

**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

PLAINTIFF HISHAM HAMED'S RESPONSES TO YUSUF RFPD

COMES NOW Carl J. Hartmann, counsel for Hisham Hamed, and gives notice of Hamed's responses to Yusuf's RFPD.

Objections

Plaintiff Sixteen Plus objects to RFA being directed to the individual rather than to the Corporation, and states that these are the responses of that individual, not the Corporation. That individual has limited personal knowledge as he was not present or involved in any of the activities. The inquiries would properly be directed at the corporation, as under Rule 30(b)(6), to its directors and officers, or to persons present and having personal knowledge.

Similarly, Hisham Hamed objects to answering questions more properly directed to the corporation and states that he lacks significant personal knowledge about the matters herein as he was not present or informed thereto. Nor can either speak for Waleed Hamed (who was present and did have knowledge) or for the rest of the Hamed family members.

Thus, each response below (except for two specifically designated) shall be deemed to be preceded with the Phrase:

I object to having to answer as merely a derivative plaintiff with regard to anything outside of my own, personal knowledge. I lack personal knowledge of the subject matter of all requests below except for this designated, as I was not present and was neither a director nor officer of Sixteen Plus. Subject to that, I provide what information I can glean from the papers and pleadings herein—but can answer only in that very limited personal capacity....The two that I do not object to are designated : [I can answer this of personal knowledge and therefore do not object.]

Responses to RFPD

1. Please produce all documents you contend evidence that only funds from the Plaza Extra Partnership were used to buy the Diamond Keturah Property and specifically, identify those documents referenced in Paragraph 36 of the First Amended Complaint.

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022.

2. Please produce all documents that you contend evidences any Plaza Extra Partnership funds provided to Isam Yousef or Manal Yousuf for the purpose of buying the Diamond Keturah Property.

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022.

3. Please produce all documents that you contend evidences any Plaza Extra Partnership funds provided to Isam Yousef or Manal Yousuf for the purpose of buying the Diamond Keturah Property prior to the February 1997 Transfer, the September 1997 Transfer, and the Remaining Transfers and specify:

a. the amounts of the transfers or deposits,

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022.

b. the dates of the transfers or deposits,

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022.

c. which account they were sent from,

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deosition of Manal Yousuf on October 19, 2022.

d. which account they were sent to,

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022.

e. any source other than a bank account.

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022.

4. Please produce any documents which reflect any agreement or understanding that the loan documentation, including the Note and Mortgage, which Waleed Hamed, on behalf of Sixteen Plus, executed was never intended to be re-paid to Manal Yousef under the terms of the Note and Mortgage.

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022.

5. Please produced any documents which reflect communications between Waleed Hamed and Isam Yousef relating to Sixteen Plus's purchase, ownership and potential sale of the Diamond Katurah Property.

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022.

6. Please produce all documents provided to Scotia Bank as to the application for a loan in 1997.

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022.

7. Please produce documents relating to the Corporate Resolution executed by Waleed Hamed.

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022

8. Please produce all documents and correspondence exchanged with Attorney Carl Beckstedt relating to the Note, Mortgage, and its recording and the Corporate Resolution.

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being

identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022.

9. Please produce all documents and correspondence reflecting the drafting, procurement or receipt of any Power of Attorney granted to Waleed Hamed by Manal Yousef.

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022.

10. Please produce all documents and correspondence reflecting the drafting, procurement or receipt of any Power of Attorney granted to Fathi Yusuf by Manal Yousef.

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022

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11. Please produce all documents and correspondence reflecting the negotiations and purchase of the Diamond Keturah Property from the Bank of Nova Scotia.

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022.

12. Please produce all documents reflecting payment or delivery of any Plaza Extra Partnership funds by Waleed Hamed to any account in St. Maarten in 1996 and 1997, that you contend were for the purchase of the Diamond Katurah Property.

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022.

13. Please produce all documents and correspondence reflecting any communications between Waleed Hamed and Hisham Hamed relating in any way to the matters in this suit.

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022.

14. Please produce any and all documents evidencing potential sale opportunities for the Diamond Katurah Property after 1999 to the present, including the names of the would-be purchasers, the offer price, whether there were any accepted offers, draft contracts or executed contract, earnest money and correspondence relating to same.

All documents have been produced to date or are mutually in the hands of both parties as they were supplied in the criminal action. However, additional documents are being identified and will be produced prior to the deposition of Manal Yousuf on October 19, 2022.

Dated: October 26, 2022



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CERTIFICATE OF SERVICE

I hereby certify that this document complies with the page or word limitation set forth in Rule 6-1(e) and that on this 26th day of October, 2022, I served a copy of the foregoing by email, as agreed by the parties, on:

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