

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

**HISHAM HAMED, individually, and
derivatively, on behalf of SIXTEEN PLUS
CORPORATION,**

Plaintiff,

v.

**FATHI YUSUF, ISAM YOUSUF and
JAMIL YOUSEF**

Defendants,

and

SIXTEEN PLUS CORPORATION,

a nominal Defendant.

Case No.: 2016-SX-CV-650

**DERIVATIVE SHAREHOLDER
SUIT, ACTION FOR DAMAGES
AND CICO RELIEF**

JURY TRIAL DEMANDED

**DEFENDANT FATHI YUSUF'S OBJECTIONS AND RESPONSES TO
PLAINTIFF'S
FIRST REQUEST FOR ADMISSIONS TO DEFENDANT FATHI YUSUF**

Defendant Fathi Yusuf ("Yusuf") files this his Objections and Responses to Plaintiff's First Requests for Admissions to Defendant Fathi Yusuf as follows:

ADMISSIONS

1. Please review the draft report of the US DOJ / FBI with regard to the accounting of the money laundering activities of, among others, Fathi Yusuf and Sixteen Plus--particularly the two pages Bates stamped YUSF113690- YUSF113691. After doing so: **ADMIT or DENY** that two \$2 million amounts were transferred to the Sixteen Plus account at the Bank of Nova Scotia, one on or about February 19, 1997 and the other on or about September 4, 1997.

Response: Admit.

2. **ADMIT or DENY** that the two \$2 million amounts transferred to the Sixteen Plus account at the Bank of Nova Scotia on or about February 19, 1997 and September 4, 1997 were sent from the BFC Island Appliance account on St. Martin.

Response: Yusuf shows that it appears that the February 1997 transfer was from account Banque Francaise Commerciale Account No. 4060663541 from the documents produced in the various cases Bates Numbers HAMD203062, it is Yusuf's understanding that these funds were Manal Yousef's funds. Yusuf does not know the name on the Banque Francaise Commerciale Account No. 4060663541 beyond what appears to be reflected at Bates Numbers HAMD203062. As to the September, 1997 deposit, Yusuf also believes that the deposit were Manal Yousef's funds.

3. **ADMIT or DENY** that at the time the funds were transferred, you knew that the two \$2 million amounts transferred to the Sixteen Plus account at the Bank of Nova Scotia on or about February 19, 1997 and September 4, 1997 were being sent from the BFC Island Appliance account on St. Martin.

Response: Yusuf admits that the Banque Francaise Commerciale Account No. 4060663541 was the account from which the February 1997 transfer was drawn and understood that the funds were Manal Yousef's funds.

4. **ADMIT or DENY** that at the time the funds were transferred, you knew that the two \$2 million amounts transferred to the Sixteen Plus account at the Bank of Nova

Scotia on or about February 19, 1997 and September 4, 1997 were not sent from an account in the name of Manal Yousef.

Response: Deny. See response to RTA #3.

5. **ADMIT or DENY** that two \$2 million amounts transferred to the Sixteen Plus account at the Bank of Nova Scotia on or about February 19, 1997 and September 4, 1997 were funds originally belonging to Manal Yousef.

Response: Admit.

6. **ADMIT or DENY** that two \$2 million amount transferred to the Sixteen Plus account at the Bank of Nova Scotia on or about February 19, 1997 and September 4, 1997 were funds originally in an account titled in the name of Isam Yousef or BFC Island Appliance, a business associated with him.

Response: Deny as written. The funds transferred were funds originally belonging to Manal Yousef. It is Yusuf's understanding that these were Manal Yousef's funds that had been provided to her by her father and deposited into the account identified as Banque Francaise Commerciale Account No. 4060663541 (Bates Numbers HAMD203062), from which they were withdrawn and transferred to Sixteen Plus.

7. **ADMIT or DENY** that on February 19, 1997, BFC Island Appliance was owned directly or indirectly partially or fully, by Isam Yousef and that Manal Yusuf has no ownership thereof.

Response: Deny as written. The funds transferred were funds originally belonging to Manal Yousef. It is Yusuf's understanding that these were Manal Yousef's funds that had been provided to her by her father and deposited into the account identified as Banque Francaise Commerciale Account No. 4060663541 (Bates Numbers HAMD203062), from which they were withdrawn and transferred to Sixteen Plus.

