

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

MANAL MOHAMMAD YOUSEF a/k/a)	
MANAL MOHAMAD YOUSEF,)	
)	
Plaintiff,	)	CASE NO. SX-2017-CV-00342
)	
v.	)	ACTION FOR DEBT AND
	)	FORECLOSURE OF REAL
SIXTEEN PLUS CORPORATION,	)	PROPERTY MORTGAGE
)	
Defendant/ Counterclaimant/ Third-Party Plaintiff,	)	COUNTERCLAIM FOR
	)	DAMAGES
	)	JURY TRIAL DEMANDED
v.)	
)	
FATHI YUSUF,)	
)	
Third-Party Defendant.)	
<hr/>		
)	
SIXTEEN PLUS CORPORATION,)	
)	
Plaintiff,	)	CASE NO. SX-2016-CV-00065
)	
v.)	ACTION FOR DECLARATORY
)	JUDGMENT
MANAL MOHAMMAD YOUSEF,)	
)	
Defendant/ Counterclaimant.)	
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**THIRD-PARTY DEFENDANT FATHI YUSUF’S RESPONSES TO
THIRD-PARTY PLAINTIFF’S SECOND INTERROGATORIES**

COMES NOW, Third-Party Defendant **FATHI YUSUF** (“Yusuf”) and files his Objections and Responses to Third-Party Plaintiff’s Second Request for Interrogatories as follows:

Interrogatory #5:

In the companion CICO action, 650, you asserted the 5th Amendment in response to one or more interrogatories. State in detail what immunity you received in return for or at the time of the plea deal by which United Corporation pled guilty of tax evasion.

NOTE: It does not make any difference that others received a similar or identical immunity—what is being sought here is YOUR statement of and understanding of the immunity you enjoy. This shall include but not be limited to the specific acts and types of acts for which you received immunity., as well as dates (or range of dates) of those acts for which you received immunity.

Response:

The Plea Agreement sets forth the immunity received by Fathi Yusuf. See attached Plea Agreement bate-stamped FY342CASE- 000001 – 000020.

Interrogatory #6:

In the companion CICO action, 650, you asserted the 5th Amendment in response to one or more interrogatories. Describe in detail all acts for which you have received immunity in which you or your agents or employees committed any of the following acts:

- A. Removed funds from Plaza Extra cash registers in the form of cash.
- B. Failed to add such cash removed from Plaza Extra on income tax filings
- C. Failed to pay taxes on such cash removed from Plaza Extra.
- D. Caused such cash removed from Plaza Extra to be converted to the use of you, your family members, the Hamed or the Hamed family members—or entities owned or controlled by any of them.
- E. Caused such cash removed from Plaza Extra to be transported by a living person traveling to St. Maarten.
- F. Caused such cash removed from Plaza Extra to be transported by a living person traveling to Jordan.
- G. Caused such cash removed from Plaza Extra to be transported by a living person traveling to the West Bank.
- H. Caused such cash removed from Plaza Extra to be transported wire, telex, money order or other non-human means traveling to St. Maarten.
- I. Caused such cash removed from Plaza Extra to be transported by wire, telex, money order or other non-human means to Jordan.
- J. Caused such cash removed from Plaza Extra to be transported by wire, telex, money order or other non-human means to the West Bank.

K. k. Caused such cash removed from Plaza Extra to be deposited or used to purchase land in St. Maarten.

L. Caused such cash removed from Plaza Extra to be deposited or used to purchase land in St. Jordan.

M. Caused such cash removed from Plaza Extra to be deposited or used to purchase land in the West Bank.

Response:

The Plea Agreement sets forth the immunity received by Fathi Yusuf. See attached Plea Agreement bate-stamped FY342CASE- 000001 – 000020.

Interrogatory #7:

In the companion CICO action, 650, you asserted the 5th Amendment in response to one or more interrogatories. Describe in detail all acts **for which you have received immunity** in which you or your agents or employees committed any of the following acts:

- N. Removed pre-tax funds from Plaza Extra by means other than by taking cash from cash registers, .
- O. Failed to add such other removed amounts removed from Plaza Extra on income tax filings
- P. Failed to pay taxes on such other removed amounts removed from Plaza Extra.
- Q. Caused such other removed amounts removed from Plaza Extra.
- R. Caused such other removed amounts removed from Plaza Extra to be transported by a living person traveling to St. Maarten.
- S. Caused such other removed amounts removed from Plaza Extra to be transported by a living person traveling to Jordan.
- T. Caused such other removed amounts removed from Plaza Extra to be transported by a living person traveling to the West Bank.
- U. Caused such other removed amounts removed from Plaza Extra to be transported wire, telex, money order or other non-human means traveling to St. Maarten.
- V. Caused such other removed amounts removed from Plaza Extra to be transported by wire, telex, money order or other non-human means to Jordan.
- W. Caused such other removed amounts removed from Plaza Extra to be transported by wire, telex, money order or other non-human means to the West Bank.

- X. k. Caused such other removed amounts removed from Plaza Extra to be deposited or used to purchase land in St. Maarten.
- Y. Caused such other removed amounts removed from Plaza Extra to be deposited or used to purchase land in St. Jordan.
- Z. Caused such other removed amounts removed from Plaza Extra to be deposited or used to purchase land in the West Bank.

Response:

The Plea Agreement sets forth the immunity received by Fathi Yusuf. See attached Plea Agreement bate-stamped FY342CASE- 000001 – 000020.

Interrogatory #8:

For any of the cash or other removed amounts described in response to interrogatory #6 or 7, state whether some or all of that cash was repatriated to the USVI, Puerto Rico or the mainland US. For each such amount state:

- A. What amount was repatriated
- B. When that occurred
- C. What means was used to repatriate the amount.
- D. What that amount was used for

Response:

Yusuf asserts his Fifth Amendment Privilege in response to this Interrogatory No. 8.

Interrogatory #9:

For any of the cash or other removed amounts described in response to interrogatory #6, state whether some or all of that cash was NOT repatriated to the USVI, Puerto Rico or the mainland

US. For each such amount state:

- A. What amount was not repatriated
- B. What that amount was used for
- C. What amount or asset presently exists, where and its value.

Response:

Yusuf asserts his Fifth Amendment Privilege in response to this Interrogatory No. 9.

Interrogatory 10

For any of the cash or other removed amounts described in response to interrogatory #6 or 7 that was sent to St. Maarten, for which you HAVE received immunity, state whether some amounts went to Isam or Jamil Yousef – or Island Appliances.

Response:

Yusuf asserts his Fifth Amendment Privilege in response to this Interrogatory No. 9.

Interrogatory 11

For any of the cash or other removed amounts described in response to interrogatory #6 or 7 that was sent to St. Maarten, for which you HAVE received immunity, state the approximate amount in each of the years 1995, 1996, 1997, 1998, 1999, and 2000. If you are not able to approximate the amount, state a range. If you are not able to approximate or state a range, state a minimum amount.

Response:

Yusuf objects to this interrogatory as overbroad and unduly burdensome to the extent that it seeks information beyond 1996 which is the time period relating to the events are the subject of this action. Further responding, Yusuf asserts his Fifth Amendment Privilege in response to this Interrogatory No. 11.

Interrogatory 12

For any of the cash or other removed amounts described in response to interrogatory #6 or 7 that was sent to St. Maarten, for which you HAVE received immunity, detail all of the methods you know of which were used, these shall include but not be limited to:

- A. Wally carried cash
- B. Wally carried checks
- C. Wally carried money orders
- D. Wally carried some other thing
- E. Fathi carried cash
- F. Fathi carried checks
- G. Fathi carried money orders
- H. Fathi carried some other thing
- I. A third person other than Wally or Fathi (please identify) carried cash
- J. A third person other than Wally or Fathi (please identify) carried checks
- K. A third person other than Wally or Fathi (please identify) carried money orders
- L. A third person other than Wally or Fathi (please identify) carried some other thing
- M. Investments were used to transfer funds
- N. Wire transfers were used to transfer funds
- O. Assets of value were used to transfer funds
- P. Other means not listed were used to transfer funds, assets or anything of value.

Response: Yusuf objects to this interrogatory as overbroad and unduly burdensome to the extent that it seeks information beyond 1996 which is the time period relating to the events are the subject

of this action. Further responding, Yusuf asserts his Fifth Amendment Privilege in response to this Interrogatory No. 12.

Interrogatory 13

For any of the cash or other removed amounts described in response to interrogatory #6 or 7 that was sent to St. Maarten, for which you HAVE received immunity, detail all taxes you paid in St. Maarten with regard to those funds

Response:

Yusuf objects to this Interrogatories to the extent that they seek information and documents concerning any matter that is irrelevant to the claims or defenses of any party to this action, and not reasonably calculated to lead to the discovery of admissible evidence. Further responding, Yusuf asserts his Fifth Amendment Privilege in response to this Interrogatory No. 13.

Interrogatory 14

For any of the cash or other removed amounts described in response to interrogatory #6 or 7 that was sent to St. Maarten, for which you HAVE received immunity, detail all taxes Jamil or Isam or Island Appliances paid in St. Maarten with regard to those funds, and if they did not, detail how you assisted them in not paying those taxes.

Response:

Yusuf objects to this Interrogatories to the extent that they seek information and documents concerning any matter that is irrelevant to the claims or defenses of any party to this action, and not reasonably calculated to lead to the discovery of admissible evidence. Further responding, Yusuf asserts his Fifth Amendment Privilege in response to this Interrogatory No. 13.

Interrogatory 15

For any of the cash or other removed amounts described in response to interrogatory #6 or 7 that was sent to St. Maarten, for which you HAVE received immunity, detail whether some was used to ay one or more interest payments on behalf of Sixteen Plus to Manal Yousef or her agent(s) in 1998, 1999, and/or 2000.

Response:

Yusuf asserts his Fifth Amendment Privilege in response to this Interrogatory No. 15.

Interrogatory 16

In the companion CICO action, 650, you asserted the 5th Amendment in response to one or more interrogatories. Here, above, you were asked to identify the acts and activities for which you have received immunity. In the interrogatories above, you were asked to identify the removal or other diversion of funds or assets from Plaza Extra prior to their being accounted--for the purpose of avoiding taxes—for which you HAVE received immunity. Describe in detail as to all such acts, transfers and uses of the funds:

- A. The names of persons who assisted in each act, transfer or use.
- B. The manner in which each such person assisted and the dates involved.
- C. The value, compensation or other remuneration or gratuity each received.

Response:

Yusuf asserts his Fifth Amendment Privilege in response to this Interrogatory No. 16.

