

CARL J. HARTMANN III

ATTORNEY-AT-LAW

**2940 BROOKWIND DR.
HOLLAND, MI 49424**

TELEPHONE

(340) 642-4422

EMAIL

CARL@CARLHARTMANN.COM

ADMITTED: USVI & DC

May 24, 2022

Via Email

Stefan Herpel and Charlotte Perrell, Esqs.
DNF
Law House
St. Thomas, USVI

RE: Rule 37 – Demand for Compliance with Court Order and
Meeting re Same (Y-11 Lifestyle Analysis)

Counsel:

As you know, Judge Ross was VERY specific as to what Yusuf had to answer and produce. The *Supplemental Response* filed 5/17/2022 does not have many of the items. After the order issued, I circulated a list of the items required to all counsel – taken verbatim from the order.

1. Interrogatory 33 shall be revised as follows:

Please identify any and all assets including bank accounts (indicating account number and name of bank) [and] brokerage accounts..., foreign and domestic, owned by...Fathi...*from September 17, 2006 to the date of your response* and identify the source of all funds for the acquisition of such assets.”

2. RFPD 30 and RFPD 31 shall be revised as follows, respectively:

“Please produce copies of all original tax returns filed by United [and] Fathi...*from 1986 to date.*”

“Please produce copies of all documents including statements relating to any operating, savings, credit, investment, trust, escrow or other accounts in which United [and] Fathi... or any company which they have more than 49% control, have or had any interest in the Virgin Islands or elsewhere, including, but not limited to Jordan and WestBank, Palestine, *from 1986 to date.*”

3. Interrogatory 35 shall be revised as follows:

“Please identify all sources of income for 1) Fathi... from September 17, 2006 to the date of your response and identify the source of all funds for the acquisition of such assets.”

4. Interrogatory 37 shall remain as follows:

“Identify all distributions from the Partnership to any member of the Yusuf family or United Corporation from September 17, 2006 to present.”

Fathi Yusuf, as the former managing partner of the Partnership and as the current liquidating partner under the Final Wind Up Plan, shall ANSWER Interrogatory 37 on behalf of the Partnership.

5. RFPD 26 shall be revised as follows:

“With respect to Y-11, please provide all bank account statements documenting deposits, all brokerage and retirement accounts documenting deposits and all credit card statements in the names of Fathi... (individually and any combination of joint accounts...), from September 17, 2006 to September 30, 2016.”

6. Within sixty (60) days from the date of entry of this Order, Fathi Yusuf and/or United shall file supplemental responses to Interrogatory 33 (foreign assets), Interrogatory 33 (domestic assets), Interrogatory 35, Interrogatory 37, RFPD 26, RFPD 30, RFPD 31 (foreign assets), and RFPD 31 (domestic assets).

7....within sixty (60) days from the date of entry of this Order, Fathi Yusuf and United shall PRODUCE all documents either relating to the non-parties or containing the non-parties' information that Fathi Yusuf and/or United provided to Yusuf's accounting expert Fernando Schener of BDO Puerto Rico, P.S.C. in this matter.

8.....Fathi Yusuf and United MUST ANSWER the aforementioned interrogatories and RFPDs in compliance with the Virgin Islands Rules of Civil Procedure; Fathi Yusuf and United CANNOT answer by reference. More specifically, Fathi Yusuf and United CANNOT USE the BDO Report in lieu of his/its answers but can use the BDO Report to support his/its answers.

I will address each of these with regard to the nine files and the dropbox materials (a list of which was sent to you by email) provided.

Analysis

1. Interrogatory 33 shall be revised as follows:

Please identify any and all assets including bank accounts (indicating account number and name of bank) [and] brokerage accounts..., foreign and domestic, owned by...Fathi...from September 17, 2006 to the date of your response and identify the source of all funds for the acquisition of such assets.”

