

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,
MUFEEED HAMED, HISHAM HAMED, and
PLESSEN ENTERPRISES, INC.,**

Counterclaim Defendants,

Case No.: SX-2012-CV-370

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

JURY TRIAL DEMANDED

Consolidated with

Case No.: SX-2014-CV-287

Consolidated with

Case No.: SX-2014-CV-278

Consolidated with

Case No.: ST-17-CV-384

Consolidated with

Case No.: ST-18-CV-219

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.

**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 H-34, H-58, and H-85 shall be withdrawn with prejudice and are hereby STRICKEN WITH PREJUDICE.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ORDERED that Hamed's motion for summary judgment regarding Hamed Claim No. H-34 shall be withdrawn with prejudice and is hereby STRICKEN WITH PREJUDICE.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 thereview process, an easy to use summary of the disposal of claims, for the calculationof 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: February 21st, 2022


Hon. Edgar D. Ross
Master