Interrogatory 17

In the companion CICO action, 650, you asserted the 5th Amendment in response to one or more interrogatories. In the interrogatories above, you were asked to identify the removal or other diversion of funds or assets from Plaza Extra prior to their being accounted--for the purpose of avoiding taxes—for which you HAVE received immunity. Describe in detail as to all such acts, transfers and uses of the funds:

- A. The knowledge or involvement of Mike Yusuf
- B. The knowledge or involvement of Yusuf Yusuf
- C. The knowledge or involvement of Negeh Yusuf
- D. The knowledge or involvement of any other member of Fathi Yusuf's immediate family.
- E. The knowledge or involvement of any of Mohammad Hamed's sons or other members of his immediate family.
- F. The knowledge or involvement of any lawyer retained by Fathi Yusuf, Wally Hamed, Sixteen Plus, United Corporation or Plaza Extra Supermarkets
- G. The knowledge or involvement of any accountant or CPAr retained by Fathi Yusuf, Wally Hamed, Sixteen Plus, United Corporation or Plaza Extra Supermarkets
- H. The knowledge or involvement of any employee or contractor of Sixteen Plus, United Corporation or Plaza Extra Supermarkets.
- I. The identity and knowledge on any other person not provided in response to the above.

Response: Yusuf asserts his Fifth Amendment Privilege in response to this Interrogatory No. 17.

Interrogatory 18

In the companion CICO action, 650, you asserted the 5th Amendment in response to one or more interrogatories. In the interrogatories above, you were asked to identify the removal or other diversion of funds or assets from Plaza Extra prior to their being accounted--for the purpose of avoiding taxes—for which you HAVE received immunity. Describe in detail as to all such acts, transfers and uses of the funds: What properties or assets in the USVI were purchased with such funds or assets, including but not limited to your personal real property, real property held by you or your family, and real property held by corporations or partnership owned jointly with members of the Hamed family

Response:

Yusuf asserts his Fifth Amendment Privilege in response to this Interrogatory No. 18.

Interrogatory 19

In the companion CICO action, 650, you asserted the 5th Amendment in response to one or more interrogatories. In the interrogatories above, you were asked to identify the removal or other diversion of funds or assets from Plaza Extra prior to their being accounted--for the purpose of avoiding taxes—for which you HAVE received immunity. Describe in detail as to all such acts, transfers and uses of the funds: What properties or assets in Jordan or the West Bank were purchased with such funds or assets, including but not limited to your personal real property, real property held by you or your family, and real property held by corporations or partnership owned jointly with members of the Hamed family.

Response:

Yusuf asserts his Fifth Amendment Privilege in response to this Interrogatory No. 19.

Interrogatory 19

In the companion CICO action, 650, you asserted the 5th Amendment in response to interrogatories. In the interrogatories above, you were asked to identify the removal or other diversion of funds or assets from Plaza Extra prior to their being accounted--for the purpose of avoiding taxes—for which you HAVE received immunity. For the purpose of interrogatories 19-21, these will be referred to as the act of “skimming” and the funds and assets will be referred to as the “skimmed assets”

- A. For the years and times for which you have immunity only, state the approximate total amount of the skimmed assets.
- B. For the years and times for which you have immunity only, state the approximate total amount of the skimmed assets that went to Fathi Yusuf and his family as compared to Mohammad Hamed and his family.
- C. For the years and times for which you have immunity only, state the approximate total amount of the skimmed assets that have been invested in real property, and listing each property, state its present value.
- D. For the years and times for which you DO NOT have immunity only, state the approximate total amount of the skimmed assets.
- E. For the years and times for which you DO NOT have immunity only, state the approximate total amount of the skimmed assets that went to Fathi Yusuf and his family as compared to Mohammad Hamed and his family.

F. For the years and times for which you DO NOT have immunity only, state the approximate total amount of the skimmed assets that have been invested in real property, and listing each property, state its present value.

Response:

Yusuf asserts his Fifth Amendment Privilege in response to this Interrogatory No. 19 [sic].

Respectfully submitted,

DUDLEY NEWMAN FEUERZEIG LLP

DATED: November 7, 2022

By: /s/ Charlotte Perrell

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Attorneys for Fathi Yusuf

CERTIFICATE OF SERVICE

It is hereby certified that on the 7th day of November, 2022, the foregoing **THIRD-PARTY DEFENDANT FATHI YUSUF'S RESPONSES TO THIRD-PARTY PLAINTIFF'S SECOND INTERROGATORIES**, which complies with the page and word limitations set forth in Rule 6-1(e), was served via e-mail, as agreed by the parties, addressed to:

Joel H. Holt, Esq.

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c/Charlotte Perrell

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.: SX-2016-CV-00650

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

JURY TRIAL DEMANDED

**DEFENDANT FATHI YUSUF'S RESPONSES TO
HISHAM HAMED'S SECOND REQUEST FOR INTERROGATORIES**

COMES NOW, Defendant **FATHI YUSUF** ("Yusuf") and files his Objections and Responses to Hamed's Second Request for Interrogatories as follows:

INTERROGATORIES

Interrogatory 17:

Manal Yousef has stated in her responses to interrogatories that she received three payments on the Note at issue here.

Response:

In the years 1998, 1999, and 2000, payments were made to me by the Sixteen Plus Corporation in the amount of \$360,000.00 in each of those years. In 1998, the payment was made by Waleel Hamed in cash. I do

not know the form of the payment of \$360,000.00 in 1999, or in 2000. I have not made a calculation of the accrued interest due through July 1, 2017, or the daily accrual of interest after July 1, 2017. These are simple mathematical calculations that an economist, bookkeeper, or CPA can make based on the terms and conditions of the note given to me by the Sixteen Plus Corporation. At such time as these calculations are made, this response will be supplemented.

For these three (3) and any other payments by Sixteen Plus to or for the benefit of Manal with regard to the Note or mortgage at issue here, describe in detail:

- A. The amount of any payment, the means by which it was made, and the account from which it was drawn.
- B. The amount of USVI, US, FIRPTA or other taxes withheld by Sixteen Plus--how that was done and by whom.
- C. The amount of USVI, US FIRPTA or other taxes paid--how that was done, by whom and the amount.

Response:

Yusuf shows that he recalls that payments were made on the Note via cash. As far as any particular tax withholdings, Yusuf is unsure if such tax withholdings were made and relied upon accountant Pablo O'Neill to make such withholdings if necessary.

Interrogatory 18:

You have stated that Sixteen Plus corporation received funds from a foreign national, from a foreign account for the purpose of purchasing real property in the USVI, and as a result, gave that foreign national an interest in the real property--a mortgage. For each of the following, please describe in detail how, when and by whom the action was done--or if it was not done, state, "Not done."

- A. Any filings or notifications informing USVI taxing authorities of a foreign investment in USVI real property.

- B. Any corporate filings setting forth that the funds received were a mortgage and/or note due from the company, and if such occurred, who it was to.
- C. Any tax filings setting forth that the funds received were a mortgage and/or note due from the company, and if such occurred, who it was to.

Response:

In response, Yusuf incorporates his response to Requests to Admit in the "342" case, wherein he explained:

Yusuf executed the tax and corporate filings which were prepared by Pablo O'Neill for a number of years. Yusuf did not realize that the listing of the outstanding debt obligation was put as "shareholder" loans when executing the returns. Upon discovering this error, the tax returns were corrected in the years going forward.

Yusuf executed the tax and corporate filings in 2013 which were prepared by John Gaffney after Yusuf had discovered that the outstanding debt obligation to Manal Yusuf previously had been improperly listed that debt as "shareholder" loans. Upon discovering this error, the corporate filings and the tax returns were corrected in the years going forward.

Interrogatory 19:

Attached to the Amended Complaint as EXHIBIT 8, is a corporate tax filing for the 2011 tax year, by Sixteen Plus.

- A. Is the signature thereon yours?
- B. Did you sign that document "Under penalty of perjury"?
- C. You signed as Secretary/Treasurer--did you hold those positions at that time?

- D. Did you date the document 9-5-2012 ?
- E. On 'page 4' of that document is it represented that the amount of \$4,710,626 was a "Loans from Shareholders" amount.
- F. From which shareholders was that amount received by Sixteen Plus?
- G. How, when and by what means did Sixteen Plus receive an amount in excess of \$4million from shareholders?
- H. Also on page 4, at line 8, there is an entry for "Mortgages" that lists no mortgages outstanding or due at that time. Explain in detail why the corporate tax filing did not list a mortgage due to Manal?

RESPONSE:

In response, Yusuf incorporates his response to Requests to Admit in the "342" case, wherein he explained:

Yusuf executed the tax and corporate filings which were prepared by Pablo O'Neill for a number of years. Yusuf did not realize that the listing of the outstanding debt obligation was put as "shareholder" loans when executing the returns. Upon discovering this error, the tax returns were corrected in the years going forward.

Yusuf executed the tax and corporate filings in 2013 which were prepared by John Gaffney after Yusuf had discovered that the outstanding debt obligation to Manal Yusuf previously had been improperly listed that debt as "shareholder" loans. Upon discovering this error, the corporate filings and the tax returns were corrected in the years going forward.

Interrogatory 20:

Attached to the Amended Complaint as EXHIBIT 9, is a tax filing by SixteenPlus.

- A. Is the signature thereon yours?
- B. Did you sign that document "Under penalty of perjury"
- C. You signed as Secretary/Treasurer--did you hold those positions at that time?
- D. Did you date the document 10-12-00 and is it stamped as received by the VIBureau of Internal Revenue in October of 2000?
- E. On page 3 (lower right bates number 449-3104) of that document is it are the amounts of \$4,522,261 and \$4,708,261: set forth to the right of "Loans from Shareholders".
- F. From which shareholders was an amount in excess of \$4 million received by Sixteen Plus?
- G. How, when and by what means did Sixteen Plus receive in excess of \$4 million from shareholders?
- H. Also on page 3, on line 8, there is an entry for "Mortgages" that lists no mortgages outstanding or due at that time. Explain in detail why the corporate tax filing did not list a mortgage due to Manal?

Response:

In response, Yusuf incorporates his response to Requests to Admit in the "342" case, wherein he explained:

Yusuf executed the tax and corporate filings which were prepared by Pablo O'Neill for a number of years. Yusuf did not realize that the listing of the outstanding debt obligation was put as "shareholder" loans when executing the returns. Upon discovering this error, the tax returns were corrected in the years going forward.

Yusuf executed the tax and corporate filings in 2013 which were prepared by John Gaffney after Yusuf had discovered that the outstanding debt obligation to Manal Yusuf previously had been improperly listed that debt as "shareholder" loans. Upon discovering this error, the corporate filings and the tax returns were corrected in the years going forward.

Interrogatory 21:

Attached to the Amended Complaint as EXHIBIT 10, is a corporate filing by SixteenPlus.

- A. Is one of the two signatures thereon yours?
- B. Was the date of the filing set forth on the first page as June 19, 2012 and is it stamped as received on September 21, 2012 by the Lt. Governor's Office?
- C. You signed as Treasurer--did you hold that position at that time?
- E. On the second (lower left page bates number HAMD588630) of that document is it represented that the amount of \$4,110,626 was related to "Shareholder loans".
- F. From which shareholders was that amount received by Sixteen Plus?
- G. How, when and by what means did Sixteen Plus receive in excess of \$4 million in Shareholder loans?
- H. Is there any liability for any real estate Notes or Mortgages listed, if not, why?