8. **ADMIT or DENY** that Isam Yousuf is a family relative of Manal Yousef.

Response: Admit.

9. **ADMIT or DENY** that Fathi Yusuf is a family relative of Isam Yousuf.

Response: Admit.

10. **ADMIT or DENY** that Fathi Yusuf is a family relative of Manal Yousef.

Response: Admit.

11. **ADMIT or DENY** that Isam Yousuf is a family relative of Manal Yousef.

Response: Admit.

12. **ADMIT or DENY** that the two \$2 million amounts transferred to the Sixteen Plus account at the Bank of Nova Scotia on or about February 19, 1997 and September 4, 1997 were funds originally belonging to Plaza Extra, Mohammad Hamed or Fathi Yusuf (or their families.)

Response: Deny.

13. **ADMIT or DENY** that the two \$2 million amounts transferred to the Sixteen Plus account at the Bank of Nova Scotia on or about February 19, 1997 had originally been brought to Isam Yousef by a Hamed or Yusuf family member, in whole or part, in the form of cash, checks or other negotiable instruments.

Response: Deny.

14. **ADMIT or DENY** that the two \$2 million in funds transferred to the Sixteen Plus account at the Bank of Nova Scotia on or about February 19, 1997 had originally been skimmed from Plaza Extra accounts.

Response: Deny.

15. **ADMIT or DENY** that on February 19, 1997, Manal Yousef physically resided at 25 Gold Finch Road, Pointe Blanche, St. Martin N.A. as set forth on the Note

and Mortgage at issue herein.

Response: To the best of Yusuf's knowledge, he understood that this was Manal Yousef's address in the 1990's. Further responding, Yusuf shows that this was his understanding even as late as 2016. However, following certain responses provided by Isam Yousef in the July, 2017 in this matter, Interrogatory Response No. 6, Yusuf is unable to confirm exactly her residence in February 19, 1997, but knew she resided in St. Maarten at that time.

16. ADMIT or DENY that on May 18, 2010, Manal Yousef physically resided at 25 Gold Finch Road, Pointe Blanche, St. Martin N.A. as set forth on the Power of Attorney between her and Fathi Yusuf at issue herein as stated in the POA.

Response: Yusuf is unable to admit or deny Manal Yousef's residence at this time. As set forth in his response to RTA # 15, that is his current knowledge.

17. ADMIT or DENY that you, your counsel, your immediate family members, entities owned by you or intermediaries you funded, provided funds to Kye Walker or James Hymes to pay for Manal Yousef's litigation of the 65 case -- *Sixteen Plus Corp. v Mana/ Yousef*, SX-15-CV-65.

Response: Deny.

18. ADMIT or DENY that you, your counsel, your immediate family members, entities owned by you or intermediaries you directed, have instructed Kye Walker or James Hymes how to proceed or act in Manal Yousef's litigation of the 65 case -- *Sixteen Plus Corp. v Mana/ Yousef*, SX-15-CV-65.

Response: Denied.

Dated: September 9, 2022

DUDLEY NEWMAN FEUERZEIG LLP

DATED: September 9, 2022

By: /s/ Charlotte K. Perrell

CHARLOTTE K. PERRELL (V.I. Bar No. 1281)

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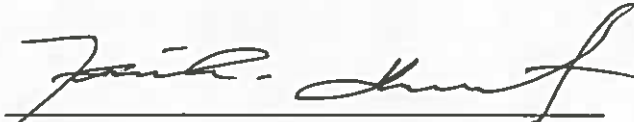
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Attorneys for Defendant Fathi Yusuf

VERIFICATIO
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I hereby certify under penalty of perjury that the facts contained in each of the foregoing responses to requests for admission are true and correct to the best of my knowledge, information and belief.

Dated: 9-9-2022


Fathi Yusuf

TERRITORY OF THE UNITED STATES VIRGIN ISLANDS)
DISTRICT OF ST. CROIX) ss.
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On this, the 9th day of September, 2022 before me, the undersigned officer, personally appeared Fathi Yusuf, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within document and acknowledged that he/she executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public



HEATHER ANDREA DALEY
Notary Public
St. Croix, U.S. Virgin Islands
My Commission Expires May 16, 2025
NP-470-21