Yusuf Response:

A. Foreign –

On October 22, 2021, Yusuf filed a Supplemental Response to Interrogatory No. 33 as per the Court's prior ruling. Said supplementation addressed the foreign accounts of Fathi Yusuf. Below is the substance of that supplementation as to foreign accounts relating to Yusuf. [Attached is a chart]

B. Domestic -

Yusuf shows that as to domestic assets that he owns from September 17, 2006 to the present:

1. Bank Accounts

Yusuf has had three (3) personal checking bank accounts from September 17, 2006 to the present. His current account is with Banco Popular, Account No. 19-303984 and it was opened in or about February 2016 along with the account for his wife 591-450334, attached Bates No. FY016321-348. Prior to that account, he maintained a personal checking account with Scotia Bank. The Scotia Accounts are listed in the BDO tables. See Table 40 and 40(a) and Supporting Documentation provided in the Dropbox link under the Fathi Yusuf folder. The two Scotia

Accounts are: 1) Scotia Account No. 365620 and 55157126. Yusuf is unsure exactly when these accounts with Scotia closed, but recalls they were closed around late 2015 or early 2016. The source of the funds for these accounts was either the Partnership or the United Shopping Center.

Yusuf, like all of the Hameds, periodically receives proceeds from jointly owned entities such as Plessen, Sixteen Plus and Peters Farm.

2. Brokerage Accounts

Yusuf had no active brokerage accounts from September 17, 2006. Yusuf does not recall ever having a brokerage account in his name or jointly with anyone. However, he has reviewed the information categorized by BDO and sees a brokerage account in his name with Merrill Lynch with a minimal balance. See Table 40, 40A and 40B and Supporting Documentation provided in the dropbox link under the Fathi Yusuf folder. Yusuf does not recall the Merrill Lynch Retirement account 140-82627 and does not believe that it is open or active. To the extent that he funded this earlier Merrill Lynch account, the source of the funds for the account was either the Partnership or the United Shopping Center. Again, Mr. Yusuf, like all of the Hameds periodically receives proceeds from jointly owned entities such as Plessen, Sixteen Plus and Peters Farm and they may also have been source of any funds into this account. As to the other account identified by BDO in its review of the documentation, Merrill Lynch Account 140-16484, Yusuf received confirmation from Merrill Lynch that this account was for Mohamed Hamdan and not Mr. Yusuf. See attached letter from September 21, 2016, FY14912 and this account is the subject of an earlier ruling from the Master

In 2019, Yusuf opened a brokerage account with E-Trade. The source of the funds from that account are from United. As this account was opened after the split of the stores, Yusuf is noting it for purposes of completeness but it is not relevant to any issues pending in this matter.

Hamed Position

The interrogatory is not limited to the three categories in the response (foreign banks, domestic banks and brokerage accounts. It is a demand for “all assets”. This is what the court ordered:

Please identify **any and all assets** including bank accounts (indicating account number and name of bank) [and] brokerage accounts

Mr. Yusuf is a multimillionaire. He owns many entities—and those own other entities.¹ All of them have balance sheets. For each ASSET Mr. Yusuf or his wife or his controlled or partially owned entities own, supply the number of shares or other percentage representation of ownership (as in a partnership) and the balance sheet of that entity in a standard format to allow an accountant to determine the asset value to Mr. Yusuf.

In other words “identify any and all **assets**” and their value. I remind you—it is he who wants to compare assets to assets, not Mr. Hamed. This is Mr. Yusuf’s claim.

2. RFPD 30 and RFPD 31 shall be revised as follows, respectively:

“Please produce copies of all original tax returns filed by United [and] Fathi...from 1986 to date.”

“Please produce copies of all documents including statements relating to any operating, savings, credit, investment, trust, escrow or other accounts in which United [and] Fathi... or any company which they have more than 49% control, have or had any interest in the Virgin Islands or elsewhere, including, but not limited to Jordan and WestBank, Palestine, from 1986 to date.”

