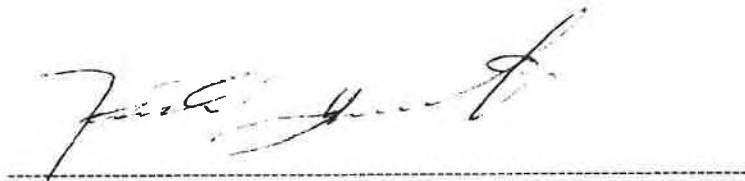
HAMDAN DIAMOND CORPORATION

MINUTES OF THE ORGANISATIONAL MEETING OF THE BOARD OF DIRECTORS

The Board of Directors held its initial meeting on 16 May 1996 at Mitchell's Chambers. Present were FATHI YUSUF, the directors appointed by the incorporator, and JOAN M JOHNSON, the incorporator.

The following business was transacted:-

- 1 Joan M Johnson presented the Certificate of Incorporation and a stamped copy of Form 8 to the Director.
- 2 The Company's By-laws were adopted in the form annexed hereto described as By-law No. 1 and signed by the Director.
- 3 One (1) share was issued by the Director to MOHAMAD YOUSEF HAMDAN. It was agreed not to issue a share certificate at this time.
- 4 Mr Mohamad Yousef Hamdan was elected the President and Fathia Yousef was elected Company Secretary.
- 5 It was decided that no auditor should be appointed at this time.
- 6 The Board authorised the company to open an account at any bank and the director was mandated to make all arrangements.
- 7 The company's corporate records are to be kept at its registered office for the time being. The company's Solicitors were authorised to advise and prepare the necessary records.



FATHI YUSUF
Director

DATE _____

THIS LETTER IS YOUR AUTHORIZATION TO TRANSFER ALL CASH + SECURITIES

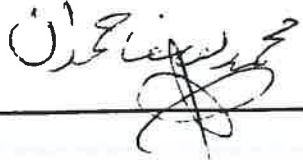
FUNDS/SECURITY POSITIONS FROM MY MERRILL LYNCH ACCOUNT

140- 16484 IN THE NAME OF MOHAMAD HAMDAN

TO ACCOUNT # 140- _____ IN THE NAME OF HAMDAN

DIAMOND CORPORATION

THANK YOU,



PLAZA EXTRA

26-A TuTu Park Shopping Center
Charlotte Amalie • St. Thomas, VI 00802
Tel: Office (809) 775-5646 • FAX (809) 775-5766

20 May 1996

Mr. Don Mitchell, Esq.
P.O. Box 174
Anguilla, British West Indies

VIA FAX: (809) 497-2050

Dear Mr. Mitchell:

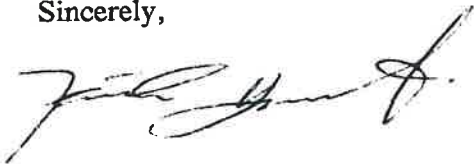
Pursuant to our telephone conversation this morning, the officers of Hamdan Diamond Corporation are as follows:

Mohamad Hamdan - President

Fathia Yousef - Secretary

If I can provide any additional information concerning the aforementioned, please do not hesitate to contact me at my office in St. Thomas, (809) 775-5646.

Sincerely,



Fathi Yusuf

PLAZA EXTRA

26-A TuTu Park Shopping Center
Charlotte Amalie • St. Thomas, VI 00802
Tel: Office (809) 775-5646 • FAX (809) 775-5766

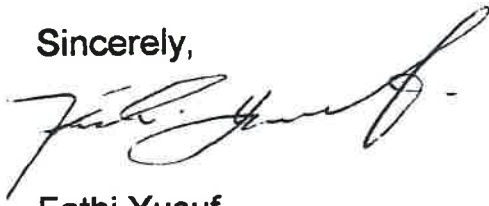
May 24, 1996

Mitchell's Chambers
P.O. Box 174
The Valley Anguilla,
British West Indies

Attention: Mitchell Chambers

Enclosed please find Organisational Resolution, and By-law No.1 of
the company signed and returned to you.

Sincerely,



Fathi Yusuf

Exhibit I

Dated this day of 1996

MOHAMAD YOUSEF HAMDAM

LAST WILL AND TESTAMENT

ANGUILLA ESTATE

MITCHELL'S CHAMBERS
Solicitors

I, **MOHAMAD YOUSEF HAMDAN** of The Valley in the Island of Anguilla in the British West Indies, businessman, HEREBY REVOKE all previous Anguillian wills and testamentary dispositions heretofore made by me and declare this to be my last Will relating only to my property in Anguilla (hereinafter "my Anguilla Estate").

- 1 I appoint **FATHI YUSUF** of The Valley in Anguilla to be the Executor and Trustee of this my Will but if he should predecease me or not survive me by one month or fail to prove my Will I appoint Ian Donaldson Mitchell, Solicitor of The Valley in Anguilla with the tight to Charge his usual fee to be the Executor.
- 2 All of my property in Anguilla (hereinafter "the Trust Fund") I give devise and bequeath to my Trustee on the following Trust.
- 3 My Trustee shall stand possessed of the Trust Fund and the income thereof upon trust for all such one or more to the exclusion of the others or other of the eligible beneficiaries to wit the children and remoter issue their wives husbands widows and widowers of my mother **ZAKIA MUNEEB** late of the city Aman in the Kingdom of Jordan and at such age or time or such respective ages or times in such shares or proportions and with such trusts (including discretionary and protective trusts) for their benefit and generally in such manner as my trustee may in his absolute discretion from time to time during the trust period by instrument in writing appoint.
- 4 All the powers contained in the Trust Ordinance of Anguilla without limitation I extend to my Trustee.
- 5 For the benefit of my trustees I declare that the principal asset of my Anguilla Estate is the interest I hold in the Anguillian company **HAMDAM DIAMOND CORPORATION**.

IN WITNESS WHEREOF I have hereunto set my hand this 8 day of September 1996.

SIGNED by the said **MOHAMAD YOUSEF HAMDAM** as and for his last Will in the presence of us both being present at the same time who at his request in his presence and in the presence of each other have hereunto subscribed our names as witnesses



Mohamad Yousef Hamdam

ISAM Mohamad yousef
D. & T.
12 Cargater Rd
philipsburg
S.E. Maarten N.A

Jamal S. Maari
Prof
British Consulate staff
British Embassy - Amman - Jordan

Exhibit J

Virgin Islands Community Bank
 Account #182-600135
 Tenant Account

G/L #1058

AJE #1

July 1996

Check #	G/L Acct. #	Disbursements
747	6250	996.02 * WAPA
748	1201	1,000.00 * Plaza Transfer
749	5300	695.52 * Quality Electric
750	6710	200.00 * Roberto Rivera
751	1201	4,182.00 * Plaza Transfer
752	6690	306.69 * Larry Motta
753	5300	90.00 * Ocean Systems
754	0	Void * Void
755	6250	450.54 * WAPA
756	5300	4,500.00 * Jeseeph Greenway
757	6710	200.00 * Roberto Rivera
758	6690	300.00 * Larry Motta
759	5300	1,900.00 * Rudy Caines
760	5400	231.00 * St. Croix Avis
761	5300	500.00 * Jeseeph Greenway
762	6150	✓ 93.60 * Telephone
763	6710	200.00 * Roberto Rivera
764	6710	200.00 * Roberto Rivera
765	6150	✓ 36.30 * Vitelco
766	6690	300.00 * Larry Motta
767	5300	1,824.00 * VI Cement
768	6690	315.20 * Larry Motta
769	6250	938.16 * WAPA
770	6650	1,231.24 * Gross Receipts - June 1996
771	1199	17,000.00 * Mohamed Y. Hamdan - Interest Payment