Response:

In response, Yusuf incorporates his response to Requests to Admit in the "342" case, wherein he explained:

Yusuf executed the tax and corporate filings which were prepared by Pablo O'Neill for a number of years. Yusuf did not realize that the listing of the outstanding debt obligation was put as "shareholder" loans when executing the returns. Upon

discovering this error, the tax returns were corrected in the years going forward.

Yusuf executed the tax and corporate filings in 2013 which were prepared by John Gaffney after Yusuf had discovered that the outstanding debt obligation to Manal Yusuf previously had been improperly listed that debt as "shareholder" loans. Upon discovering this error, the corporate filings and the tax returns were corrected in the years going forward.

Interrogatory 22:

Attached to the Amended Complaint as EXHIBIT 11 is a document which purports to be a Corporate filing, but lists as President Maher Yusuf, and lists Fawzia as the VP.

- A. Describe by whom, when, how and why this document was created.
- B. Was Maher ever the President of Sixteen Plus, if so, when did that happen and how?
- C. Was Fawzia ever the VP of Sixteen Plus, if so when did that happen and how?
- D. That document shows over \$4 million as "loans from Related Party" rather than "Loans from Shareholders" -- explain in detail who made this change, when and why?
- E. On the page bates stamped HAMD588668, only one signature appears, whose it that?

Response:

Yusuf shows that he is uncertain how this document was created and who created it. Further, Mr. Yusuf understands that this document was not the one filed. See Bates 344-FY-00074-76. However, Mr. Yusuf is under the belief that it was created after he realized that the prior tax returns for Sixteen Plus incorrectly listed "shareholder loans" and that it should have been "loans to a related party" as the loan was from Manal Yousef and not the shareholders of Sixteen Plus. The correction was also reflected in

Fathi Yusuf (adv. Hisham Hamed)
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Defendant Fathi Yusuf's Responses to Hisham Hamed's
Second Request for Interrogatories
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344-FY-0074-76 which Waleed Hamed and Fathi Yusuf signed. The signature on
HAMD588668 is Mr. Yusuf's.

Respectfully Submitted,

DUDLEY NEWMAN FEUERZEIG LLP

DATED: November 7, 2022

By: /s/ Charlotte Perrell _____
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Attorneys for Fathi Yusuf

CERTIFICATE OF SERVICE

It is hereby certified that on the 7th day of November, 2022, the foregoing **DEFENDANT FATHI YUSUF'S RESPONSES TO HISHAM HAMED'S SECOND REQUEST FOR INTERROGATORIES**, which complies with the page and word limitations set forth in Rule 6-1(e), was served via e-mail addressed to:

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/s/ Charlotte Perrell

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

HISHAM HAMED , individually, and derivatively on behalf of SIXTEEN PLUS CORPORATION ,)	
)	
Plaintiff,	)	CASE NO.: SX-2016-CV-00650
)	
v.	)	DERIVATIVE SHAREHOLDER
	)	SUIT, ACTION FOR DAMAGES
FATHI YUSUF, ISAM YOUSUF and JAMIL YOUSEF,	)	AND CICO RELIEF
)	
Defendants,	)	JURY TRIAL DEMANDED
)	
and)	
)	
SIXTEEN PLUS CORPORATION ,)	
)	
a nominal defendant.)	
_____)	

**DEFENDANT FATHI YUSUF’S RESPONSES TO
HISHAM HAMED’S THIRD REQUEST FOR INTERROGATORIES**

COMES NOW, Defendant **FATHI YUSUF** (“Yusuf”) and files his Responses and Objections to Hamed’s Third Request for Interrogatories as follows:

INTERROGATORIES

Interrogatory 23:

In the amended complaint herein, it is alleged at paragraphs 37-42 that:

37. While the criminal case continued over the next years, various third parties attempted to buy the Land from Sixteen Plus at substantially higher prices than was paid for the property, with the highest offer exceeding \$22 million.
38. Recognizing this substantial increase of 500% in value in less than 10 years, Fathi Yusuf began to try to figure out how to pocket these funds for himself.

39. In this regard, the Federal Government agreed that it would remove its lien and the Land could be sold – but only if the proceeds of any such sale were escrowed pending the outcome of the criminal case and not paid to Manal Yousef.
40. Contrary to the best interests of Sixteen Plus and its shareholders, Fathi Yusuf began to formulate a plan to embezzle from and defraud Sixteen Plus of the value of the Land, and thus rejected offers for the Land unless the sham Manal Yousef note and mortgage were paid -- so he could then get sole control of these funds.
41. The Federal Government refused to agree to the request that the Manal Yousef mortgage be paid first, asserting its own doubts about the validity of the sham mortgage.
42. Fathi Yusuf could also have had Manal Yousef agree to an escrow of the sales proceeds while preserving her alleged mortgage rights. . . .
 - A. You were asked to describe any inquiries, offers or communications with third parties about the subject property in the First Interrogatories of the companion consolidated cases 65/342). If there is and further information that you do not include there, please describe in detail here--including a description of any documents related thereto.
 - B. Detail all communications and correspondence with the US government or the VI government, including but not limited to the FBI, US Attorney General, the VI Attorney General, federal prosecutors, and VI prosecutors, regarding such offers.
 - C. Detail all communications and correspondence with the US government or the VI Government, including but not limited to the FBI, US Attorney General, the VI Attorney General, federal prosecutors, and VI prosecutors, regarding the lifting of the lien on the subject property.
 - D. Detail all communications and correspondence with the US government or the VI Government, including but not limited to the FBI, US Attorney General, the VI Attorney General, federal prosecutors, and VI prosecutors, regarding alternative means for lifting the lien.
 - E. With regard to that lien, describe when, how and under what circumstances that lien was eventually lifted.

Response:

Yusuf incorporates his response to Interrogatory No. 1 in the “342” case as follows:

Yusuf had communications with a wealthy gentlemen, whose name he does not recall at the moment, regarding the potential purchase of the Diamond Katurah Property in for a potential purchase price of \$30,000,000. At that time, the Diamond Katurah Property was restricted from being sold as a result of the criminal matter that was pending. Yusuf discussed the potential sale with the Federal Marshal Briskman. In those discussions, the Marshal would not allow for the proceeds from the sale to be used to pay the Note and release the Mortgage. The Marshal was going to require the entire proceeds be held, and not released to anyone, if there was a sale of the Diamond Katurah Property.

Further, Yusuf incorporates his responses to certain Request to Admit in the "342" case in which he clarified that other than Marshal Briskman, Yusuf does not recall speaking with other government related persons on the matter of releasing the lien by Manal Yusuf on the Diamond Katurah Property.

Respectfully Submitted,

DUDLEY NEWMAN FEUERZEIG LLP

DATED: November 7, 2022

By: /s/ Charlotte Perrell

CHARLOTTE K. PERRELL (VI Bar #1281)

STEFAN B. HERPEL (VI Bar #1019)

Law House - 1000 Frederiksberg Gade

St. Thomas, VI 00802-6736

P.O. Box 756

St. Thomas, VI 00804-0756

Telephone: (340) 774-4422

E-Mail: cperrell@DNFvi.com

sherpel@DNFvi.com

Attorneys for Fathi Yusuf

CERTIFICATE OF SERVICE

It is hereby certified that on the 7th day of November, 2022, the foregoing **DEFENDANT FATHI YUSUF'S RESPONSES TO HISHAM HAMED'S THIRD REQUEST FOR INTERROGATORIES**, which complies with the page and word limitations set forth in Rule 6-1(e), was served via e-mail addressed to:

Joel H. Holt, Esq.
LAW OFFICES OF JOEL H. HOLT
Quinn House - Suite 2
2132 Company Street
Christiansted, St. Croix
U.S. Virgin Islands 00820

E-Mail: holtvi@aol.com

James L. Hymes, III, Esq.
LAW OFFICES OF JAMES HYMES III, PC
No. 10 Norre Gade, 3rd Floor
P.O. Box 990
St. Thomas, VI 00804

E-Mail: jim@hymeslawvi.com
rauna@hymeslawvi.com

Carl J. Hartmann, III, Esq.
5000 Estate Coakley Bay – Unit L-6
Christiansted, St. Croix
U.S. Virgin Islands 00820

E-Mail: carl@carlhartmann.com
carl@hartmann.attorney

Kevin A. Rames, Esq.
Law Offices of K. A. Rames, P.C.
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Christiansted, St. Croix
U.S. Virgin Islands 00820

E-mail: kevin.rames@rameslaw.com

/s/ Charlotte Perrell

**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.: SX-2016-CV-00650

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

JURY TRIAL DEMANDED

**DEFENDANT FATHI YUSUF'S RESPONSES TO
HISHAM HAMED'S FOURTH REQUEST FOR INTERROGATORIES**

COMES NOW, Defendant **FATHI YUSUF** ("Yusuf") and files his Objections and Responses to Hamed's Fourth Request for Interrogatories as follows:

INTERROGATORIES

Interrogatory 24:

In your response to the first interrogatories provided on September 9, 2022, in response to interrogatories 1-3 you responded by partially answering--then asserting the 5th Amendment. With regard to that response:

- A. Describe in detail all facts which support your assertion of the 5th Amendment with specificity as to dates, persons, places times, acts and documents.
- B. Describe in detail any and all pending criminal actions, or the potential criminal actions against you.
- C. Describe in detail all facts which tend to prove or disprove the extent to which the issues in the actual or potential criminal and civil cases overlap;
- D. Describe in detail all facts which tend to prove or disprove the present status of the actual or potential criminal case, including whether you have been warned, targeted, made a POI, indicted,

been given immunity or are otherwise immunized from prosecution or criminal jeopardy

- E. Describe in detail all facts which tend to prove or disprove your interest in proceeding expeditiously weighed against the prejudice to you or other party caused by a delay;
- F. Describe the private interests of and burden on the parties;
- G. Describe the facts which prove or disprove the interests of the court; and
- H. the public interest
- I. Do you fully understand that partial disclosures in tandem with this assertion may void some or all of the alleged protections of the 5th Amendment? If the answer is other than a simple "yes", what is your understanding?
- J. Do you fully understand that this assertion may create a negative inference? If the answer is other than a simple "yes", what is your understanding?

RESPONSE:

Yusuf objects to Interrogatory No. 24 on the grounds that it is an improper and compound inquiry. Further, Yusuf objects to the extent that it is an improper inquiry seeking information which is subject to attorney client and work product privilege. Yusuf objects to this inquiry on the grounds that it calls for Yusuf to provide a legal opinion or conclusions. Further, responding Yusuf reasserts his Fifth Amendment privilege as to this Interrogatory.

Interrogatory 25:

In response to Interrogatory number 4 regarding the original loan of \$4.5 million you stated:

I advised Bank of Nova Scotia that we would purchase the property and would close upon the end of the right of redemption period. **United made a \$500,000 deposit** to hold the property. Upon my return to the Virgin Islands, the first installment on the loan was received. We created Sixteen Plus, LLC to purchase the Diamond Kuturah property.

In response to Document request #8 as to three interest payments of \$360,000 you stated

Yusuf shows that **three payments were made of interest**. Yusuf is researching documents to evidence these payments and will supplement as to same.