Yusuf Response

Supplemental Response:

Yusuf and United previously provided: United Tax Returns from 2002 thru 2010, Bates Numbers FY 00374 – 004121. On November 19 and 20, 2021, Yusuf supplemented as to his tax returns by providing the following: Yusuf personal tax returns from 2002 thru 2020, Bates Number FY016166 – 016320. **After diligent search, Yusuf has been unable to locate tax returns prior to 2002.**

¹ Hamed’ counsel has either been told of (Mattress Pal) or knows of (Seaside, mid-island building project) many other assets owned directly or indirectly by Yusuf. A chart of all direct and indirect ownership would be instructive as well.

Hamed Position

Please provide a Declaration that Mr. Yusuf or his counsel has requested the same from the IRS, and that they were not provided.

3. **Interrogatory 35 shall be revised as follows:**

“Please identify all sources of income for 1) Fathi... from September 17, 2006 to the date of your response and identify the source of all funds for the acquisition of such assets.”

Yusuf Response

Supplemental Response:

Yusuf shows that he had the following sources of income from September 17, 2006 to date of these responses and the source of the funds for the acquisition of such assets as follows:

i. **The Partnership** – Yusuf received salary from the Partnership. That salary was established with the approval of the Federal Monitor (as were all the salaries). In addition, Yusuf would receive distributions from the Partnership via a check or receipt.

ii. **United Corporation - Tenant Account** – Yusuf received income from the collections of United from the various tenants of the United Shopping Center. He did not receive a regular salary but various funds when needed. Yusuf also agreed to have United forebear the collection of rent from the Partnership for substantial periods of time so as to allow greater cashflow for the grocery store operations. United had purchased the Shopping Center prior to the establishment of the partnership.

iii. **Plessen** – Yusuf periodically receives distributions from Plessen. His distributions are known to the Hamed's and are made at the same time that the Hamed's receive their distributions. Partnership funds were used to purchase properties held in the name of Plessen.

iv. **Sixteen Plus** – Yusuf periodically receives distributions from Sixteen Plus. His distributions are known to the Hamed's and are made at the same time that the Hamed's receive their distributions. Partnership funds were used to purchase properties held in the name of Sixteen Pluss.

v. **Peters Farm Investment Corp.** - Yusuf periodically receives distributions from Peters Farm Investment Corp. His distributions are known to the Hamed's and are made at the same time that the Hamed's receive their distributions. Partnership funds were used to purchase properties held in the name of Peters Farm.

vi. **Y & H Investments** – This was an entity previously established for the purchase of some property. Yusuf does not receive any income from that company but may have received distributions periodically as the Hameds would have received.

Hamed Position

This will be easier for Yusuf to answer after a correct response has been provided for “all assets” in #1 above. Once that is answered, then Mr. Yusuf's “present value” of the various entities can be used to determine how much income or increased value is reflected.

4. **Interrogatory 37 shall remain as follows:**

“Identify all distributions from the Partnership to any member of the Yusuf family or United Corporation from September 17, 2006 to present.”

Fathi Yusuf, as the former managing partner of the Partnership and as the current liquidating partner under the Final Wind Up Plan, shall ANSWER Interrogatory 37 on behalf of the Partnership.

Yusuf's Response

[The first three points are not disputed]

4.As to the period after the suit was filed, any distributions between the parties have been tracked, evenly allocated and consented to by the parties and thus, are not in dispute. All of the checks received by each family member was provided to the Hameds in the Sage accounting information. Yusuf and family members also received payroll checks of which all parties are aware and are not in dispute.

Hamed Position

If BDO used figures after the initialization of the suit in September of 2012, then this must be answered. The other alternative is to remove all claims prior to September 2012, and then revise the BDO report to reflect that change. Otherwise, it has been ordered to be produced, and is a MATERIAL issue in the Lifestyle analysis.

5. **RFPD 26 shall be revised as follows:**

“With respect to Y-11, please provide all bank account statements documenting deposits, all brokerage and retirement accounts documenting deposits and all credit card statements in the names of Fathi... (individually and any combination of joint accounts...), from September 17, 2006 to September 30, 2016.”