37,690.27

G/L #1058

UNITED CORPORATION-TENANTS ACCOUNT

UNITED SHOPPING PLAZA
TEL (809) 778-6240
PO BOX 763
CHRISTIANSTED, V I 00821-0763

0771


101-671/216

July 30, 19 96

PAY TO THE ORDER OF Mohamad Yousef Hamdan

\$ 17,000.00

Seventeen Thousand and no/100**

DOLLARS  Security features included. Details on back.



Virgin Islands Community Bank
Christiansted Branch
St. Croix, U.S.V.I.

FOR Interest Payment on Loan

⑈000771⑈ ⑆021606713⑆ 18200600135⑈

12200 - Tenant to STT -

072-1963A

VIRGIN ISLANDS COMMUNITY BANK



"We Are Community"

12-13 Kings St
P.O. Box 460
Christiansted,
St. Croix, USVI 00821-0460
(809) 773-0440

5 Strand St
Fredriksted
St. Croix, USVI 00840
(809) 772-0050

MEMBER F.D.I.C.
STATEMENT DATE

08/31/96

0182600135

ACCOUNT NO.

CYCLE-031

UNITED CORP
TENANT ACCOUNT
PO BOX 763
CHRISTIANSTED VI 00821

20

*** CHECKING *** BUSINESS CHECKING
ACCOUNT NUMBER 0182600135 TAX ID NUMBER 66-0391237
PREVIOUS STATEMENT BALANCE AS OF 07/31/96 94,369.22
PLUS 29 DEPOSITS AND OTHER CREDITS 34,645.57
LESS 22 CHECKS AND OTHER DEBITS 109,857.68
LESS CYCLE SERVICE CHARGE 7.50
CURRENT STATEMENT BALANCE AS OF 08/31/96 19,149.61
NUMBER OF DAYS IN THIS STATEMENT PERIOD 31

*** CHECK TRANSACTIONS ***

SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT
757	08/15	1,900.00	776	08/16	593.90
757	08/15	297.30	777	08/09	90.00
784	08/16	10.75	778	08/15	200.00
762*	08/05	93.60	780*	08/15	300.00
767*	08/01	1,824.00	782*	08/30	3,500.00
770*	08/05	1,231.24	783	08/22	825.00
771	08/13	17,000.00	785*	08/21	200.00
772	08/06	10,000.00	786	08/22	13.49
773	08/06	200.00	787	08/21	300.00
775*	08/16	319.40	790*	08/26	300.00

*** CHECKING ACCOUNT TRANSACTIONS ***

DATE	DESCRIPTION	DEBITS	CREDITS
08/02	DEPOSIT		475.00
08/02	DEPOSIT		1,500.00
08/02	DEPOSIT		2,187.50
08/05	DEPOSIT		1,000.00
08/05	DEPOSIT		1,562.50
08/05	FORCE PAY DEBIT	2,604.00	
08/07	DEPOSIT		500.00
08/07	DEPOSIT		675.00
08/07	DEPOSIT		2,600.00
08/09	DEPOSIT		100.00
08/12	DEPOSIT		400.00
08/13	DEPOSIT		950.00
08/13	DEPOSIT		1,250.00
08/13	DEPOSIT		2,800.00
08/13	DEPOSIT		800.00
08/15	DEPOSIT		800.00
08/15	DEPOSIT		4.00
08/16	DEPOSIT		400.00
08/16	DEPOSIT		781.25
08/16	DEPOSIT		1,166.67
08/16	DEPOSIT		2,600.00
08/16	DEPOSIT		1,250.00
08/19	DEPOSIT		800.00
08/21	DEPOSIT		1,000.00
08/21	DEPOSIT		450.00
08/22	DEPOSIT		248.65
08/27	DEPOSIT		782.50
08/27	DEPOSIT		1,000.00
08/27	DEPOSIT		1,562.50
08/28	DEPOSIT		5,000.00
08/28	DEPOSIT		
08/30	DEBIT MEMO	68,115.00	
08/31	CYCLE SERVICE CHARGE	7.50	

NOTE: See reverse side for important information
0021672

Virgin Islands Community Bank
 Account #182-600135
 Tenant Account

G/L #1058

March 1997

Balance per Bank	31-Mar-97	96,935.38 *	
Deposits in Transit	31-Mar-97	0.00	
Outstanding Checks	31-Mar-97	(3,205.35)	
Other		0.00	
Adjusted Bank Balance	31-Mar-97	93,730.03	
Balance per Books	28-Feb-97	90,634.37	
Deposits - Tenants	31-Mar-97	30,756.17	
Deposits - Telephone	31-Mar-97	271.11	
Disbursements	31-Mar-97	(12,924.12)	
Returned Check		0.00	
O/S Check Recorded in Error		0.00	
Bank Charges		(7.50)	
Check Not Recorded #937		(15,000.00)	Mohamed Yousef Hamdan - Interest
Adjusted Book Balance	31-Mar-97	93,730.03	
	Delta:	(0.00)	



Date	March 1997 Deposits	Lessor
Mar-97	475.00 *	Mutual of Omaha
Mar-97	1,500.00 *	USW Union
Mar-97	1,562.50 *	Subway
Mar-97	125.75 *	Natty's
Mar-97	2,187.50 *	Island Finance
Mar-97	675.00 *	Cyto Lab
Mar-97	1,250.00 *	Univ. of Pitt.
Mar-97	300.00 *	Kirbco - Other Income
Mar-97	400.00 *	Dr. Low-A-Chee
Mar-97	950.00 *	VI Union
Mar-97	1,000.00 *	JP Sales
Mar-97	3,150.00 *	Plaza Laundry
Mar-97	700.00 *	Claudett Maynard
Mar-97	7,000.00 *	Best Furniture
Mar-97	800.00 *	USW Union
Mar-97	100.00 *	Natty's
Mar-97	1,000.00 *	USW Union
Mar-97	1,250.00 *	Alanso
Mar-97	781.25 *	Not Recorded - No Deposit Slip
Mar-97	782.50 *	Not Recorded - No Deposit Slip
Mar-97	1,166.67 *	No Deposit Slip
Mar-97	1,000.00 *	Shannons Boutique
Mar-97	2,600.00 *	JP Sales
Deposits	30,756.17	
25-Oct-96	271.11 *	Pay Phones