Describe in detail United's and Fathi Yusuf's involvement in these transactions, include but do not limit this to:

- A. On or about what dates did United make the \$500,000 payment? The three interest payments?
- B. From what United or Sixteen Plus account was each of the 4 payments made?
- C. Who authorized and arranged each payment? In what capacity did they act?
- D. What was the source of the funds United used for the \$500,000 payment -- was it from Plaza Extra income, United tenant income or otherwise?
- E. Were there writings or documents associated with these payments and repayments and for each identify the creator, the content and the purpose -- whether or not you now have the related documents?
- F. When and how was repayment to United of the \$500,000 made -- by whom, from what account and into what account. Include the names of all persons with knowledge of this and all documents?

Response:

Yusuf incorporates his prior responses in this matter to this Interrogatory as responsive thereto. Yusuf further shows that he was primarily involved with identifying the Diamond Katurah Property and negotiating with the Bank of Nova Scotia to secure the property. As to the initial payment of the \$500,000, Yusuf believes the funds were provided to the Bank of Nova Scotia in the form of a check and that the funds would have come from the United/Plaza Extra income. Yusuf has now seen certain documents from Plessen relating to a loan, which Sixteen Plus later repaid. Yusuf shows that it is possible that Plessen may have provided the initial \$500,000, to hold the property. However, his recollection is that it was from United. As to the interest payments, Yusuf has found no documents in his possession regarding same but understood that Waleed is the one who physically made the payments. Yusuf believes that the source of the funds for the interest payments were United's Plaza Extra income. Yusuf does not recall how the \$500,000 initial payment to hold the property was repaid.

Respectfully Submitted,

DUDLEY NEWMAN FEUERZEIG LLP

DATED: November 7, 2022

By: /s/ Charlotte Perrell

CHARLOTTE K. PERRELL (VI Bar #1281)
STEFAN B. HERPEL (VI Bar #1019)
Law House - 1000 Frederiksberg Gade
St. Thomas, VI 00802-6736
P.O. Box 756
St. Thomas, VI 00804-0756
Telephone: (340) 774-4422
E-Mail: cperrell@DNFvi.com
sherpel@DNFvi.com

Attorneys for Fathi Yusuf

CERTIFICATE OF SERVICE

It is hereby certified that on the 4th day of November, 2022, the foregoing **DEFENDANT FATHI YUSUF'S RESPONSES TO HISHAM HAMED'S FOURTH REQUEST FOR INTERROGATORIES**, which complies with the page and word limitations set forth in Rule 6-1(e), was served via e-mail addressed to:

Joel H. Holt, Esq.
LAW OFFICES OF JOEL H. HOLT
Quinn House - Suite 2
2132 Company Street
Christiansted, St. Croix
U.S. Virgin Islands 00820

E-Mail: holtvi@aol.com

James L. Hymes, III, Esq.
LAW OFFICES OF JAMES HYMES III, PC
No. 10 Norre Gade, 3rd Floor
P.O. Box 990
St. Thomas, VI 00804

Carl J. Hartmann, III, Esq.
5000 Estate Coakley Bay – Unit L-6
Christiansted, St. Croix
U.S. Virgin Islands 00820

E-Mail: carl@carlhartmann.com
carl@hartmann.attorney

Kevin A. Rames, Esq.
Law Offices of K. A. Rames, P.C.
Suite 3, 2111 Company Street
Christiansted, St. Croix
U.S. Virgin Islands 00820

E-Mail: jim@hymeslawvi.com
rauna@hymeslawvi.com

E-mail: kevin.rames@rameslaw.com

/s/ Charlotte Perrell

VERIFICATION

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

Dated: _____
Fathi Yusuf

TERRITORY OF THE UNITED STATES VIRGIN ISLANDS)
DISTRICT OF _____) ss.
_____)

On this, the ____ day of _____, 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

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.: SX-2016-CV-00650

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

JURY TRIAL DEMANDED

**DEFENDANT FATHI YUSUF’S OBJECTIONS AND RESPONSES
TO PLAINTIFF’S SECOND REQUEST FOR THE
PRODUCTION OF DOCUMENTS TO DEFENDANT FATHI YUSUF**

COMES NOW, Defendant **FATHI YUSUF** (“Yusuf”) and files his Objections and Responses to Plaintiff’s Second Request for the Production of Documents as follows:

REQUESTS

Document Request No. 21:

You have been served with a first, second and third interrogatories in this case. In those interrogatories you were asked to describe or identify documents related to your answers. Produce all such documents- referenced to the specific interrogatory or interrogatories to which each document is responsive.

Response:

See documents previously produced in this matter: FY650CASE 000001 – 000034, 344-FY-0004 – 1027, 344-FY-1148 – 1167 and 344-FY-1232 – 1237

Document Request No. 22:

Provide all documents which you have supplied to experts in this matter or which you intend to use at trial.

Response:

Yusuf has not yet retained an expert in this matter and will supplement his response once he has done so.

Respectfully Submitted,

DUDLEY NEWMAN FEUERZEIG LLP

DATED: November 7, 2022

By: //s/Charlotte K. Perrell

STEFAN B. HERPEL (VI Bar #1019)

Law House - 1000 Frederiksberg Gade

St. Thomas, VI 00802-6736

P.O. Box 756

St. Thomas, VI 00804-0756

Telephone: (340) 774-4422

E-Mail: cperrell@DNFvi.com

sherpel@DNFvi.com

Attorneys for Fathi Yusuf

CERTIFICATE OF SERVICE

It is hereby certified that on the 7th day of November, 2022, the foregoing **DEFENDANT FATHI YUSUF'S OBJECTIONS AND RESPONSES TO PLAINTIFF'S SECOND REQUEST FOR THE PRODUCTION OF DOCUMENTS TO DEFENDANT FATHI YUSUF**, which complies with the page and word limitations set forth in Rule 6-1(e), was served via e-mail addressed to:

Joel H. Holt, Esq.
LAW OFFICES OF JOEL H. HOLT
Quinn House - Suite 2
2132 Company Street
Christiansted, St. Croix
U.S. Virgin Islands 00820

E-Mail: holtvi@aol.com

James L. Hymes, III, Esq.
LAW OFFICES OF JAMES HYMES III, PC
P.O. Box 990
St. Thomas, VI 00804

E-Mail: jim@hymeslawvi.com
rauna@hymeslawvi.com

Carl J. Hartmann, III, Esq.
5000 Estate Coakley Bay – Unit L-6
Christiansted, St. Croix
U.S. Virgin Islands 00820

E-Mail: carl@carlhartmann.com
carl@hartmann.attorney

Kevin A. Rames, Esq.
Law Offices of K. A. Rames, P.C.
Suite 3, 2111 Company Street
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U.S. Virgin Islands 00820
E-mail: kevin.rames@rameslaw.com

/s/Charlotte K. Perrell

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

MANAL MOHAMMAD YOUSEF a/k/a)	
MANAL MOHAMAD YOUSEF,)	
)	
Plaintiff,	)	CASE NO. SX-17-CV-342
)	
v.	)	ACTION FOR DEBT AND
	)	FORECLOSURE OF REAL
SIXTEEN PLUS CORPORATION,	)	PROPERTY MORTGAGE
)	
Defendant/ Counterclaimant/ Third-Party Plaintiff,	)	COUNTERCLAIM FOR
	)	DAMAGES
	)	JURY TRIAL DEMANDED
v.)	
)	
FATHI YUSUF,)	
)	
Third-Party Defendant.)	
<hr/>		
SIXTEEN PLUS CORPORATION,)	
)	
Plaintiff,	)	CASE NO. SX-16-CV-065
)	
v.	)	ACTION FOR DECLARATORY
	)	JUDGMENT
MANAL MOHAMMAD YOUSEF,)	
)	
Defendant/ Counterclaimant.)	
<hr/>		

THIRD-PARTY DEFENDANT FATHI YUSUF’S RESPONSES TO THIRD-PARTY PLAINTIFF’S SECOND REQUEST FOR THE PRODUCTION OF DOCUMENTS

COMES NOW, Third-Party Defendant **FATHI YUSUF** (“Yusuf”) and files his Objections and Responses to Third-Party Plaintiff’s Second Request for the Production of Documents as follows:

11. You have been served with two sets of interrogatories in this matter. With regard to each of the responses thereto, provide all documents, communications and physical evidence described therein. Provide the documents indexed to the number of the response. When documents are referenced but not provided, explain why this is the case.

RESPONSE:

See documents Bates-stamped FY342CASE- 000001 – 000020, FY650CASE- 000001 – 000034 including documents produced in the earlier 344 case: 344-FY-0004 – 0981, 0982 – 1027, 1148 – 1167 , and 1232 – 1237 as responsive to this request.

12. You have been served with two sets of interrogatories in this matter. With regard to each of the responses, provide all documents and communications which relate to your response whether identified or not. Provide the documents indexed to the number of the response. When documents exist or existed but not provided, explain why this is the case.

RESPONSE:

See response to Request to Produce No. 11.

13. You have been served with requests to admit in this cause, with regard to each of the responses, provide all documents and communications which relate to your response whether identified or not. Provide the documents indexed to the number of the response. When documents exist or existed but are not provided, explain why this is the case.

RESPONSE:

See response to Request to Produce No. 11.

14. Please produce all documents which you intend to use or actually use at hearings or trial in this matter. If you have not made such decisions yet, this is a continuing request and your response must be supplemented prior to hearing or trial.

RESPONSE:

Yusuf has not completed his discovery or his preparation for trial of this matter. Yusuf will supplement his response to this request for production to the extent required by the Virgin Islands Rules of Civil Procedure

15. Provide all documents, communications to or from, or other evidence relating to statements or affidavits from witnesses to the matters herein.

RESPONSE:

Yusuf is unaware of any documents responsive to this request other than those already produced in this case.

16. Provide all documents, communications to or from, or other evidence relating to statements or affidavits from experts to the matters herein.