Yusuf Response 1 of 3

Yusuf provides the attached Dropbox link which has all of the documents reviewed by BDO relating to any member of the Yusuf family. The Fathi Yusuf folder therein contains all bank account statements and brokerage and retirement accounts information of which Yusuf has for the period referenced of which Yusuf has in his care, custody or control.

Hamed Response 1 of 3

This has not been done.

- a. 95% of the materials in the “dropbox” production were old, pre-2006 records and are of no use. Their production as a “data dump” is not responsive to the Court's order as to post-2006 documents. It is abuse of the discovery process. A list of the individual files has been supplied.

- b. None of the other nine files produced has:
 - i. A full set of retirement account statements September 17, 2006 to September 30, 2016, if any
 - ii. A full set of brokerage account statements September 17, 2006 to September 30, 2016
 - iii. A full set of bank account statements September 17, 2006 to September 30, 2016
 - iv. Any Credit card statements

Yusuf response 2 of 3

As to additional information, Yusuf also produces herewith the following account information from his current bank account with Banco Popular, prior accounts with Scotia Bank and his Scotia credit cards statements.

Hamed Position as to 2 of 3

This is all post 2015, is incomplete and non-responsive at all. Where are the records from 2006 through 2012? Where are the records from 2012 to the split? How could BDO have possibly submitted the charts it did is none of those were present? How could Yusuf represent recently that those documents had been supplied to BDO? This is Yusuf, and more specifically BDO committing gross fraud on the court. The BDO declarant lied. If Yusuf and his counsel were aware of what BDO did not have, they lied. **There was no comparison of credit card records for the Yusuf children** to those of the Hamed children. And none of those statements have been provided as ordered. And the revised BDO report is even worse—as by that time it was known that such a representation went to the heart of the claim.

Yusuf response 3 of 3

iv. Non-Parties:

Following the Court's Order of March 17, 2022, the Master further directed:

“Accordingly, the Master will order Fathi Yusuf and United to produce all documents either relating to the non-parties or containing the non-parties’ information that Fathi Yusuf and/or United provided to Yusuf’s accounting expert Fernando Scherrer of BDO Puerto Rico, P.S.C. in this matter.”

Supplemental Response:

Yusuf provides the attached Dropbox link, which has all of the documents reviewed by BDO relating to any member of the Yusuf family. It is categorized by each family member, with various folders for accounts, receipts, etc. by year and then copies of each document. Yusuf notes that all of this information was previously produced to Hamed in August of 2016 as Exhibit J – jump drive. (The jump drive also has all of the information reviewed by BDO for each member of the Hamed family as well – that is not recreated here as not responsive to the Court’s direction.)

This has not been done.

- c. All of the materials in the “dropbox” production were old, pre-2006 records and are of no use. Their production is abuse of the discovery process. A list of the individual files has been supplied.
 - i. None of the other nine files produced has supplied the credit a full set of any non-party info, Here are what was supplied for each:

Amal Yusuf

Deposits to bank and brokerage accounts Banco Popular 191-081884
2000
BS acc. 191-081884 August 2000.pdf BS acc. 191-081884 July 2000.pdf
BS acc. 191-081884 May 2000.pdf
BS acc. 191-081884 November 2000.pdf BS acc. 191-081884 October 2000.pdf BS acc. 191-081884
September 2000.pdf BS acc. 191-081884 June 2000.pdf 2001
BS acc. 191-081884 September 2001.pdf Scotiabank 45607712
2000
BS acc. 45607712 July 2000.pdf BS acc. 45607712 June 2000.pdf BS acc. 45607712 May
2000.pdf 2001
BS acc. 45607712 July 2001.pdf

Hamed response

This is nothing but a few statements in 2000. Unresponsive.