March 1997			
Check #	G/L Acct. #	Disbursements	
774	O/S	415.00	Joseph Greenway - 08/02/96
775	O/S	179.15	Telephone
776	O/S	2,111.20	American Express
777	O/S	300.00	Larry Motta
942		300.00 *	Larry Motta
943		213.02 *	Bryant, White
944		40.00 *	Vitelco
945		300.00 *	Larry Motta
946		200.00 *	Roberto Rivera
947		1,200.00 *	Plaza Transfer
948		1,100.00 *	Greenway - Plumber
949		Void *	Void
950		1,900.00 *	Rudy Caines - M&R
951		Void *	Void
952		200.00 *	Roberto Rivera
953		300.00 *	Larry Motta
954		533.19 *	WAPA
955		305.00 *	Larry Motta
956		200.00 *	Roberto Rivera
957		969.34 *	WAPA
958		383.22 *	Shur Power
959		90.00 *	Ocean Systems
960		1,900.00 *	Rudy Caines - M&R
961	O/S	200.00	Roberto Rivera
		12,924.12	

VIRGIN ISLANDS COMMUNITY BANK



"We Are Community"

12-13 Kings St
P.O. Box 460
Christiansted,
St. Croix, USVI 00821-0460
(809) 773-0440

5 Strand St
Fredriksted
St. Croix, USVI 00840
(809) 772-0050

MEMBER F.D.I.C.

STATEMENT DATE

03/31/97

0182600135

ACCOUNT NO.

CYCLE-031

UNITED CORP
TENANT ACCOUNT
PO BOX 763
CHRISTIANSTED VI 00821

29

*** CHECKING *** BUSINESS CHECKING
ACCOUNT NUMBER 0182600135 TAX ID NUMBER 66-0391237
PREVIOUS STATEMENT BALANCE AS OF 02/28/97 110,226.12
PLUS 24 DEPOSITS AND OTHER CREDITS 31,027.29
LESS 29 CHECKS AND OTHER DEBITS 44,310.52
LESS CYCLE SERVICE CHARGE 7.50
CURRENT STATEMENT BALANCE AS OF 03/31/97 96,935.38
NUMBER OF DAYS IN THIS STATEMENT PERIOD 31

*** CHECK TRANSACTIONS ***

SERIAL	DATE	AMOUNT	SERIAL	DATE	AMOUNT
873	03/27	178.75	945	03/14	383.22
930*	03/20	200.00	946	03/10	969.34
932*	03/04	7,700.00	947	03/11	200.00
933	03/05	146.50	948	03/11	305.00
934	03/12	4,156.00	949	03/13	533.19
935	03/05	90.94	950	03/18	213.02
936	03/05	227.75	951	03/18	200.00
937	03/17	15,000.00	952	03/19	300.00
938	03/04	5,000.00	953	03/20	1,900.00
939	03/10	1,236.83	955*	03/26	1,100.00
940	03/03	40.00	956	03/25	1,200.00
941	03/04	200.00	957	03/25	200.00
942	03/03	300.00	958	03/25	300.00
943	03/06	1,900.00	959	03/24	40.00
944	03/07	90.00			

*** CHECKING ACCOUNT TRANSACTIONS ***

DATE	DESCRIPTION	DEBITS	CREDITS
03/03	DEPOSIT		475.00
03/04	DEPOSIT		1,500.00
03/04	DEPOSIT		1,562.50
03/05	DEPOSIT		125.75
03/07	DEPOSIT		675.00
03/07	DEPOSIT		1,250.00
03/07	DEPOSIT		2,187.50
03/10	DEPOSIT		300.00
03/10	DEPOSIT		400.00
03/10	DEPOSIT		950.00
03/10	DEPOSIT		1,000.00
03/10	DEPOSIT		3,150.00
03/12	DEPOSIT		700.00
03/13	DEPOSIT		7,000.00
03/17	DEPOSIT		800.00
03/18	DEPOSIT		100.00
03/19	DEPOSIT		1,000.00
03/19	DEPOSIT		1,250.00
03/19	DEPOSIT		781.25
03/20	DEPOSIT		782.50
03/20	DEPOSIT		1,166.67
03/25	DEPOSIT		271.11
03/25	DEPOSIT		2,600.00
03/27	DEPOSIT		1,000.00
03/31	CYCLE SERVICE CHARGE	7.50	

072-2857

NOTE: PLEASE REVERSE SIDE FOR IMPORTANT INFORMATION

0021798

Exhibit K

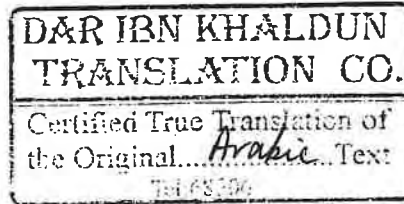


دار ابن خلدون للترجمة

Translator's Affidavit

"I , the undersigned, Ahmad I. Amer of Dar Ibn Khaldun Translation Co. , hereby make oath and that I will understand the English Language and that the attached is a full , true and faithful translation from Arabic into English made by me on April 13 , 1997 of the attached Jordanian" Certificate of Death No. 299220" .

In view thereof I hereby put my name, seal and signature.



Translator's Signature: *Ahmad Amer*

p.s.

-Total pages including Translator's affidavit : 3

- The Arabic document , annexed hereto, is

having this stamp:

دار ابن خلدون للترجمة
Dar Ibn Khaldun Translation

هاتف: ٦٨٥٠٦٢/٦٤١٣ - ص.ب: ٩٦١٥٩١ المدينة الرياضية ١١١٩٦ عمان-الأردن
Tel. 685062/606412- P.O Box : 961591 Sports City 11196 Amman-Jordan

IN THE NAME OF ALLAH , MOST GRACIOUS, MOST MERCIFUL
(Form 43)

MINISTRY OF INTERIOR CIVIL REGISTRATION OFFICE:Zarka
CIVIL STATUS & PASSPORT DEPT. GOVERNORATE :

EMBLEM OF
H.K. of JORDAN

No. 299220

CERTIFICATE OF DEATH

National Number				Sex	Mother's	Religion	Occupation	Nationality
Name	Father's Name	Grandfather's Name	Family Name or Surname		Full Name			
Mohammad	Yousef	Mohammad	Hamdan	M	Zakiyeh Muneeb	Islam	Merchant	Jordanian

Place of Death	Date of Death in Words						Date and Place of Birth	
	Minute	Hour	Day	Date	Month	Year	Date of Birth	Place of Birth
Amman				18	3	997	1925	Seelit Daher

Eighteenth of March Nineteen Ninety Seven

Marital Status	Place of Residence	ID / Family/ Personal			Place of Civil Entry			Civil Registration Office
		No.	Office	Date	City or Village	Quarter	No.	
Married	Zarka	/	/	/	/	/	130/19	Zarka

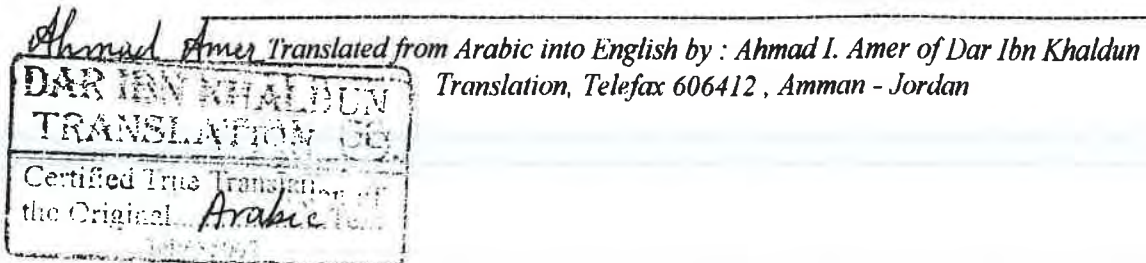
These data are true and correct copy of the original copy recorded on file in the civil registration office of : Zarka on : 13/4/1997 Under No. 1563 Volume : 8

Date of Certificate : 13/4/1997

Name of the Clerk : (Signature)

Name of Registrar : (Signature .)