RESPONSE:

Yusuf has not yet retained an expert in this matter. Yusuf will supplement his response to this request for production to the extent required by the Virgin Islands Rules of Civil Procedure

Respectfully submitted,

DUDLEY NEWMAN FEUERZEIG LLP

DATED: November 7, 2022

By: /s/ Charlotte Perrell
CHARLOTTE K. PERRELL (VI Bar #1281)
STEFAN B. HERPEL (VI Bar #1019)
LISA MICHELLE KÖMIVES (VI Bar #1171)
Law House – 1000 Frederiksberg Gade
St. Thomas, VI 00802-6736
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Telephone: (340) 774-4422
E-Mail: cperrell@DNFvi.com
sherpel@DNFvi.com
lkomives@DNFvi.com

Attorneys for Fathi Yusuf

CERTIFICATE OF SERVICE

It is hereby certified that on the 7th day of November, 2022, the **foregoing THIRD PARTY DEFENDANT FATHI YUSUF'S RESPONSES TO THIRD-PARTY PLAINTIFF'S SECOND REQUEST FOR THE PRODUCTION OF DOCUMENTS**, which complies with the page and word limitations set forth in Rule 6-1(e), was served via e-mail, as agreed by the parties, addressed to:

Joel H. Holt, Esq.
LAW OFFICES OF JOEL H. HOLT
Quinn House - Suite 2
2132 Company Street
Christiansted, St. Croix
U.S. Virgin Islands 00820

E-Mail: holtvi@aol.com

James L. Hymes, III, Esq.
LAW OFFICES OF JAMES HYMES III, PC
P.O. Box 990
St. Thomas, VI 00804

E-Mail: jim@hymeslawvi.com
rauna@hymeslawvi.com

Carl J. Hartmann, III, Esq.
2940 Brookwind Drive
Holland, MI 49424

E-Mail: carl@carlhartmann.com

/s/ Charlotte Perrell

ANNUAL REPORT
ON DOMESTIC OR FOREIGN CORPORATIONS
(DUE ON OR BEFORE JUNE 30 OF EACH YEAR)

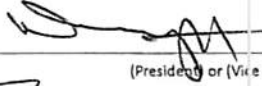
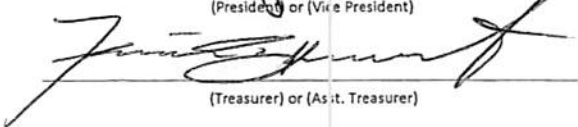
PURSUANT TO SECTIONS 371 AND 373, CHAPTER 1, TITLE 13, OF THE VIRGIN ISLANDS CODE, REQUIRING THE FILING OF ANNUAL REPORTS BY DOMESTIC AND FOREIGN CORPORATION, THE FOLLOWING STATEMENT IS FILED WITH THE OFFICE OF THE LIEUTENANT GOVERNOR.

NAME OF CORPORATION	<u>SIXTEEN PLUS CORPORATION</u>	
ADDRESS OF MAIN OFFICE	<u>P.O. Box 763, St. Croix, VI 00821</u>	
PRINCIPAL OFFICE IN THE VIRGIN ISLANDS	<u>#14 Mount Plessen, Frederiksted, St. Croix, VI 00840</u>	
RESIDENT OR AUTHORIZED AGENT IN THE V.I.	<u>Fathi Yusuf</u>	
COUNTRY OR STATE OF INCORPORATION	<u>U.S. Virgin Islands</u>	
FISCAL YEAR COVERED BY LAST REPORT FILED	<u>December 31, 2011</u>	
FISCAL YEAR COVERED BY THIS REPORT	<u>December 31, 2012</u>	
AMOUNT OF AUTHORIZED CAPITAL STOCK AT CLOSE OF FISCAL YEAR		<u>1,000 shs NPV</u>
AMOUNT OF PAID-IN CAPITAL AT CLOSE OF FISCAL YEAR		\$ <u>1,000</u>
AMOUNT OF CAPITAL USED IN CONDUCTING BUSINESS IN THE USVI DURING THE FISCAL YEAR		\$ <u>1,000</u>
THE NUMBER OF SHAREHOLDER(S) THE COMPANY HAS AT THE CLOSE OF THE FISCAL YEAR (For domestic corporations only, if the number of shareholders is less than three (3), then the entity may have equal number of directors. Otherwise, the number of the directors may not be less than three.)		<u>11 (Eleven)</u>

NAME AND COMPLETED ADDRESSES OF ALL DIRECTORS AND OFFICERS OF THE COMPANY AT THE CLOSE OF FISCAL YEAR AND EXPIRATION DATES OF TERMS OF OFFICE. (If space below is insufficient, please attach additional page(s) containing all director or officer information.)
Format example: name, complete address, position, term expiration.

(D) Mohammed Hamed	6H Carlton Gardens, Frederiksted 00840	President	Until Successor Elected
(D) Waleed Hamed	6H Carlton Gardens, Frederiksted 00840	Vice President	Until Successor Elected
(D) Fathi Yusuf	92C&D La Grande Princesse, C'sted 00820	Sec'y / Treas	Until Successor Elected

REPORT DATED: 9-5-2013

VERIFIED: 
(President) or (Vice President)

(Treasurer) or (Asst. Treasurer)

- If the last report filed does not cover the period immediately preceding the period covered by this report, a supplementary report on the same must be filed, bridging the gap, between the two reports.
- THIS REPORT IS NEITHER COMPLETE NOR ACCEPTABLE UNLESS ACCOMPANIED BY A GENERAL BALANCE SHEET AND PROFIT AND LOSS STATEMENT FOR THE LAST FISCAL YEAR REQUIRED BY THE VIRGIN ISLANDS CODE. FINANCIAL STATEMENTS SHOULD BE SIGNED BY AN INDEPENDENT PUBLIC ACCOUNTANT.

Foreign Sales Corporations that are registered with the Security and Exchange Commission must furnish evidence of such registration and comply with the balance sheet and P&L Statements. FSC's that are not registered with the Commission are exempted from filing the General Balance Sheet and the Profit and Loss Statement.

SIXTEEN PLUS CORPORATION
 STATEMENT OF ASSETS, LIABILITIES AND SHAREHOLDERS' EQUITY - UNAUDITED
 AS OF DECEMBER 31, 2012

ASSETS		
Assets		
Cash		\$ -
Land		4,596,159
		4,596,159
Total Assets		\$ 4,596,159
LIABILITIES AND SHAREHOLDERS' EQUITY		
Liabilities		
Loans from Related Party		\$ 4,500,000
Due to United Corporation		87,004
		4,587,004
Total Liabilities		4,587,004
Shareholders' Equity		
Capital Stock		1,000
Retained Earnings		61,870
Current Year Net Income		(53,715)
		9,155
Total Shareholders' Equity		9,155
Total Liabilities and Shareholders' Equity		\$ 4,596,159

I hereby certify this statement is true and correct, to the best of my belief.

Signed: _____

Title: Secy/HR

I hereby certify this statement is true and correct, to the best of my belief.

Signed: _____

Title: Vice president

SIXTEEN PLUS CORPORTION
STATEMENT OF REVENUE AND EXPENSES - UNAUDITED
FOR THE YEAR ENDED DECEMBER 31, 2012

REVENUES	
Gross Rents	\$ -
Miscellaneous Income	
	<hr/>
Total Revenues	\$ -
EXPENSES	
Property & Other Taxes	53,715
	<hr/>
Total Expenses	<u>53,715</u>
NET INCOME	<u><u>(53,715)</u></u>

**IN THE DISTRICT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

UNITED STATES OF AMERICA, and
GOVERNMENT OF THE VIRGIN ISLANDS,
Plaintiffs,

vs.

FATHI YUSUF MOHAMAD YUSUF,
aka Fathi Yusuf
WALEED MOHAMMAD HAMED,
aka Wally Hamed
WAHEED MOHOMMAD HAMED,
aka Willie Hamed
MAHER FATHI YUSUF,
aka Mike Yusuf
NEJEH FATHI YUSUF
ISAM YUSUF, and
UNITED CORPORATION,
dba Plaza Extra,
Defendants.

CRIMINAL NO. 2005-15F/B

RECEIVED
2010 FEB 26 PM 4:00
DISTRICT OF THE VIRGIN ISLANDS
ST. THOMAS, VI.

PLEA AGREEMENT

I.

INTRODUCTION

This agreement is entered into by and between defendant United Corporation, d/b/a Plaza Extra (hereinafter "United"), Thomas Alkon, Esquire, and Warren B. Cole, Esquire, Attorneys for United; Fathi Yusuf Mohamad Yusuf, Waleed Mohammad Hamed, Waheed Mohammad Hamed, Maher Fathi Yusuf, NejeH Fathi Yusuf, and the Department of Justice, Tax Division, and the United States Attorney for the District of the Virgin Islands (collectively referred to as the "Government").

The parties agree to the following terms:

A. United will plead guilty to Count Sixty of the Third Superseding Indictment, which charges willfully making and subscribing a 2001 U.S. Corporation Income Tax Return (Form 1120S), in violation of Title 33, Virgin Islands Code, Section 1525(2).

B. At the time that United enters its plea to the above-referenced count, the Government will dismiss all counts of the Indictment with prejudice against FATHI YUSUF MOHAMAD YUSUF, aka Fathi Yusuf, WALEED MOHAMMAD HAMED, aka Wally Hamed, WAHEED MOHAMMED HAMED, aka Willie Hamed, MAHER FATHI YUSUF, aka Mike Yusuf, ISAM MOHAMAD YOUSUF, aka Sam Yousuf, and NEJEH FATHI YUSUF (all collectively referred to as "individual defendants"), including the temporary restraining order and forfeiture allegations. The Government agrees not to file any additional criminal charges against United or any of the individual defendants for conduct arising out of the facts alleged in the Indictment. In accordance with paragraph VI. below, the Department of Justice of the Virgin Islands also agrees that it will file no criminal charges against United or any of the individual defendants for any conduct arising out of the facts alleged in the Indictment.

The Government agrees to dismiss with prejudice all remaining counts of the Indictment against United, including the temporary restraining order and forfeiture allegations, at the time of sentencing.

II.

NATURE OF THE OFFENSE

United agrees to plead guilty to Count Sixty of the Indictment, which charges a violation of Title 33, Virgin Islands Code, Section 1525(2). United acknowledges that the offense to which it is pleading has the following elements:

A. Elements

1. United aided, assisted, procured, counseled, advised, or caused the preparation and presentation of a return;
 2. The return was fraudulent or false as to a material matter;
- and
3. United acted willfully.

B. Elements Understood and Admitted.

United, through a representative empowered to accept this plea by virtue of a duly enacted resolution of its Board of Directors, has fully discussed the facts of this case with defense counsel. United committed each of the elements of the crime charged in Count Sixty of the Indictment and admits that there is a factual basis for a plea of guilty to the charge.

C. Factual Basis.

The parties agree that the following facts are true and undisputed:

On or about September 18, 2002, United willfully aided, assisted, procured, counseled, advised, or caused the preparation and presentation of a materially false corporate income tax return on Form 1120S for the year 2001 and filed such return with the Virgin Islands Bureau of Internal Revenue (VIBIR).

Specifically, United reported gross receipts or sales on line 1c as \$69,579,412, knowing that the true amount was approximately \$79,305,980.

III.

PENALTIES

A. United acknowledges that the maximum penalties for violation of Count Sixty are the following:

1. A maximum fine of \$5,000;
2. The Government may seek costs of prosecution, including but not limited to 1) costs incurred to produce discovery in the investigation and prosecution of this matter; 2) costs incurred by the United States Marshal's Service to monitor the operations of Defendant United pursuant to the Temporary Restraining Order, currently estimated at approximately \$1.5 million; and 3) costs related to witness appearance and travel fees in the investigation and prosecution of this matter. United reserves the right to object to the imposition of the aforementioned costs and to contest the amounts claimed by the Government.