Hoda Yusuf

Deposits to bank and brokerage accounts Banco Popular 191-081698
2000
BS acc. 191-081698 August 2000.pdf.pdf BS acc. 191-081698 July 2000.pdf.pdf
BS acc. 191-081698 June 2000.pdf.pdf BS acc. 191-081698 May 2000.pdf
BS acc. 191-081698 October 2000.pdf.pdf BS acc. 191-081698 September 2000.pdf.pdf 2001
BS acc. 191-081698 September 2001 (2).pdf BS acc. 191-081698 September 2001.pdf.pdf
Bank of St. Croix 0020009950 2000
BS acc. 0020009950 August 2000.pdf.pdf BS acc. 0020009950 May 2000.pdf
BS acc. 0020009950 September 2000.pdf 2001
BS acc. 0020009950 September 2001.pdf Virgin Island Community Bank 0182608501
2000
BS acc. 0182608501 August 2000.pdf BS acc. 0182608501 July 2000.pdf
BS acc. 0182608501 June 2000.pdf BS acc. 0182608501 May 2000.pdf
BS acc. 0182608501 September 2000.pdf 2001
BS acc. 0182608501 August 2001 (2).pdf BS acc. 0182608501 August 2001.pdf

Hamed response

This is nothing but a few statements in 2000.and 2001. Unresponsive

.Maher Yusuf

Deposits to bank and brokerage accounts Scotiabank 364118
1996
BS acc. 364118 April 1996.pdf
BS acc. 364118 December 1996.pdf BS acc. 364118 February 1996.pdf BS acc. 364118 July
1996.pdf
BS acc. 364118 June 1996.pdf BS acc. 364118 March 1996.pdf BS acc. 364118 May 1996.pdf
BS acc. 364118 November 1996.pdf BS acc. 364118 October 1996.pdf BS acc. 364118
September 1996.pdf 1997
BS acc. 364118 April 1997.pdf BS acc. 364118 August 1997.pdf
BS acc. 364118 February 1997.pdf BS acc. 364118 January 1997.pdf BS acc. 364118 July
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BS acc. 364118 June 1997.pdf BS acc. 364118 March 1997.pdf BS acc. 364118 May 1997.pdf
BS acc. 364118 September 1997.pdf 1998
BS acc. 45364118 April 1998.pdf BS acc. 45364118 August 1998.pdf

BS acc. 45364118 January 1998.pdf BS acc. 45364118 July 1998.pdf
BS acc. 45364118 June 1998.pdf BS acc. 45364118 March 1998.pdf BS acc. 45364118 May 1998.pdf

BS acc. 45364118 October 1998.pdf BS acc. 45364118 December 1998.pdf BS acc. 45364118 February 1998.pdf BS acc. 45364118 November 1998.pdf BS acc. 45364118 September 1998.pdf 1999
BS acc. 364118 April 1999.pdf BS acc. 364118 August 1999.pdf
BS acc. 364118 December 1999.pdf BS acc. 364118 February 1999.pdf BS acc. 364118 January 1999.pdf BS acc. 364118 July 1999.pdf
BS acc. 364118 June 1999.pdf BS acc. 364118 March 1999.pdf BS acc. 364118 May 1999.pdf
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BS acc. 364118 June 2001.pdf BS acc. 364118 March 2001.pdf BS acc. 364118 May 2001.pdf
BS acc. 364118 November 2001.pdf BS acc. 364118 October 2001.pdf BS acc. 364118 September 2001.pdf 2002
BS acc. 364118 February 2002.pdf BS acc. 364118 January 2002.pdf
VI Community Bank 0182605826
BS acc. 0182605826 September 2001.pdf Funds Received from Partnership through checks
Plaza Extra 044-55312010
Adjustment suggested by Fathi Yusuf.pdf Funds recived from PE Ck 10190 (2001).pdf
Plaza Extra 058-00065811
Adjustment suggested by Fathi Yusuf.pdf Funds received from PE Ck 10755.pdf Funds received from PE Ck 11955.pdf Funds received from PE Ck 13952.pdf Plaza Extra 191-063789
Funds Received from PE (2003).pdf Payments to attorneys
21 Rule 26-Plea addendum.pdf
Letter from Fathi Yusuf to Andreozzi Fickess, LLP.pdf
List & Accountant Feed Paid After Plea Aggrement
Date 2 List & Accountant Feed Paid After Plea Aggrement Date 2 Satement - Invoice 4135270 \$2,595.pdf
Statement - Invoice 4135270 \$2,595.pdf Payments to Credit Cards
Invoice paid with CC 2152.pdf
Withdrawals with signed ticket Tickets 1997.pdf
Tickets 2000.pdf Tickets 2001.pdf Tickets 2003.pdf Tickets 2012.pdf