Official Signature & Stamp





وزارة خارجية المملكة الأردنية الهاشمية
مدير مسؤوليها
٢١ نيسان ١٩٩٧
أشارت على صفة عامة
وتوقيع
وزير الخارجية

مكتب سجل مدني
محافظه / لواء / قضاء / ناحية



وزارة الداخلية
دائرة الاحوال المدنية والجوازات

No. 299220

شهادة وفاة

رقم ٢٩٩٢٢٠

الجنسية	المهنة	الدين	اسم الام الكامل	الجنس ذكر أو انثى	الرقم الوطني		اسم الاب	الاسم
					الشهرة أو العائلة	اسم الجد		
اردني	تاجر	مسلم	رقية ضبيب	ذكر	٨٠٥١٠٦١٠٨	محمد	يوسف	محمد

تاريخ ومكان الولادة		تاريخ الوفاة كتابة					مكان الوفاة	
مكان الولادة	تاريخ الولادة	السنة	الشهر	التاريخ	اليوم	الساعة		الدقيقة
سجل مدني	١٩٥٥	١٩	٧	١٢				عمان

مكان القيد بالسجل المدني			البطاقة / عائلية / شخصية			مكان الاقامة	الحالة الزوجية
مكتب سجل مدني	الرقم	الحي	التاريخ	المصدر	الرقم		
سجل مدني	١٢					عمان	متزوج

هذه البيانات مطابقة لما هو مقيد في سجل واقعات مكتب سجل مدني بتاريخ ١٢ / ٧ / ١٩٥٥
 برقم ١٥٦٢ جزء
 اسم الموظف توقيع
 اسم امين السجل حيا
 التوقيع والخاتم الرسمي

دار ابن خلدون للترجمة
Dar Ibn Khaldun Translation



وزارة خارجية المملكة الأردنية الهاشمية
غير مسؤول عن محتوى البريد الإلكتروني
حضان ٢١ نيسان ١٩٩٢
أشارت على نسخة خاتم
وثوقي
وزير الخارجية

Exhibit L

BRYANT, WHITE AND BARNES, P.C.

47 KING STREET, 2ND FLOOR
P.O. BOX 4589
CHRISTIANSTED, ST CROIX
U.S. VIRGIN ISLANDS 00822-4589

BRITAIN H BRYANT
DARYL C BARNES
ANDREW C SIMPSON

TELEPHONE 809-773-2785
FAX NUMBER 809-773-5427

C BETH MOSS
ERIC S CHANCELLOR
TIMOTHY I STEVENS

April 22, 1997

STACY L WHILL
of counsel

Via telefax

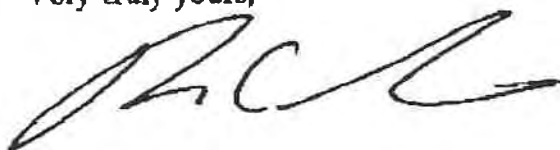
Mr. Brian J. Lincoln
Vice President
Senior Financial Consultant
Merrill Lynch Group
5030 Anchor Way
Gallows Bay, St. Croix
U.S. Virgin Islands 00820

Re: Hamdan Diamond Corporation

Dear Mr. Lincoln:

Further to your request, Fathi Yusuf verifies that it is his intention, as trustee of the Estate of Mohamad Yousef Hamdan, to transfer the stock of Hamdan Diamond Corporation from the Estate to Mr. Hamdan's niece and daughter-in-law, Fathia Yousef. Ms. Yousef is presently the secretary of the corporation. Mr. Yusuf will do all of this in accordance with the laws applicable to the administration of the estate.

Very truly yours,



Andrew C. Simpson



Fathi Yusuf

Exhibit M

WEBSTER & DYRUD

VICTORIA HOUSE
PO BOX 58
THE VALLEY, ANGUILLA,
BRITISH WEST INDIES
264 809 497.2060 TELEPHONE
264 809 497.3096 FACSIMILE

Mar 16, 1997

Mr. Fathi Yusuf
P.C. Box 503358
St. Thomas,
U.S. Virgin Islands 00805

Via Fax (809) 775 5766

Dear Fahti:

Re: Hamden Diamond Corporation

Enclosed is a copy of the share certificate to be issued to Fahtia Yousef.

As we discussed, please sign and fax it back to me. I shall then fax it to Robert Koch of Merrill Lynch with an accompanying letter explaining that she is the sole shareholder of the company etc. and that he will receive a copy of the original share certificate in due course. This he has explained to me will be sufficient.

I shall be soon sending to you via Liat Quikpak the original of the share certificate and accompanying documentation.

If you have any questions, please contact me.

Best regards.

Yours sincerely,
WEBSTER & DYRUD


John O. Dyrud

Encl.

No. of Certificate: 1

No. of Shares: 1

HAMDEN DIAMOND CORPORATION

Anguilla International Business Corporation No. 432

50,000 Ordinary Shares

US\$1.00 Par Value

*This is to certify that **Fathia Yousef** is entitled to all the rights and privileges of this 1 fully paid Registered Share in the Company, subject to the Articles of Incorporation and By-Laws.*

Given under the common seal of the company this day, the 16th of May 1997.

Phil. Yusuf
Director

185-1109

(ANY TRANSFER OF THESE SHARES IS SUBJECT TO A RIGHT OF FIRST PURCHASE IN EXISTING SHAREHOLDERS)
(NO TRANSFER OF THESE SHARES CAN BE REGISTERED UNTIL THIS CERTIFICATE HAS BEEN DEPOSITED AT THE COMPANY OFFICE)

Exhibit N

20 May 1997

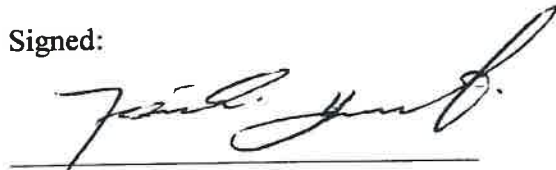
Merrill Lynch Pierce Fenner & Smith

RE: Hamdan Diamond Corporation
Account #140 - 07884

To whom it may concern:

Please be advised that I, Fathi Yusuf, director of Hamdan Diamond Corporation, take full responsibility in the management of the above account as requested by Fathia Yousef, sole shareholder of Hamdan Diamond Corporation.