3. Restitution in an amount that represents any and all unpaid gross receipts taxes, corporate income taxes, and individual income taxes owing to the VIBIR for the Indictment years 1996, 1997, 1998, 1999, 2000, and 2001. Said restitution is to be determined by the Court in accordance with the figures and ranges set forth in Exhibit 1, accepting as proven those figures stipulated by the parties. For those numbers still in dispute, the Court will determine the appropriate amount within the ranges proposed by the parties in Exhibit 1, following briefing, evidentiary presentation, and argument. In making its

determination, the Court may consider all relevant and material evidence presented by the parties without regard to the Federal Rules of Evidence, so long as such evidence is disclosed in advance to the opposing party. Prior to submitting restitution amounts for the Court's consideration in preparation for sentencing, the parties agree to negotiate in good-faith to arrive at a mutually acceptable amount.

4. A term of probation of one year, with conditions as set forth in paragraph VIII.E. United understands that failure to comply with any of the conditions of probation may result in the imposition of further penalties.

B. In addition to the statutory penalties for violation of Title 33, Virgin Islands Code, Section 1525(2), United shall pay a substantial monetary penalty within the range set forth in paragraph VIII.B., as determined by the Court following briefing and argument by the parties.

IV.

WAIVER OF TRIAL RIGHTS

United understands that this guilty plea waives all of the following rights:

- A. To plead not guilty and to require the Government to prove the elements of the crimes beyond a reasonable doubt;
- B. To a speedy and public trial by jury;
- C. To assistance of counsel at all stages of trial;
- D. To confront and cross-examine witnesses against United; and
- E. To present evidence and to have witnesses testify on United's behalf.

V.

UNITED'S REPRESENTATION THAT GUILTY PLEA IS KNOWING
AND VOLUNTARY

United represents that:

A. United has had a full opportunity to discuss all the facts and circumstances of this case with its counsel and has a clear understanding of the charges and the consequences of pleading guilty;

B. No one has made any promises or offered any rewards in return for United's guilty plea, other than those contained in this Plea Agreement, in Exhibit 2, which contains the letter of understanding dated February 12, 2010 (this plea agreement controls in the event of any conflicts), or otherwise disclosed to the Court;

C. No one has threatened United to induce this guilty plea; and

D. United is pleading guilty because in truth and in fact United *is* guilty and for no other reason.

VI.

AGREEMENT LIMITED TO UNITED STATES ATTORNEY'S OFFICE FOR THE
DISTRICT OF THE VIRGIN ISLANDS AND TAX DIVISION

This Plea Agreement is between United Corporation, the Individual Defendants, and the Government. This Agreement is not intended to bind any other federal, state, or local prosecuting, administrative, or regulatory authorities except to the extent specifically expressed herein. The Government will bring this Plea Agreement to the attention of other authorities if requested by United.

VII.

PLEA AGREEMENT SUBJECT TO COURT APPROVAL

Pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure, the parties acknowledge and agree that United should be ordered to pay the fine, restitution, and monetary penalties contained within this Plea Agreement and should be sentenced to a term of probation of one year.

If the Court does not adopt the agreement of the parties pursuant to Rule 11(c)(1)(C), both United and the Government reserve the right to withdraw from this Plea Agreement.

VIII.

PARTIES' SENTENCING RECOMMENDATIONS

A. **Fine.** The parties agree that the maximum statutory fine of \$5,000 should be imposed.

B. **Monetary Penalty:** The parties propose that the monetary penalty to be imposed pursuant to paragraph III.B. above be imposed in an amount between \$250,000 to \$5,715,748.

C. **Costs of Prosecution:** The Government proposes that costs of prosecution be imposed as discussed above in paragraph III.A.2. United contests said number and the categories of costs to be awarded.

D. **Restitution.** The parties propose the restitution amounts and ranges as set forth in Exhibit 1, as referenced in paragraph III.A.3. above.

E. **Terms of Probation**

1. United agrees to a term of probation of one year and agrees to be monitored by an independent third party certified public accounting firm to

assure its compliance with the tax laws of the VIBIR. United agrees to cooperate with the independent third party in carrying out such party's obligations under this agreement. The selection of a certified public accounting firm as the independent third party will be expressly approved by the Government prior to the beginning of the term of probation. If the parties cannot reach agreement on a third party, the independent third party will be selected by the Court.

2. The independent third party shall make quarterly reports to the Government, the Court, and United of United's financial condition, results of business operations, tax filings, tax payments, and accounting for the disposition of all funds received.

3. United shall submit to:

(a) a reasonable number of regular or unannounced examinations of its books and records at appropriate business premises by the independent third party; and

(b) a periodic review of financial statements and tax returns of United.

4. United shall be required to notify the court or independent third party immediately upon learning of (a) any material adverse change in its business or financial condition or prospects, or (b) the commencement of any bankruptcy proceeding, major civil litigation, criminal prosecution, or administrative proceeding against United, or any investigation or formal inquiry by governmental authorities regarding United's financial operations.

5. United shall make periodic payments, as specified by the Court, in the following priority: (a) restitution; (b) fine; and (c) substantial monetary penalty. After sentencing, the Government agrees to release all lis pendens, restraining orders, liens, or other encumbrances or property except to the extent necessary to assure valid security for the payments of all amounts referenced above. United shall develop and submit to the Court an effective compliance and ethics program consistent with §8B2.1 (Effective Compliance and Ethics Program) of the United States Sentencing Guidelines. United shall include in its submission a schedule for implementation of the compliance and ethics program.

6. Upon approval by the Court of the ethics program referred to above, United shall notify its owners, shareholders, directors, officers, and employees of its criminal behavior and its programs referred to above. Such notice shall be in a form prescribed by the Court.

7. United shall make periodic reports to the Government and to the Court at intervals and in a form specified by the Court, regarding the organization's progress in implementing the ethics program referred to above. Among other things, such reports shall disclose any criminal prosecution, civil litigation, or administrative proceeding commenced against United, or any investigation or formal inquiry by governmental authorities concerning United's financial operations of which United learned since its last report.

IX.

UNITED WAIVES APPEAL AND COLLATERAL ATTACK

In exchange for the Government's concessions in this Plea Agreement, United waives, to the full extent of the law, any right to appeal or collaterally attack the conviction and sentence, including any restitution order, except in the following circumstances: (i) the sentence exceeded the maximum statutory penalty; or (ii) the sentence violated the Eighth Amendment to the United States Constitution.

X.

FURTHER CRIMES OR BREACH OF THE AGREEMENT WILL PERMIT THE GOVERNMENT TO RECOMMEND A HIGHER SENTENCE OR TO SET ASIDE THE PLEA

This Plea Agreement is based on the understanding that United will commit no additional criminal conduct before sentencing. If United engages in additional criminal conduct between the time of execution of this agreement and the time of sentencing, or breaches any of the terms of any agreement with the Government, the Government will not be bound by the recommendations in this Plea Agreement and may recommend any lawful sentence.

XI.

COOPERATION WITH INTERNAL REVENUE SERVICE AND VIRGIN ISLANDS BUREAU OF INTERNAL REVENUE

During the pendency of this matter, United, its shareholders, the individual defendants in this case, and certain related entities and individuals identified in various pleadings or motions in this case, upon the specific advice of their counsel in this matter, did not file tax returns and certain other reporting

documents to the United States or the United States Virgin Islands (USVI) on Fifth Amendment grounds. During the pendency of this matter, those same individuals and entities endeavored to work cooperatively with the U.S. Marshals Service and the USVI governments to pay over as deposits their best estimate of taxes owed on those returns.

Prior to sentencing, United agrees to cooperate with the Government and the VIBIR in filing complete and accurate corporate income tax returns and gross receipts returns for years 2002, 2003, 2004, 2005, 2006, 2007, and 2008 and in paying in full the amounts due thereupon. United agrees to comply with all current tax reporting and payment obligations between the execution of this agreement and sentencing. In addition, prior to the sentencing hearing in this matter, United's shareholders (FY 32.5%, FY 32.5%, SY 7%, ZY 7%, YY 7%, MY 7%, NY 7%), and the individual defendants shall file the outstanding returns and reporting documents and shall make full payments of the amounts due thereupon. United acknowledges that a special condition of probation will require that all corporate returns be filed, and all amounts due and owing under this agreement and all taxes due and owing for tax years 2002 through 2008 must be paid prior to the termination of the period of probation.

The Government agrees that no foreign bank account-related charges or discretionary penalties shall be applied with respect to United or any of the individual defendants so long as such reporting and regulatory compliance is made for each of the years 1996 through 2008 prior to sentencing.

XII.

ENTIRE AGREEMENT

The Plea Agreement and Exhibit 2 embody the entire agreement between the parties.

Upon the acceptance of the plea of guilty to Count Sixty by United in accordance with this agreement, the Government agrees to promptly move the Court for an Order dismissing the restraining orders against the individual defendants, except to the extent necessary to assure valid security for the payments of all amounts referenced in paragraph VIII., and shall move for entry of an order removing of record all notices of lis pendens or other encumbrances filed in connection with this case against all properties owned in whole or in part by any persons other than United. The parties agree to meet and confer to determine a schedule to remove pending lis pendens, liens, and other restrictions.

XIII.

MODIFICATION OF AGREEMENT MUST BE IN WRITING

No modification of the Plea Agreement shall be effective unless in writing signed by the Government, United, the individual defendants, and United's shareholders.

XIV.

UNITED AND COUNSEL FULLY UNDERSTAND AGREEMENT

By signing this Plea Agreement, United's representative certifies that he or she has been given lawful authority to enter into this Plea Agreement. United further certifies that its counsel has discussed the terms of this Plea Agreement

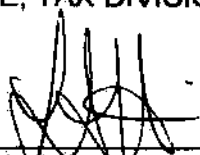
with appropriate officer and directors of United and that United fully understands its meanings and effect.

The Government agrees to the terms set forth in this Plea Agreement.

RONALD SHARPE
UNITED STATES ATTORNEY

JOHN A. DICICCO
ACTING ASSISTANT ATTORNEY GENERAL
DEPARTMENT OF JUSTICE, TAX DIVISION

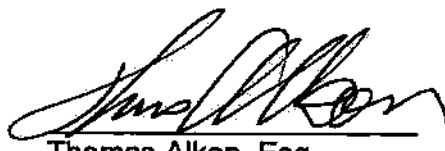
Dated: 2/26/10



Mark F. Daly
Lori A. Hendrickson
Kevin C. Lombardi
Trial Attorneys


The defendant United Corporation agrees to the terms set forth in this Plea Agreement.