Hamed response

This is nothing but a few statements in in 1996-2001...with a few ticket entries thrown in. Where are his credit card statements that BDO used? Unresponsive.

Najat Yusuf

Deposits to bank and brokerage accounts
Scotiabank 45607916

1999

BS acc. 45607916 April 1999.pdf BS acc. 45607916 August 1999.pdf
BS acc. 45607916 December 1999.pdf BS acc. 45607916 July 1999.pdf
BS acc. 45607916 June 1999.pdf BS acc. 45607916 May 1999.pdf
BS acc. 45607916 November 1999.pdf BS acc. 45607916 October 1999.pdf BS acc. 45607916 September 1999.pdf 2000
BS acc. 45607916 April 2000 (1).pdf
BS acc. 45607916 April 2000 (2).pdf BS acc. 45607916 February 2000.pdf BS acc. 45607916 January 2000.pdf BS acc. 45607916 July 2000.pdf
BS acc. 45607916 June 2000.pdf BS acc. 45607916 March 2000.pdf BS acc. 45607916 May 2000 (1).pdf
BS acc. 45607916 May 2000 (2).pdf

VI Community Bank 0182607735

BS acc. 0182607735 August 2000.pdf BS acc. 0182607735 July 2000.pdf

BS acc. 0182607735 June 2000.pdf BS acc. 0182607735 May 2000.pdf

BS acc. 0182607735 September 2000.pdf Funds Received from Other Related Entities Manager checks 1998-1999.pdf

Withdrawals with signed ticket

Ticket 37290.pdf

Najeh Yusuf

Deposits to bank and brokerage accounts Charles Schwab 9718-1340

1998

Inv. Stmt 9718-1340 April 1998.pdf Inv. Stmt 9718-1340 August 1998.pdf

Inv. Stmt 9718-1340 December 1998.pdf Inv. Stmt 9718-1340 July 1998.pdf

Inv. Stmt 9718-1340 June 1998.pdf Inv. Stmt 9718-1340 May 1998.pdf

Inv. Stmt 9718-1340 November 1998.pdf Inv. Stmt 9718-1340 October 1998.pdf Inv. Stmt 9718-1340 September 1998.pdf 1999

Inv. Stmt 9718-1340 April 1999.pdf Inv. Stmt 9718-1340 August 1999.pdf

Inv. Stmt 9718-1340 December 1999.pdf Inv. Stmt 9718-1340 February 1999.pdf Inv. Stmt 9718-1340 January 1999.pdf Inv. Stmt 9718-1340 July 1999.pdf

Inv. Stmt 9718-1340 June 1999.pdf Inv. Stmt 9718-1340 March 1999.pdf Inv. Stmt 9718-1340 May 1999.pdf

Inv. Stmt 9718-1340 November 1999.pdf Inv. Stmt 9718-1340 October 1999.pdf Inv. Stmt 9718-1340 September 1999.pdf 2000

Inv. Stmt 9718-1340 April 2000.pdf Inv. Stmt 9718-1340 August 2000.pdf

Inv. Stmt 9718-1340 December 2000.pdf Inv. Stmt 9718-1340 February 2000.pdf Inv. Stmt 9718-1340 January 2000.pdf Inv. Stmt 9718-1340 July 2000.pdf

Inv. Stmt 9718-1340 June 2000.pdf Inv. Stmt 9718-1340 March 2000.pdf Inv. Stmt 9718-1340 May 2000.pdf