Signed:



Dated: 5-20-1997

Fathi Yusuf

21 May 1997

Merrill Lynch Pierce Fenner & Smith

Re : Hamdan Diamond Corporation

Account # 140 - 07884

To whom it may concern

Please be advised that I , Fathieh Yousef, sole shareholder of Hamdan Diamond Corporation, give full authority to the director Fathi Yusuf to manage the above account.

I am fully knowledgeable and aware that the he will direct any and all investment activity in this account.

Signed :

Fathieh Yousef

Fathieh Yousef

Date : 21 May 1997

Exhibit O

PLAZA EXTRA

26-A TuTu Park Shopping Center
Charlotte Amalie • St. Thomas, VI 00802
Tel: Office (340) 775-5646 • FAX (340) 775-5766

11 April 2001

Mr. Robert A. Koch
Merrill Lynch
First Vice President
5030 Anchor Way
Christiansted, St. Croix, USVI 00820

Certified Mail: 7000 1670 0006 6174 6117

FAXED

Dear Mr. Koch:

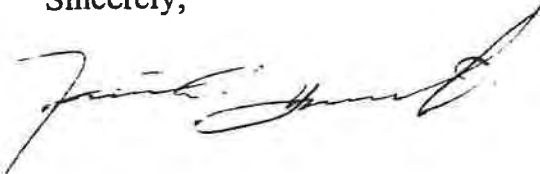
As per our discussion last week, United Corporation has decided to pay all of the notes payable and accrued interest to Mohammad Hamdan. The debts will be paid into his company, Hamdan Diamond Corporation, account nos. 140-07884 and 140-07951.

From past experience, I must admit, I have made too many honest mistakes in handling transactions for Hamdan Diamond Corporation through Merrill Lynch.

Therefore, upon receipt of this notice, please adjust your files regarding Hamdan Diamond Corporation, to restrict purchases of any stock whatsoever on margin. In addition, restrict all transaction concerning the purchase of any and all types of options.

In closing, this notice is final and irrevocable.

Sincerely,



Fathi Yusuf
Officer
Hamdan Diamond Corporation

7000 1670 0006 6174 6117

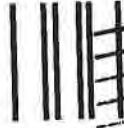
U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
Postage	\$ 34
Certified Fee	1.50
Return Receipt Fee (Endorsement Required)	1.50
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.74

Sent To: *John Koch*
Street Apt No. or PO Box No.:
City, State, ZIP+4: *Merrill Lynch, St. Croix, VI*

PS Form 3800, May 2000 See Reverse for Instructions



UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

BEN IRLINI
PLAZA EXTRA
P.O. Box 50335B
ST. THOMAS, VI

00805-3358

067-0601

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Received by <i>(Please Print Clearly)</i>	B. Date of Delivery <i>8/12/01</i>
<p>1. Article Addressed to:</p> <p><i>John Koch</i> <i>Merrill Lynch</i> <i>O'sted, St. Croix, VI</i> <i>00820</i></p> <p><i>HANANE DIAMOND CORP.</i></p>	C. Signature <i>X [Signature]</i>	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
<p>2. Article Number <i>(Copy from service label)</i></p> <p><i>7000 1670 0006 6174 6117</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
	<p>3. Service Type</p> <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	<p>4. Restricted Delivery? <i>(Extra Fee)</i> <input type="checkbox"/> Yes</p>	
	<p style="text-align: right;">067-0602</p>	

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

Fidelity Investments
Fidelity Lynch

FUNDS RECEIPT
FOR ACCOUNT

1410-07889

DATE 4/12/01

CREDIT THE ACCOUNT OF Hamed & Yusuf Corp.

FINANCIAL CONSULTANT

- CHECK ONE - DO NOT MAIL CASH!
- CASH MANAGEMENT ACCOUNT (CMA)
- CAPITAL BUREAU ACCOUNT (CBA)
- MEMBER 1, LYNCH READY ASSETS TRUST
- OTHER
- SECURITIES RISK (SRI)
- UNREGULATED COMMODITY

DO NOT WRITE BELOW THIS LINE

CHECKS		TOTAL	
DOLLARS	CENTS	DOLLARS	CENTS
500.00	00	500.00	00

CLIENT COPY

add. m. yusuf

After - MR. R-Koch

Solidiabank

CHARLOTTE AMALIE
ST THOMAS US VIRGIN ISLANDS 00801

3044972507

90-182
433

PAY TO ORDER OF *Handan Diamond Corp.*

SUM OF

500,000.00

\$ 500,000.00
U.S. DOLLARS

TO:
PNC BANK, NATIONAL ASSOCIATION
JEANNETTE, PENNSYLVANIA
15644, U.S.A.

AUTH NO. *M3045*
AUTH NO. *496*
THE BANK OF NOVA SCOTIA
AUTHORIZED OFFICER
[Signature]
AUTHORIZED OFFICER

3044972507 0433015271

0009596509

Registered Trademarks of The Bank of Nova Scotia

Hamed v. United & Yusuf - Ders Production

0015295

067-0614

Scotiabank

**CHARLOTTE AMALIE
ST THOMAS US VIRGIN ISLANDS 00801**

3044972513

April 19, 2001

80-182
433

PAY TO ORDER OF *****Haddon Diamond Corporation*****

\$700,000.00**
U.S. DOLLARS

SUM OF **SEVEN HUNDRED THOUSAND 00/100**

TO:
**PNC BANK, NATIONAL ASSOCIATION
JEANNETTE, PENNSYLVANIA
15644, U.S.A.**

THE BANK OF NOVA SCOTIA
AUTHORIZED OFFICER
[Signature]
15374
AUTHORIZED OFFICER

⑆3044972513⑆ ⑆043301627⑆ 0009596509⑆



**FUNDS RECEIPT
FOR ACCOUNT**

146-7884

DATE *4/19/01*

CREDIT THE
ACCOUNT OF *1750 A*

FINANCIAL CONSULTANT

- CHECK ONE - DO NOT MAIL CASH!
- CASH MANAGEMENT ACCOUNT (CMA)
- CAPITAL BUILDER ACCOUNT (CBA)
- MERRILL LYNCH READY ASSETS TRUST
- SECURITIES PURCHASE
- UNREGULATED COMMODITY
- OTHER

DO NOT WRITE BELOW THIS LINE

CHECKS	DOLLARS	CENTS
	700.00	00
TOTAL	700.00	00

CLIENT COPY

067-0613

0015294

Handled by Banked & Trust - Dep's Production

067-0616

0015297

Handed in by Merrill Lynch - Dept. Production

Handwritten signature and scribbles

Merrill Lynch
CREDIT THE
ACCOUNT OF Handan Davidov

FUNDS RECEIPT
FOR ACCOUNT

7770-078874

DATE 4/15/01

FINANCIAL CONSULTANT

- CHECK ONE - DID NOT MAIL CASH
- CASH MANAGEMENT ACCOUNT (CMA)
- CAPITAL, RISK AND ACCOUNT (CRA)
- MERRILL LYNCH READY ASSETS TRUST
- OTHER

DO NOT WRITE BELOW THIS LINE

CHECKS	DOLLARS	CENTS
	1,400,000	00
TOTAL	1,400,000	00

CLIENT COPY

CHARLOTTE AMALIE
ST THOMAS US VIRGIN ISLANDS 00801

3044972519

APRIL 23, 01
DATE

80-192
433

PAY TO ORDER OF ***** HANDAN DIAMOND CORPORATION ***** \$ 200,000.00
U.S. DOLLARS

SUM OF

TO
PNC BANK, NATIONAL ASSOCIATION
JEANNETTE, PENNSYLVANIA
15694, U.S.A.

