

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

**MOHAMMAD HAMED, BY HIS
AUTHORIZED AGENT WALEED HAMED,**

PLAINTIFF/COUNTERCLAIM DEFENDANT,

v.

**FATHI YUSUF AND UNITED
CORPORATION,**

DEFENDANTS/COUNTERCLAIMANTS,

v.

**WALEED HAMED, WAHEED HAMED,
MUFEEED HAMED, HISHAM HAMED,
AND PLESSEN ENTERPRISES, INC.,**

COUNTERCLAIM DEFENDANTS.

**WALEED HAMED, AS EXECUTOR OF THE
ESTATE OF MOHAMMAD HAMED,**

PLAINTIFF,

v.

UNITED CORPORATION,

DEFENDANT.

MOHAMMAD HAMED,

PLAINTIFF,

v.

FATHI YUSUF,

DEFENDANT.

Civil No. **SX-12-CV-370**

**ACTION FOR INJUNCTIVE
RELIEF, DECLARATORY
JUDGMENT, PARTNERSHIP
DISSOLUTION, WIND UP, and
ACCOUNTING**

CONSOLIDATED WITH

Civil No. **SX-14-CV-287**

**ACTION FOR DAMAGES and
DECLARATORY JUDGMENT**

CONSOLIDATED WITH

Civil No. **SX-14-CV-378**

**ACTION FOR DEBT and
CONVERSION**

ORDER

THIS MATTER came before the Special Master (hereinafter “Master”) on Yusuf’s motion for additional rulings for Hamed Claim No. H-163 prior to the evidentiary hearing scheduled on April 15, 2021, filed on April 1, 2021. On April 5, 2021, Hamed filed an opposition.

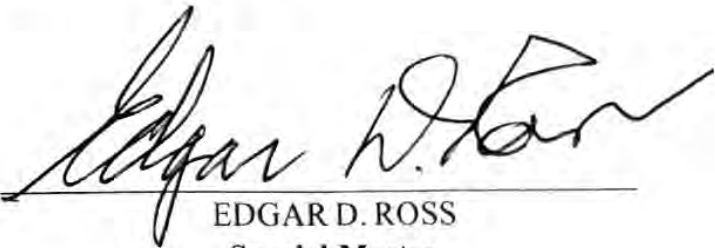
In his motion, Yusuf argued that “there are too many open legal questions that need to be resolved before Claim H-163, if it even survives, can be tried”¹ and requested “the Master use the portion of the April 15th date available for the H-163 claim to conduct an oral argument (without evidence-taking) to determine whether H-163 can go forward, and, if so, in what form.” (Motion, p. 14)

In his opposition, Hamed argued that “not only have all of these legal issues been addressed and resolved, but are is no legal issues that need to be resolved before an evidentiary hearing on the merits of H-163” and that “even if there were new legal issues that Yusuf failed to previously raise, there is no reason to limit the April 15th hearing to just these new legal arguments when the evidence can be heard quite quickly, with the parties then briefing whatever additional legal arguments they choose to address in their post hearing briefs.” (Opp., p. 7) As such, Hamed requested the Master to proceed with the evidentiary hearing as scheduled. (Id., at p. 8)

Having been advised on the premises, the Master will deny Yusuf’s motion. All defenses for Hamed Claim No. H-163, legal or otherwise, can be addressed at the close of the evidentiary hearing scheduled on April 15, 2021. Accordingly, it is hereby:

ORDERED that Yusuf’s motion for additional rulings for Hamed Claim No. H-163 prior to the evidentiary hearing scheduled on April 15, 2021, filed on April 1, 2021, is **DENIED**.

DONE and so ORDERED this 6th day of April, 2021.


EDGAR D. ROSS
Special Master

¹ As an example of the open legal issues that need to be resolved, Yusuf argued in his motion that the law of the case and the judicial estoppel doctrine should bar Hamed from arguing that the partnership was not an at-will partnership. (Motion, pp. 1-12)