Inv. Stmt 9718-1340 November 2000.pdf Inv. Stmt 9718-1340 October 2000.pdf Inv. Stmt 9718-1340 September 2000.pdf 2001

Inv. Stmt 9718-1340 April to June 2001.pdf Inv. Stmt 9718-1340 Jan to March 2001.pdf Inv. Stmt 9718-1340 July to Sept. 2001.pdf Inv. Stmt 9718-1340 Oct to Dec 2001.pdf 2002

Inv. Stmt 9718-1340 April 2002.pdf Inv. Stmt 9718-1340 August 2002.pdf

Inv. Stmt 9718-1340 December 2002.pdf Inv. Stmt 9718-1340 Jan to Feb 2002.pdf Inv. Stmt 9718-1340 July 2002.pdf

Inv. Stmt 9718-1340 June 2002.pdf Inv. Stmt 9718-1340 March 2002.pdf Inv. Stmt 9718-1340 May 2002.pdf

Inv. Stmt 9718-1340 November 2002.pdf Inv. Stmt 9718-1340 October 2002.pdf Inv. Stmt 9718-1340 September 2002.pdf 2003

Inv. Stmt 9718-1340 February 2003.pdf Inv. Stmt 9718-1340 January 2003.pdf

Open Schwab account documents.pdf

Inv. Stmt 9756-2480 April 2000.pdf Inv. Stmt 9756-2480 August 2000.pdf

Inv. Stmt 9756-2480 December 2000.pdf Inv. Stmt 9756-2480 July 2000.pdf

Inv. Stmt 9756-2480 June 2000.pdf Inv. Stmt 9756-2480 May 2000.pdf

Inv. Stmt 9756-2480 November 2000.pdf Inv. Stmt 9756-2480 October 2000.pdf Inv. Stmt 9756-2480 September 2000.pdf 2001

Inv. Stmt 9756-2480 April to June 2001.pdf Inv. Stmt 9756-2480 February 2001.pdf Inv. Stmt 9756-2480 January 2001.pdf

Inv. Stmt 9756-2480 July to Sept 2001.pdf Inv. Stmt 9756-2480 March 2001.pdf

Inv. Stmt 9756-2480 October to Dec 2001.pdf 2002

Inv. Stmt 9756-2480 April to May 2002.pdf Inv. Stmt 9756-2480 Jan to March 2002.pdf Inv. Stmt 9756-2480 July to Sept 2002.pdf Inv. Stmt 9756-2480 June 2002.pdf

Inv. Stmt 9756-2480 October to Dec 2002.pdf Open Schwab account documents.pdf

Scotiabank 044-55163827 Deposits Slips 55163827 2001.pdf

Transfer from Charles Schwab 1340 2002-2003.pdf Transfer to Charles Schwab 1340 2002.pdf

Funds Received from Other Related Entities

Ck 291 received from Hisham Hamed 191-185515.pdf Funds Received from Partnership through checks