APR 23 2001
THE BANK OF NOVA SCOTIA
AUTH NO. M3049
AUTHORIZED OFFICER
AUTHORIZED OFFICER

⑆ 3044972519 ⑆ ⑆ 0433016274 ⑆

0009596509



FINANCIAL CONSULTANT
CREDIT THE ACCOUNT OF Handan Diamond Corporation

FUNDS RECEIPT FOR ACCOUNT

1 4 0 - 0 7 8 8 4

DATE 4/23/01

- CHECK ONE - DO NOT MAIL CASH!
- CASH MANAGEMENT ACCOUNT (CMA)
- CAPITAL BRIDGER ACCOUNT (CBA)
- MERRILL LYNCH READY ASSETS TRUST
- SECURITIES PURCHASE
- UNREGULATED COMMODITY
- OTHER

DO NOT WRITE BELOW THIS LINE

CHECKS	DOLLARS	CENTS
	200,000	00
TOTAL	200,000	00

CLIENT COPY

Exhibit P

**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.)	
FATHI YUSUF and UNITED CORPORATION,	)	ACTION FOR INJUNCTIVE
	)	RELIEF, DECLARATORY
Defendants/Counterclaimants,	)	JUDGMENT, AND
v.	)	PARTNERSHIP DISSOLUTION,
	)	WIND UP, AND ACCOUNTING
WALEED HAMED, WAHEED HAMED, MUFEEED HAMED, HISHAM HAMED, and PLESSEN ENTERPRISES, INC.,)	
)	
<u>Additional Counterclaim Defendants.</u>	)	Consolidated With
WALEED HAMED, as Executor of the Estate of MOHAMMAD HAMED,)	
	)	CIVIL NO. SX-14-CV-287
Plaintiff,)	
v.	)	ACTION FOR DAMAGES AND
UNITED CORPORATION,	)	DECLARATORY JUDGMENT
)	
<u>Defendant.</u>)	
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,)	
)	
<u>Defendant.</u>)	
FATHI YUSUF and UNITED CORPORATION,	)	CIVIL NO. ST-17-CV-384
)	
Plaintiffs,	)	ACTION TO SET ASIDE
v.	)	FRAUDULENT TRANSFERS
THE ESTATE OF MOHAMMAD HAMED, Waleed Hamed as Executor of the Estate of Mohammad Hamed, and THE MOHAMMAD A. HAMED LIVING TRUST,)	
)	
Defendants.)	
)	

DECLARATION OF FATHI YUSUF

I, Fathi Yusuf, pursuant to 28 U.S.C. § 1746, and V.I.R. Civ. P. 84, declare under the penalties of perjury, that the following is true and correct:

1. I was the Managing partner of the Partnership and had full authority as to financial decisions of the Partnership including determining whether there was the need for loans and when and how they were paid. In the 1990's, my brother, Mohammad Hamdan loaned money at times when the Partnership stores needed funds. I requested that the amounts due to Hamdan as well as the interest be tracked and calculated. I directed payments of interest and ultimately of the principal when funds were sufficient to do so. When payments were made, we typically noted it on the checks. All payments made to Hamdan or Hamdan Diamond Corporation were in repayment of loans provided for the use and benefit of the Partnership.

2. In 1996, my brother asked me to assist with some of his estate planning and with the creation of his company Hamdan Diamond Corporation. I did so. At that time, the Partnership still owed Hamdan and continued to make payments on the loans previously received. At the end of 2001, I withdrew from any position with Hamdan Diamond and withdrew from any authority as to the Merrill Lynch accounts referenced in Hamed's Motion as to H-33. Since 2001, I have had nothing to do with Hamdan Diamond or any of the Merrill Lynch accounts which are referenced in Hamed's Motion as to H-33.

3. I have reviewed Exhibits A thru O to Yusuf and United's Opposition to Hamed's Motion for Partial Summary Judgment as to H-33 Merrill Lynch accounts. These exhibits contain records showing deposits from my brother Mohammad Hamdan from his Merrill Lynch account, Internal accounting records from United reflecting the loans and calculations of accruing interest and checks for payments on those loans, correspondence as well as other documents relating to the creation of Hamdan Diamond and my brother's estate planning. While

I do not recall the specifics of each of the transactions reflected in these Exhibits, I know that the loans and interest to Hamdan and others were being tracked as they were debts of the Partnership which were to be paid. The Internal accounting documents were created by Ben Irvin or those under his supervision.

4. Ben Irvin was employed by the partnership as its principal accountant or comptroller for a number of years in the 1990's until, to the best of my recollection, sometime in the early 2000's. I do not recall the exact dates of his employment, but my recollection and belief is that he prepared most or all of the Internal accounting records referenced in the Exhibits A thru O, or that he directed their preparation by others in the accounting department which he supervised.

Dated: April 17, 2020

A handwritten signature in blue ink, appearing to read "Fathi Yusuf", written over a horizontal line.

Fathi Yusuf

Exhibit Q

EXHIBIT Q

YUSUF AND UNITED'S STATEMENT OF MATERIAL FACTS

1. In the United documents seized in the 2001 raid and then returned from the FBI, there is evidence demonstrating that the Partnership received funds from Mohammad Hamdan (Yusuf's brother) dating back as early as 1994. *See Exhibit A—Internal Accounting Records and Merrill Lynch Statements for 1994, Bates Numbers Def.'s Production 2696-9 (FBI 035-1472 thru 75), 2739 (FBI 035-1515), 2741 (FBI 035-1517), 2744-5 (FBI 035-1520 thru 21), 2748 (FBI 035-1524).*
2. In particular, the St. Thomas store received \$100,000.00 in March, 1994 and the St. Croix store received \$25,000.00 in April of 1994. *See Exhibit A—specifically Bates 2696-8, 2739, 2741, 2743-5, and 2748.* The check from Mohammad Hamdan's Merrill Lynch Cash Management Account and the deposit slip to United's Banco Popular account for the \$100,000.00 are dated March 16, 1994. *See Exhibit C—March 1994 Check and Deposit Slip, Bates Numbers 84407 (FBI 185-0806).*
3. Hamdan Diamond Corporation was not formed until May 1996. Before that time in 1994, the funds were received from the Account of Yusuf's brother, Mohammad Hamdan, Merrill Lynch Account #140-16484. *See Exhibit B – Letter from Merrill Lynch dated September 21, 2016, Bates Number FY 014912, which confirms that Merrill Lynch Account #140-16484 was opened in 1991 for Mohammad Hamdan. All assets from the Mohammad Hamdan, Merrill Lynch Account #140-16484, were then transferred to the Hamdan Diamond Merrill Lynch Account #140-07884 in the later part of 1996. See Exhibit H, Bates 084730 (FBI 185-1127).*