Dated: 2, 26/10



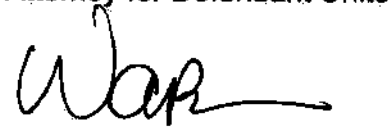
Thomas Alkon, Esq.
Attorney for Defendant United Corporation

Dated: 2/26/10

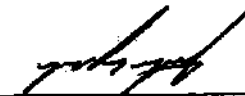



Warren B. Cole, Esq.
Attorney for Defendant United Corporation


Dated: 2/26/10




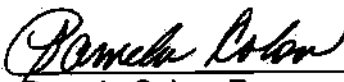
Warren B. Cole, Esq.
Attorney for Defendant's unindicted shareholders

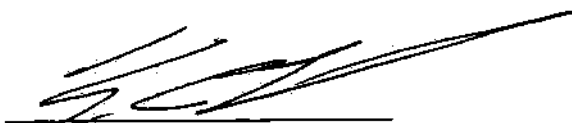
Dated: 2-26-10 
Maher Fathi Yusuf
President, Defendant United Corporation

Dated: 2/26/10 
Gordon C. Rhea, Esq.
Attorney for Defendant Waleed Mohammed Hamed

Dated: 2/26/10 
Randall P. Andreozzi, Esq.
Attorney for Defendant Waleed Mohammed Hamed

Dated: 2/26/10 
Derek M. Hodge, Esq.
Attorney for Defendant Nejeih Fathi Yusuf

Dated: 2/26/10 
Pamela Colon, Esq.
Attorney for Defendant Waheed Mohammed Hamed

Dated: 2/26/10 
Henry C. Smock, Esq.
Attorney for Defendant Fathi Yusuf Mohamad Yusuf

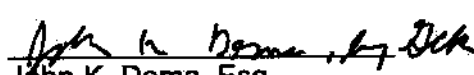
Dated: 2/26/10 
John K. Dema, Esq.
Attorney for Defendant Maher Fathi Yusuf

EXHIBIT 1 - RESTITUTION NUMBERS FOR TAX LOSS

Description	Government	Defendant
Gross Receipts Tax 1996	\$324,149.55	\$0.00
Gross Receipts Tax 1997	\$234,506.94	\$0.00
Gross Receipts Tax 1998	\$619,496.89	\$272,251.00
Gross Receipts Tax 1999	\$558,830.86	\$603,633.00
Gross Receipts Tax 2000	\$642,057.28	\$642,057.00
Gross Receipts Tax 2001	\$478,832.33	\$386,081.00
TOTAL GROSS RECEIPTS TAXES	\$2,857,873.85	\$1,904,022.00
Corporate Income Tax - 1996	\$2,214,307.41	\$0.00
Corporate Income Tax - 1997	\$2,360,868.66	\$427,011.00
Corporate Income Tax - 1998	\$3,993,535.34	\$488,323.00
TOTAL CORPORATE INCOME TAX	\$8,568,711.41	\$915,334.00
Individual Income Tax - 1999 - FY 32.5%	\$1,046,359.70	\$0.00
Individual Income Tax - 1999 - FY 32.5%	\$1,046,359.70	\$0.00
Individual Income Tax - 1999 - SY 7%	\$225,369.78	\$0.00
Individual Income Tax - 1999 - ZY 7%	\$225,369.78	\$0.00
Individual Income Tax - 1999 - YY 7%	\$225,369.78	\$0.00
Individual Income Tax - 1999 - MY 7%	\$225,369.78	\$0.00
Individual Income Tax - 1999 - NY 7%	\$225,369.78	\$0.00
TOTAL INDIVIDUAL INCOME TAX - 1999	\$3,219,568.31	\$0.00
Individual Income Tax - 2000 - FY 32.5%	\$1,458,473.19	\$0.00
Individual Income Tax - 2000 - FY 32.5%	\$1,458,473.19	\$0.00
Individual Income Tax - 2000 - SY 7%	\$314,132.69	\$0.00
Individual Income Tax - 2000 - ZY 7%	\$314,132.69	\$0.00
Individual Income Tax - 2000 - YY 7%	\$314,132.69	\$0.00
Individual Income Tax - 2000 - MY 7%	\$314,132.69	\$0.00
Individual Income Tax - 2000 - NY 7%	\$314,132.69	\$0.00
TOTAL INDIVIDUAL INCOME TAX - 2000	\$4,487,609.81	\$0.00
Individual Income Tax - 2001 - FY 32.5%	\$1,545,993.69	\$0.00
Individual Income Tax - 2001 - FY 32.5%	\$1,545,993.69	\$0.00

Individual Income Tax - 2001 - SY 7%	\$332,983.26	\$0.00
Individual Income Tax - 2001 - ZY 7%	\$332,983.26	\$0.00
Individual Income Tax - 2001 - YY 7%	\$332,983.26	\$0.00
Individual Income Tax - 2001 - MY 7%	\$332,983.26	\$0.00
Individual Income Tax - 2001 - NY 7%	\$332,983.26	\$0.00
TOTAL INDIVIDUAL INCOME TAX - 2001	\$4,756,903.67	\$0.00
TOTAL ALL TAXES	\$23,890,667.04	\$2,819,356.00

Exh: 61 2

February 12, 2010

Lori A. Hendrickson, Esq.
US DOJ/Tax Division/N.Criminal Section
601 D. Street NW, Room 7814
Washington, DC 20004-2904

Re: United States v. Fathi Yusuf, Crim. No. 05-0015

Dear Ms. Hendrickson:

We write to memorialize the process and parameters that will culminate in a formal plea agreement in this case. The parties have agreed to the following terms:

- Defendant United Corporation (d.b.a. Plaza Extra) agrees to plead guilty to Count Sixty, filing a false 2001 Form 1120S, in violation of Title 33, Virgin Islands Code, Section 1525(2);
- The government agrees to dismiss the pending charges against the individual defendants immediately after defendant United Corporation's guilty plea has been entered in court by an authorized representative of defendant United Corporation, according to the terms of a signed plea agreement. The Government agrees not to prosecute United Corporation or any other individual or entity for any other crimes arising out of the conduct alleged in the Third Superseding Indictment;
- The government agrees to dismiss the remaining pending charges against United at the sentencing hearing;
- The parties agree to meet with each other and with representatives of the Virgin Islands Bureau of Internal Revenue (VIBIR) to try to reach agreement for restitution numbers for unpaid gross receipts taxes, corporate income taxes, and individual income taxes for the Indictment years 1996, 1997, 1998, 1999, 2000, and 2001. The numbers for which the parties are able to agree will be set forth in the plea agreement;
- If the parties are unable to reach agreement on any of the tax loss numbers for the Indictment years, they will set forth their own tax loss numbers for each year and for each particular tax, in a format identical to the attached chart. The parties agree that the final determination of the restitution amount for the unpaid gross receipts taxes, corporate income taxes, and individual income taxes for the Indictment years 1996, 1997, 1998, 1999, 2000, and 2001, will be made by Judge Finch after the

FY342CASE- 000017

Letter of Agreement

February 12, 2010

Page 2 of 5

parties submit sentencing memoranda and present testimonial and documentary evidence at a hearing. The parties agree that Judge Finch will determine a liability based on the range of numbers asserted by the parties in the plea agreement.

- The determination of Judge Finch of the restitution by United Corporation shall be conclusive of all taxes due and owing to the Government of the Virgin Islands for years 1996, 1997, 1998, 1999, 2000, and 2001 with respect to all taxes of the shareholders of United Corporation, both indicted and non-indicted, and employees of United, including Waheed Hamed and Waleed Hamed, due on or for or on account of income earned by United Corporation during said years and upon payment all such tax liabilities shall be deemed satisfied in full.
- Defendant United Corporation agrees to a term of probation of one year, and agrees to be monitored by an independent third party certified public accounting firm during the term of probation to assure its compliance with the tax laws of the VIBIR. The selection of the independent third party will be expressly approved by the government prior to the beginning of the term of probation. If the parties cannot reach agreement on a third party, the independent third party will be selected by the Court;
- The government agrees not to prosecute United Corporation or individual defendants, or assert any civil or criminal accuracy related or reporting penalties, in years 2002, 2003, 2004, 2005, 2006, 2007, and 2008, provided that the individual defendants tender documentary proof that they have filed tax returns and paid tax due as set forth on those returns and as reviewed and accepted by the VIBIR;
- United, its shareholders, and the individual defendants referenced in the Indictment agree to cooperate with VIBIR to file full and complete tax returns for all post indictment years through present and to make full payment on any amounts due thereon. The Government agrees that no interest, penalties, or time and interest sensitive penalties should be imposed on the post-indictment returns so long as said returns are filed in accordance with this agreement. To the extent tax deposits already submitted exceed the amount owed on the post indictment returns as filed, such deposits should be reallocated to other tax periods or refunded to the particular tax payer. The VIBIR reserves the right to review the returns to be filed hereunder to determine whether they are accurate as filed.
- No foreign bank account-related charges or discretionary penalties shall be applied with respect to any of the individuals and entities so long as such reporting and regulatory compliance is made for the subject post-indictment years. (United States Department of Justice, and not VIBIR, has authorization over this provision).
- The parties agree that United will pay a \$5,000 fine and that the Government may seek a substantial monetary penalty. The parties will negotiate in good faith to determine the character of this penalty and will set forth a defined range from

Letter of Agreement
February 12, 2010
Page 3 of 5

which Judge Finch will make a final ruling. The parties agree that the Government may also seek reimbursement from United for the actual costs of prosecution, which will be set forth in the plea agreement. United reserves the right to contest the above mentioned penalties and prosecution costs.

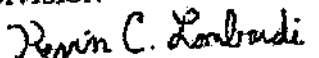
- Defendant United Corporation, the individual defendants, and the shareholders of United Corporation, all agree to file original individual income tax returns (or correcting amended returns, if appropriate) for the years 2002, 2003, 2004, 2005, 2006, 2007, and 2008, and provide any documentation or information requested by the VIBIR in order for the VIBIR to make their own independent review and assessment of the accuracy of such returns. Defendant United Corporation, the individual defendants, and the shareholders of United Corporation all agree to take these actions prior to the sentencing hearing;

The United States government and the United States Virgin Islands government agree to the terms set forth in this Letter of Agreement.


RONALD SHARPE
UNITED STATES ATTORNEY

JOHN A. DICICCO
ACTING ASSISTANT ATTORNEY GENERAL
DEPARTMENT OF JUSTICE
TAX DIVISION

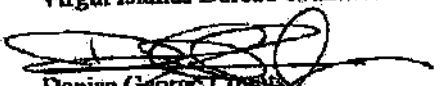
Dated: 2/12/2010


Mark F. Daly
Lori A. Hendrickson
Kevin C. Lombardi
Trial Attorneys

Dated: 2/15/10


Claudette Watson Anderson
Director
Virgin Islands Bureau of Internal Revenue

Dated: 2/18/10


Denise George
Assistant Attorney General
Virgin Islands Department of Justice
Office of the Attorney General

The defendant United Corporation agrees to the terms set forth in this Letter of Agreement.

Letter of Agreement
February 12, 2010
Page 4 of 5

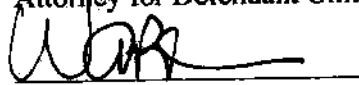
Dated: 2/26/10



Thomas Alkon, Esq.

Attorney for Defendant United Corporation

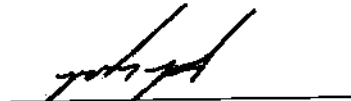
Dated: 2/26/10



Warren B. Cole, Esq.