Plaza Extra 044-55312010

CK 09531 acc. 312010 Nov 2000.pdf
CK 09530 acc. 312010 Nov 2000 (2).pdf
CK 09530 acc. 312010 Nov 2000 (3).pdf
CK 09530 acc. 312010 Nov 2000 (4).pdf
CK 09530 acc. 312010 Nov 2000.pdf
CK 09531 acc. 312010 of Nov 2000.pdf CK 09634 acc. 312010 Dec 2000 (2).pdf
Ck 09634 acc. 312010 Dec 2000.pdf
CK 09649 acc. 312010 Dec 2000 (2).pdf
CK 09649 acc. 312010 Dec 2000.pdf
CK 10189 acc. 312010 April 2001 (2).pdf
Ck 10189 acc. 312010 April 2001.pdf
CK 10190 acc. 312010 April 2001.pdf
CK 10671 acc. 312010 Aug 2001 (2).pdf
CK 10671 acc. 312010 Aug 2001.pdf
General Ledger 044-55312010- 2003.pdf General Ledger 044-55312010- 2004.pdf General Ledger 044-55312010.pdf
Plaza Extra 055-00065811
Ck 10755 .pdf
CK 11955 acc. 65811 Oct 2000.pdf
CK 11957 acc 65811 Oct 2000.pdf CK. 10756.pdf
Note from Fathi Yusuf (Adjustments).pdf Payments to attorneys
21 Rule 26-Plea addendum.pdf
Letter from Fathi Yusuf to Andreozzi Fickess, LLP.pdf
List & Accountant Feed Paid After Plea Agreement Date 2 List & Accountant Feed Paid After Plea Agreement Date 2 Statement - Invoice 4135270 \$2,595.pdf
Payments to Credit Cards
CC 4566-162-4297-7922.pdf CC 601100449011577.pdf CC 4246152011202152.pdf CC 4271382963294950.pdf CC 5466160242977922.pdf
CC W42461520112021520496.pdf
Invoice paid with CC 5856-37074060-8949.pdf Voucher to CC 3713- 845112-22043.pdf Payments to third parties
Art House
Tickets - 2001.pdf Carfer
Tickets - 2000-2001.pdf Edward
Ticket 0008807.pdf Tickets - 2001.pdf Felix Rey
Black Book 2001.pdf Ticket 0008818.pdf Tickets.pdf
Franklin
Tickets - 2001.pdf Gasin Potter Tickets - 2001 .pdf
Tickets - 2001 Oct 2001.pdf Henry Peter
Tickets - 2001.pdf Hugh Reifer
Ticket 0008802.pdf Tickets - 2001.pdf José Hernandez Tickets - 2001.pdf José Roman Tickets - 2001.pdf
Kenneth Donovan Ticket 0008823.pdf Tickets .pdf
Sammy & Trevor Ryan Tickets .pdf
Withdrawals with signed ticket Black Book 2001.pdf
Tickets - 1999.pdf Tickets - 2000.pdf
Tickets - 2001 October.pdf Tickets - 2001.pdf
Tickets - October 2001 Yusuf House.pdf Yusuf House -FBI List.pdf

We have left out the useless responses as to Syaid Yusuf and Zayed Yusuf

6. **Within sixty (60) days from the date of entry of this Order, Fathi Yusuf and/or United shall file supplemental responses to Interrogatory 33 (foreign assets), Interrogatory 33 (domestic assets), Interrogatory 35, Interrogatory 37, RFPD 26, RFPD 30, RFPD 31 (foreign assets), and RFPD 31 (domestic assets).**

Hamed Position

Not even arguably done.

7. **(60) days from the date of entry of this Order, Fathi Yusuf and United shall PRODUCE all documents either relating to the non-parties or containing the non-parties' information that Fathi Yusuf and/or United provided to Yusuf's accounting expert Fernando Schener of BDO Puerto Rico, P.S.C. in this matter.**

Hamed response

Yusuf has said this has been done.

8....Fathi Yusuf and United MUST ANSWER the aforementioned interrogatories and RFPDs in compliance with the Virgin Islands Rules of Civil Procedure; Fathi Yusuf and United CANNOT answer by reference. More specifically, Fathi Yusuf and United CANNOT USE the BDO Report in lieu of his/its answers but can use the BDO Report to support his/its answers.

Hamed response

Yusuf has said this has been done – but it clearly has not.

As the Court pointed out, and has ordered as well, you and BDO have represented to Judge Ross that all of this data was supplied to BDO and was the basis for its comparisons between the Yusufs and Hamed in this claim and credit card points – and is therefore represented to be in your or their hands. These were NOT IN PREVIOUSLY SUPPLIED BDO MATERIALS and have not now been produced.

Thus, leaving aside the missing data and documents, You are already over the time limit and in KNOWINGLY contempt of the explicit language of the order.

When can we meet to discuss this? We will be asking for a show cause hearing on what was represented to the Court about the 1st BDO report, the second BDO report and in prior discovery responses where it was stated that the information had been provided to BDO.



Carl J. Hartmann III