4. Internal accounting documents from United also reflect loan receipts from Mohammad Hamdan beginning in 1994 and as well as interest calculations running thru 1995. *See Exhibit D* – Internal Accounting records of loans and accrued interest for Hamdan, Bates Numbers 21601-2 (FBI 072-2662 thru 63). It appears from the date on the top, that Exhibit D was run on February 14, 1996 at 5:13 p.m. These Internal Accounting records were also present in 1997. *See Exhibit E*-Internal Accounting records of loans and accrued interest for Hamdan, Bates Numbers 21604-5 (FBI 072-2665 thru 66). It appears from the date on the top, that Exhibit E was run on March 20, 1997 at 2:12 p.m.
5. Fathi Yusuf testified as to the difficult financial times experienced by the Partnership stores with the rebuilding from the fire, re-opening of Plaza Extra East, constructing and opening Plaza Extra Tutu and then Hurricane Marilyn and damage to the Plaza Extra Tutu store slowing operations and loss of inventory. Hurricane Marilyn struck the islands in September 1995, and the partnership was “dead broke before that” and “absolutely broke” as a result in 1996. *See Exhibit F-1*, 1/21/20 Dep. Tr., p. 235-239 (testimony of Fathi Yusuf). Yusuf testified that “we was really losing money until about April or May of ‘94” and that Waheed Hamed was worried and stated “we’re going to lose all our money.” *Id.* at 236-237. In late 1994, they started to turn things around but “we still heavily loaded with debt” in 1994 and 1995. *Id.* at 237-238. Yusuf further describes having substantial physical damage to Plaza Tutu and taking months to rebuild his inventory in 1995. *Id.* at 239. The partnership was “deeply needing money” in 1996, and Mr. Yusuf concluded that he had “to put my rent money into the store....” *Id.* at 239. *See also* Newspaper clipping from January 1995 (Bates 0083982, FBI 185-0381) reflecting the tough financial conditions of the Plaza Tutu store.

6. In 1996, there were a number of interest payments made as to the Hamdan loans. *See Exhibit G*—Two checks in January 1996 for \$50,000 and \$100,000—Bates Numbers 21610-11 (FBI 072-2671 thru 72). One payment is dated January 12, 1996, made payable to Merrill Lynch with notation as “Mohamad Hamden (interest)” and a deposit slip to the Merrill Lynch account for Mohammad Hamdan, Account #14016484. *Id.* The other payment is dated January 22, 1996, made payable to Merrill Lynch with notation as “payment of Interest on Loan from Hamdan” and a deposit slip to the same account. *Id.*
7. These records reflect that the Partnership received monies from Mohammad Hamdan paid directly to the Plaza Extra stores for the benefit of the Partnership. *See Exhibits A and C.*
8. The Internal accounting records reflect loans to Mohammad Hamdan in 1994 and 1995. *See Exhibits D and E.*
9. Payments were made noting that they were interest payments on the loans. *See Exhibit G.*
10. According to the Internal accounting records relating to loans from Mohammad Hamdan at the end of 1995, the outstanding principal and interest owed was over \$1.6 million. *See Exhibit D.*
11. In 1996, Mohammad Hamdan created Hamdan Diamond and named Fathi Yusuf and Waleed Hamed as directors. *See Exhibit H*—Collective exhibit of Incorporation Documents.
12. Hamdan was the President and Faithia Yousef, his niece and daughter-in-law was named as Secretary. *Id.*
13. The company was formally created in May of 1996 and done so in conjunction with some of Hamdan’s estate planning. *See Exhibit I*—Last Will and Testament of Mohammad

Hamdan; Exhibit H. All of the proper formalities were followed in the creation of the entity.

14. Later in 1996, all of the investments in Mohammad Hamdan's personal investment account with Merrill Lynch #140-16484 were transferred to the Hamdan Diamond account opened at Merrill Lynch, under account #140-07884. *See Exhibit H, Bates 084730 (FBI 185-1127).*
15. Plaza Extra continued to make payments for the loans given by Mohammad Hamdan thereafter. United even made some interest payments on behalf of the partnership from the Tenant Account in July of 1996 and March of 1997. *See Exhibit J*-Collective exhibit of Internal accounting for Tenant Account, V.I. Community Bank Statements and copy of check.
16. Unfortunately, in March of 1997, Mohammad Hamdan died and Yusuf was appointed as Executor of his Estate. *See Exhibit K*-Hamdan Death Certificate.
17. On April 22, 1997, Attorney Andrew Simpson wrote to Merrill Lynch to confirm that Yusuf, as Trustee of his brother's estate would be transferring all of the stock of Hamdan Diamond Corporation to Hamdan's niece and daughter-in-law, Fathia Yousef, who was already named as the Secretary of the company. *See Exhibit L*-April 22, 1997 Letter from Attorney Simpson. To that end, the shares of Hamdan Diamond were transferred to Fathia Yousef. *See Exhibit M*-Documents reflecting transfer of stock shares of Hamdan Diamond in name of Fathia Yousef. Thereafter, Fathia Yousef authorized Mr. Yusuf to manage the account. *See Exhibit N*-May 20-21, 1997 Correspondence.
18. In April 2001, Yusuf wrote to Merrill Lynch to follow up on a telephone conversation that:

United Corporation has decided to pay all of the notes payable and accrued interest to Mohammad Hamdan. The debts will be paid into his company, Hamdan Diamond, account nos. 140-07884 and 140-07951.

See **Exhibit O**-Yusuf letter and payments for the Mohammed Loans.

19. At the end of 2001, Mr. Yusuf relinquished any position with Hamdan Diamond and no longer had any further involvement with the company and no further authority as to the Merrill Lynch account. See **Exhibit P**- Declaration of Fathi Yusuf, 4/17/2020, ¶ 2.
20. Since that time in 2001, Mr. Yusuf has no information as to Hamdan Diamond or the accounts that are the subject of Hamed's Motion including whether it is still open. *Id.* at ¶ 2.
21. Mr. Yusuf was in charge of all of the financial decisions relating to the Partnership which would include the need for loans and determination as to when and how they were paid. See Exhibit P, ¶ 1.
22. In Yusuf and United's Initial Disclosures dated August 1, 2013 and Notice of Service of Supplemental Disclosures dated August 23, 2013, all of the records from the criminal case which had been seized by the FBI were produced in this case. See **Exhibit B-1**. The index of the FBI Bates numbers is over 881 pages long and lists approximately 150 bates numbers on each page for a total of over 132,150 bates numbered documents. This index and all of those documents produced in the criminal case were produced in this case by United and Yusuf's former counsel, Joseph DiRuzzo on August 1, 2013. *Id.* The FBI bates numbers either bear a particular bates label with an eagle or typically follow the same format of: three digits – four digits. The Exhibits A, C-O referenced in this Opposition have been in Hamed's possession since August of 2013 when Yusuf and United produced them at the outset of the case. Further, Hamed also has copies of the FBI documents independently.

