

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

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

Plaintiff/Counterclaim Defendant,

vs.

FATHI YUSUF and **UNITED CORPORATION**

Defendants and Counterclaimants.

vs.

**WALEED HAMED, WAHEED HAMED,
MUFEED HAMED, HISHAM HAMED, and
PLESSEN ENTERPRISES, INC.,**

Counterclaim Defendants,

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

vs.

UNITED CORPORATION, *Defendant.*

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

vs.

FATHI YUSUF, *Defendant.*

FATHI YUSUF, *Plaintiff,*

vs.

MOHAMMAD A. HAMED TRUST, *et al,*

Defendants.

KAC357 Inc., *Plaintiff,*

vs.

HAMED/YUSUF PARTNERSHIP,

Defendant.

Case No.: **SX-2012-CV-370**

**ACTION FOR DAMAGES,
INJUNCTIVE RELIEF AND
DECLARATORY RELIEF**

JURY TRIAL DEMANDED

Consolidated with

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

Consolidated with

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

Consolidated with

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

Consolidated with

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

**HAMED MOTION TO SPECIAL MASTER ROSS FOR AN ORDER
AS TO CLAIMS ALREADY ADDRESSED "NUMBER 6"**

I. Introduction

On October 4, 2019, Hamed filed a notice of withdrawal of three claims and one pending motion for summary judgment. On October 8, 2019, the Court entered an order granting that withdrawal.

ORDERED that Hamed Claim Nos. H-34, H-58, and H-85 shall be withdrawn with prejudice and are hereby STRICKEN WITH PREJUDICE. And it is further:

ORDERED that Hamed's motion for summary judgment regarding Hamed Claim No. H-34 shall be withdrawn with prejudice and is hereby STRICKEN WITH PREJUDICE.

That Order has been referred to as "Order as to Claims Already Addressed Number 1."

The parties then jointly sought the Master's permission to create a similar mechanism for having the Court provide formal orders for other claims which the parties may dispose of by withdrawal, compromise or concession. They stated that "this will provide a running record in the docket as to the status of certain of the claims—and at the end of the review process, an easy to use summary of the disposal of claims, for the calculation of offsetting amounts." The Master allowed this. A total of 5 Orders have now been entered, disposing of the following Claims:

ORDER #1 AS TO 3 CLAIMS ALREADY ADDRESSED: Notice of withdrawal of three claims H-34, H-58 and H-85 (10/4/2019).

ORDER #2 AS TO 23 CLAIMS ALREADY ADDRESSED - Approving Joint Motion formally putting concessions and withdrawals on the docket: H-7, H-8, H-14, H-15, H-18, H-19, H-31, H-36, H-41, H-42, H-43, H-44, H-48, H-51, H-60, H-78, H-90, H-91, H-98, H-99, H-100, H-133, H-145 (11/22/2019).

ORDER #3 AS TO 12 CLAIMS ALREADY ADDRESSED H-160, H-65, H-069, H-70 H-092, H-98, H-103, H-110, H-11, H-119 , H-125, H-135 (2/25/2020).

ORDER #4 AS TO 1 CLAIM ALREADY ADDRESSED H-165 (2/25/2020).

ORDER #5 AS TO 1 CLAIM ALREADY ADDRESSED H-16 (4/13/2021).

II. This Request – Number 6

This instant motion is the sixth such request; and arises from Hamed's counsels' efforts in conjunction with John Gaffney to process the "A" Claims by removing claims that Hamed will no longer contest following Mr. Gaffney's supply of the underlying accounting data and explanation as ordered by the Master. Seven claims are addressed.

Thus, Hamed asks that the Court enter the following order:

SO ORDERED:

The foregoing Motion is **GRANTED** and is made an Order in this case. Claims:

- H-63** (Alamnai);
- H-53** (Merrill – dismissed subject to the contents of the Master's Order)
- H-89** (Misc.);
- H-131** (Hanun);
- H-139** (IntraCo);
- H-144** (\$900k – dismissed subject to the contents of the Master's Order), and
- H-153** (Property Insurance – dismissed subject to the contents of the Master's Order)

are withdrawn with prejudice and are hereby STRICKEN WITH PREJUDICE.

Dated: _____, 2022

Hon. Edgar D. Ross
Master

Dated: February 11, 2022



Carl J. Hartmann III, Esq.
Co-Counsel for Plaintiff
5000 Estate Coakley Bay, L6
Christiansted, VI 00820
Email: carl@carlhartmann.com
Tele: (340) 719-8941

Joel H. Holt, Esq.
Counsel for Plaintiff
Law Offices of Joel H. Holt
2132 Company Street,
Christiansted, VI 00820
Email: holtvi@aol.com
Tele: (340) 773-8709
Fax: (340) 773-8679

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of February, 2022, I served a copy of the foregoing by CaseAnywhere, as agreed by the parties, on:

Hon. Edgar Ross
Special Master
edgarrossjudge@hotmail.com

Charlotte Perrell
Stefan Herpel
DNF
Law House, 10000 Frederiksberg Gade
P.O. Box 756
St. Thomas, VI 00802

Mark W. Eckard
5030 Anchor Way
Christiansted, VI 00820
mark@markeckard.com

Jeffrey B. C. Moorhead
CRT Brow Building
1132 King Street, Suite 3
Christiansted, VI 00820
jeffreymlaw@yahoo.com



CERTIFICATE OF WORD/PAGE COUNT

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

A handwritten signature in blue ink, appearing to read "Carl J. Harbo", with a long horizontal flourish extending to the right.