Attorney for Defendant United Corporation

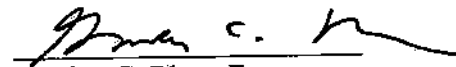
Dated: 2/26/10



MAHER FATHI YUSUF

President, Defendant United Corporation

Dated: 2/26/10



Gordon C. Rhea, Esq.

Attorney for Defendant Waleed Mohammed Hamed

Dated: 2/26/10



Randall P. Andreozzi, Esq.

Attorney for Defendant Waleed Mohammed Hamed

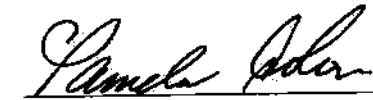
Dated: 2/26/10



Derek M. Hodge, Esq.

Attorney for Defendant Nejeah Fathi Yusuf

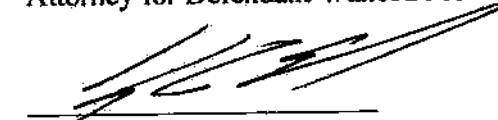
Dated: 2/26/10



Pamela Colon, Esq.

Attorney for Defendant Waheed Mohammed Hamed

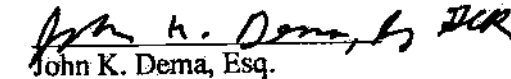
Dated: 2/26/10



Henry C. Smock, Esq.

Attorney for Defendant Fathi Yusuf Mohamad Yusuf

Dated: 2/26/10



John K. Dema, Esq.

Attorney for Defendant Maher Fathi Yusuf

GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

OFFICE OF
THE LIEUTENANT GOVERNOR

REPORT OF CORPORATION FRANCHISE TAX DUE PURSUANT TO TITLE 13, SECTION 531, VIRGIN ISLANDS CODE

DIVISION OF CORPORATION AND TRADEMARKS
TEL. (340) 776-8515 * FAX. (340) 776-4612

DOMESTIC CORPORATION

(THIS REPORT IS DUE ON OR BEFORE JUNE 30TH OF EACH YEAR)

EMPLOYER I.D. No.
66-0540661

Date of Report: July 1, 2013
Date of Last Report: June 30, 2012
This Report is for the Period Ended: June 30, 2013

1.) NAME OF CORPORATION:

SIXTEEN PLUS CORPORATION
P.O. Box 763, St. Croix, VI 00821
October 28, 1997
Real Estate Development

2.) AMOUNT OF CAPITAL STOCK AUTHORIZED:

(a) When last previous report filed _____ 1,000 shs NPV
(b) On date of this report _____ 1,000 shs NPV

3.) AMOUNT OF PAID-IN CAPITAL STOCK USED IN CONDUCTING BUSINESS

(a) As shown on last report filed _____ \$ 1,000
(b) Additional capital paid in since last report _____ \$ _____
(c) Sum of (a) and (b) _____ \$ 1,000
(d) Paid-in Capital withdrawn since last report _____ \$ _____
(e) Paid-in Capital Stock at date of this report _____ \$ _____
(f) HIGHEST TOTAL PAID-IN CAPITAL STOCK DURING REPORTING PERIOD _____ \$ 1,000

4.) COMPUTATION OF TAX:

(a) At rate of \$1.50 per T (fractions of a thousand disregarded) on highest total paid-in capital stock as reported on Line 3(f) above _____ \$ 150.00
(b) TAX DUE: (Above figure, or \$150 whichever is greater) _____ \$ 150.00


5.) PENALTY AND INTEREST FOR LATE PAYMENT:

(a) 20% or \$50.00 whichever is greater penalty for failure to pay by June 30th _____ \$ 50.00
(b) 1% interest compounded annually for each month or part thereof by which payment is delayed beyond June 30th _____ \$ 4.50
(c) Total Penalty And Interest: _____ \$ 54.50

(6.) TOTAL DUE AND FORWARDED HERewith (Sum of 4.) (b) and 5.) (c))

_____ \$ 204.50
(Attach checks payable to The Government of the Virgin Islands and mail documents to the Office of the Lieutenant Governor, Division of Corporation and Trademarks, 5049 Kongens Gade, St. Thomas, VI 00802-6487.)

Certified Correct



Treasurer



Vice-President

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DETAIL SHEET

FOR
DETERMINATION OF HIGHEST TOTAL PAID-IN CAPITAL
DURING REPORT PERIOD

	<u>Capital Paid-In</u>	<u>Capital Withdrawn</u>	<u>Total Paid-In Capital</u>
(1) Paid-In Capital Shown on Lst Report (enter in "Total Capital" column)			\$ 1,000
(2) Capital Additions and Withdrawals since last report:			
(List on separate line below each month in which capital paid in or withdrawn, enter amount thereof in proper column, and enter new total capital in the "Total Capital" column)			

(3) Totals Paid-in and Withdrawn	<u>0</u>	<u>0</u>	
(4) Highest Total Paid-in Capital during report period as shown above			\$ <u>1,000</u>

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ANNUAL REPORT

ON DOMESTIC OR FOREIGN CORPORATIONS
(DUE ON OR BEFORE JUNE 30 OF EACH YEAR)

PURSUANT TO SECTIONS 371 AND 373, CHAPTER 1, TITLE 13, OF THE VIRGIN ISLANDS CODE, REQUIRING THE FILING OF ANNUAL REPORTS BY DOMESTIC AND FOREIGN CORPORATION, THE FOLLOWING STATEMENT IS FILED WITH THE OFFICE OF THE LIEUTENANT GOVERNOR.

NAME OF CORPORATION SIXTEEN PLUS CORPORATION

ADDRESS OF MAIN OFFICE P.O. Box 763, St. Croix, VI 00821

PRINCIPAL OFFICE IN THE VIRGIN ISLANDS #14 Mount Plessen, Frederiksted, St. Croix, VI 00840

RESIDENT OR AUTHORIZED AGENT IN THE V.I. Fathi Yusuf

COUNTRY OR STATE OF INCORPORATION U.S. Virgin Islands

FISCAL YEAR COVERED BY LAST REPORT FILED December 31, 2011

FISCAL YEAR COVERED BY THIS REPORT December 31, 2012

AMOUNT OF AUTHORIZED CAPITAL STOCK AT CLOSE OF FISCAL YEAR 1,000 shs NPV

AMOUNT OF PAID-IN CAPITAL AT CLOSE OF FISCAL YEAR \$ 1,000

AMOUNT OF CAPITAL USED IN CONDUCTING BUSINESS IN THE USVI DURING THE FISCAL YEAR \$ 1,000

THE NUMBER OF SHAREHOLDER(S) THE COMPANY HAS AT THE CLOSE OF THE FISCAL YEAR 11 (Eleven)
 (For domestic corporations only, if the number of shareholders is less than three (3), then the entity may have equal number of directors. Otherwise, the number of the directors may not be less than three.)

NAME AND COMPLETED ADDRESSES OF ALL DIRECTORS AND OFFICERS OF THE COMPANY AT THE CLOSE OF FISCAL YEAR AND EXPIRATION DATES OF TERMS OF OFFICE. (If space below is insufficient, please attach additional page(s) containing all director or officer information.)
Format example: name, complete address, position, term expiration.

(D) Mohammed Hamed	6H Carlton Gardens, Frederiksted 00840	President	Until Successor Elected
(D) Waleed Hamed	6H Carlton Gardens, Frederiksted 00840	Vice President	Until Successor Elected
(D) Fathi Yusuf	92C&D La Grande Princesse, C'sted 00820	Sec'y / Treas	Until Successor Elected

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REPORT DATED: 9-5-2013

VERIFIED: [Signature]
 (President) or (Vice President)

[Signature]
 (Treasurer) or (Asst. Treasurer)

1. If the last report filed does not cover the period immediately preceding the period covered by this report, a supplementary report on the same must be filed, bridging the gap, between the two reports.
2. THIS REPORT IS NEITHER COMPLETE NOR ACCEPTABLE UNLESS ACCOMPANIED BY A GENERAL BALANCE SHEET AND PROFIT AND LOSS STATEMENT FOR THE LAST FISCAL YEAR REQUIRED BY THE VIRGIN ISLANDS CODE. FINANCIAL STATEMENTS SHOULD BE SIGNED BY AN INDEPENDENT PUBLIC ACCOUNTANT.

Foreign Sales Corporations that are registered with the Security and Exchange Commission must furnish evidence of such registration and comply with the balance sheet and P&L Statements. FSC's that are not registered with the Commission are exempted from filing the General Balance Sheet and the Profit and Loss Statement.

SIXTEEN PLUS CORPORATION
 STATEMENT OF ASSETS, LIABILITIES AND SHAREHOLDERS' EQUITY - UNAUDITED
 AS OF DECEMBER 31, 2012

ASSETS		
Assets		
Cash		\$ -
Land		4,596,159
		4,596,159
Total Assets		\$ 4,596,159
LIABILITIES AND SHAREHOLDERS' EQUITY		
Liabilities		
Loans from Related Party		\$ 4,500,000
Due to United Corporation		87,004
		4,587,004
Total Liabilities		4,587,004
Shareholders' Equity		
Capital Stock		1,000
Retained Earnings		61,870
Current Year Net Income		(53,715)
		9,155
Total Shareholders' Equity		9,155
Total Liabilities and Shareholders' Equity		\$ 4,596,159

I hereby certify this statement is true and correct, to the best of my belief.

Signed: [Signature]

Title: Secy/HR

I hereby certify this statement is true and correct, to the best of my belief.

Signed: [Signature]

Title: Vice president

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SIXTEEN PLUS CORPORTION
STATEMENT OF REVENUE AND EXPENSES - UNAUDITED
FOR THE YEAR ENDED DECEMBER 31, 2012

REVENUES	
Gross Rents	\$ -
Miscellaneous Income	
	<hr/>
Total Revenues	\$ -
EXPENSES	
Property & Other Taxes	53,715
	<hr/>
Total Expenses	<u>53,715</u>
NET INCOME	<u>(53,715)</u>

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PLESSEN ENTERPRISES, INC.
P.O. BOX 763
C'STED., VI 00821

0382

101-606/216

PAY TO THE ORDER OF

9/15/13
Government of the Virgin Islands \$ 204.50
Two Hundred Four Dollars and 50/100 DOLLARS

Scotiabank
THE BANK OF NOVA SCOTIA
SUNSHINE MALL
FREDERIKSTED, ST. CROIX USVI

FOR Sixteen plus (Franchise tax) 2012
000382 021606069 0580004502

[Signatures]

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C60F
MISCELLANEOUS PAYMENT RECPT#: 2356585
Gov't of the U.S. Virgin Islan
2314 Kronprindsens Gade
Charlotte Amalie VI 00802

DATE: 09/11/13 TIME: 10:16
CLERK: vthomas1 DEPT: LTGOVSTX
CUSTOMER#: 0

COMMENT: 2013

CHG: 213582 PENALTY ST. CRO 204.50

AMOUNT PAID: 204.50

PAID BY: SIXTEEN PLUS CORP
PAYMENT METH: CHECK
382

REFERENCE:

AMT TENDERED: 204.50
AMT APPLIED: 204.50
CHANGE: .00

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