23. The loans from Hamdan were not the only loans secured by the Partnership during this difficult financial period. Immediately after Hurricane Marilyn in 1995, the Partnership received hundreds of thousands of dollars from other sources. *See Exhibit F*-Internal Accounting records of a loan from Yacoub Saleh reflecting four loans for \$100,000, \$200,000, \$150,000 and \$250,000 in October 1995. Similar to the documentation for the Hamdan loans, these records reflect calculations, a deposit slip into a Plaza Extra account noting it as a “Loan” and then a check in May of 1996 with the notation “For Principal & Interest paid in full” in the amount of the calculations on the Internal Accounting records.
24. I was the Managing partner of the Partnership and had full authority as to financial decisions of the Partnership including determining whether there was the need for loans and when and how they were paid. In the 1990’s, my brother, Mohammad Hamdan loaned money at times when the Partnership stores needed funds. I requested that the amounts due to Hamdan as well as the interest be tracked and calculated. I directed payments of interest and ultimately of the principal when funds were sufficient to do so. When payments were made, we typically noted it on the checks. All payments made to Hamdan or Hamdan Diamond Corporation were in repayment of loans provided for the use and benefit of the Partnership. *See Exhibit P*- Declaration of Fathi Yusuf, 4/17/2020, ¶ 1.
25. In 1996, my brother asked me to assist with some of his estate planning and with the creation of his company Hamdan Diamond Corporation. I did so. At that time, the Partnership still owed Hamdan and continued to make payments on the loans previously received. At the end of 2001, I withdrew from any position with Hamdan Diamond and withdrew from any authority as to the Merrill Lynch accounts referenced in Hamed’s Motion as to H-33. Since 2001, I have had nothing to do with Hamdan Diamond or any of

the Merrill Lynch accounts which are referenced in Hamed's Motion as to H-33. *Id.* at ¶ 2.

26. I have reviewed Exhibits A thru O to Yusuf and United's Opposition to Hamed's Motion for Partial Summary Judgment as to H-33 Merrill Lynch accounts. These exhibits contain records showing deposits from my brother Mohammad Hamdan from his Merrill Lynch account, Internal accounting records from United reflecting the loans and calculations of accruing interest and checks for payments on those loans, correspondence as well as other documents relating to the creation of Hamdan Diamond and my brother's estate planning. While I do not recall the specifics of each of the transactions reflected in these Exhibits, I know that the loans and interest to Hamdan and others were being tracked as they were debts of the Partnership which were to be paid. The Internal accounting documents were created by Ben Irvin or those under his supervision. *Id.* at ¶ 3.

27. Ben Irvin was employed by the partnership as its principal accountant or comptroller for a number of years in the 1990's until, to the best of my recollection, sometime in the early 2000's. I do not recall the exact dates of his employment, but my recollection and belief is that he prepared most or all of the Internal accounting records referenced in the Exhibits A thru O, or that he directed their preparation by others in the accounting department which he supervised. *Id.* at ¶ 4.

Exhibit R

EXHIBIT R

YUSUF 'S RESPONSE TO HAMED'S STATEMENT OF MATERIAL FACTS

Yusuf's responds to the individually numbers paragraphs in Hamed's Statement of Material Facts as follows:

Hamed Statement Number 1:

Response: Denied. Mohammad Hamdan directed the creation of the company Hamdan Diamond and asked his brother, Fathi Yusuf to assist. *See* Exhibit P – Declaration Yusuf, ¶ 2.

Hamed Statement Number 2:

Response: Denied as written. The additional incorporation documents reveal that Mohammad Hamdan is the sole shareholder and President of the Company and that Faithi Yousef is the Secretary. *See* Exhibit H. Although Yusuf and Waleed Hamed were Directors, their authority to manage the account does not change the character of the payments that were made by and for the Partnership were in satisfaction of the earlier loans made by Hamdan to the Partnership.

Hamed Statement Number 3:

Response: Denied as written. Fathi Yousef was already an officer of the company at the time of its creation. *See* Exhibit H. She became the sole shareholder following her uncle's death. *See* Exhibit L, M and N. She authorized Fathi Yusuf to manage the account. *Id.* Since 2001, Fathi Yusuf no longer has any position with Hamdan Diamond and has no

authority with regard to the account and does not know if the account is still in existence. *See Exhibit P-Declaration Fathi Yusuf, ¶ 2.*

Hamed Statement Number 4:

Response: Denied as written. Checks were written to the Hamdan Diamond Merrill Lynch account to pay principal and interest on loans received from Mohammad Hamdan for the benefit of the Partnership. The loan payments were not to “fund” the accounts but to pay loans with the account being the receiving account for those payments. *See Exhibits D, E, G, J, O, P and Q.*

Hamed Statement Number 5:

Response: Admitted.

Hamed Statement Number 6:

Response: Admitted.

Hamed Statement Number 7:

Response: Yusuf is without sufficient knowledge to either admit or deny. As Yusuf has had no further involvement with Hamdan Diamond since 2001 and has no access to the account since 2001, he has no information as to the account and whether it still exists. As to the other accounts, he is without information. *See Exhibit P-Declaration Fathi Yusuf, ¶ 2.* Further responding, Counsel for Hamed’s statement that “Hamed’s lead counsel verified that there were funds in on or more related accounts at Merrill Lynch” is not admissible to

support this Motion for Summary Judgment. First, it is a hearsay representation by Attorney Hartmann that another attorney “Hamed’s lead counsel” has “verified” something. Second, the statement is vague as to “funds in one or more related accounts at Merrill Lynch” without describing which accounts and the amount of the funds. Moreover, even if admissible, Yusuf has not had any contact with the account since 2001 and any payments to the account were made in 2001 – nearly 19 years ago. *See* Exhibit P-Declaration Fathi Yusuf, ¶ 2.

Hamed Statement Number 8:

Response: Denied. There are financial records and other documents that have been produced by Fathi Yusuf or United, that reflect incoming funds from the loans. *See* Exhibits A – E. Moreover, Yusuf and United produced these records as part of their Initial Disclosures as the outset of the case and they have been in Hamed’s possession for almost seven (7) years, since August of 2013. *See* Exhibit B-1.

Hamed Statement Number 9:

Response: Denied. There are financial records and other documents that have been produced by Fathi Yusuf or United, that reflect incoming funds from the loans. *See* Exhibits A – E. Moreover, Yusuf and United produced these records as part of their Initial Disclosures as the outset of the case and they have been in Hamed’s possession for almost seven (7) years, since August of 2013. *See* Exhibit B-1.

For Attorney Hartmann to state that there are no such documents despite his extensive search begs the question as to how extensive was his search. For example,

Hamed's Exhibit 5 bears the FBI numbers 185-1136. Many of the documents referenced by Yusuf in this Opposition are in the same vicinity bearing the same FBI pre-fix number "185." Further, there is an entire series of documents from the FBI with a bates label prefix "ML---." Again, these have been in Hamed's possession from the outset of the litigation as they were produced as part of Yusuf's Initial Disclosures in 2013 at the outset of the case. Furthermore, Hamed has his own set of the FBI documents from his own criminal counsel.