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OF  
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REPLY TO:  
 ST. THOMAS OFFICE

REPLY TO:  
 CHRISTIANSTED OFFICE

November 7, 2022

**PRIVILEGED & CONFIDENTIAL**  
**ATTORNEY WORK PRODUCT**

Carl J. Hartmann, III, Esq.  
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Re: **Sixteen Plus v. Manal Yousuf**  
**SCVI/STX Civil No. SX-16-CV-65**  
**MMY v. Sixteen Plus**  
**SCVI/STX Civil No. SX-17-CV-342**

Dear Attorney Hartmann:

This letter will respond to your letter to me of October 20, 2022, which sets forth your understanding of our discussion, and those items which you believe are deliverable.

With respect to paragraph (2) of the August 1, 2017 letter to me from Joel Holt, I have been reminded by Jamil Yousuf that I requested that he establish a telephone conference call with Manal at the time I was retained to allow her to confirm my retention, and to avoid any question of same if it was only done by Jamil through his power of attorney.

I have agreed to obtain copies of all pages of the passports requested to be produced with the understanding that a request will be made to the Superior Court for them to be filed with the Court under seal, to avoid them being made a matter of public record.

You indicated to me that you required a description of the present address for my client so that you may serve her with process. I will not provide you with that address. If you need to serve her with process, it may be done through me.

CHRISTIANSTED OFFICE:  
1138 KING STREET (THE PENTHENY BUILDING), CHRISTIANSTED, ST. CROIX, U.S. VIRGIN ISLANDS 00820-4943  
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My client has indicated that she has not paid taxes on any interest payments paid to her by your clients. Therefore, I see no need for you to obtain copies of her tax returns for the years 1990 - 2000.

I will acknowledge your statement to me that you confused the name of the BFC Island Appliance with Island Appliances. In my opinion the answers to your discovery correctly responded to the question and gave information as if the question properly assumed the name of the company was Island Appliances. If you do not agree with this and wish to send a separate document with the correct name, please feel free to do so.

**Points Raised in Isam's Responses:**

Isam managed money for Manal in two ways. First, he gave her cash as she needed it from the interest payments paid to her by your clients. Second, he assisted with the agreement for her to lend \$4.5 Million to Sixteen Plus by agreeing on her behalf to do so, and by transferring money given to her for her benefit by her father to Sixteen Plus in accordance with the terms and conditions of the Note and First Priority Mortgage executed by Sixteen Plus. There was no account specifically titled in her name, or for her benefit. Her father deposited \$2 Million into the Island Appliances account, and Isam transferred it to Sixteen Plus as part of the \$4.5 million loan.

Isam has fully described and provided the addresses at which he has resided on the island of St. Maarten. No further supplementation will be forthcoming as such is unnecessary.

A description of the rate of pay of Isam, and his percentage of stock ownership in Island Appliances will not be provided as this information is totally irrelevant to any litigation.

You have asked for a description of all foreign bank accounts in his name during the period 1995 2000. Once again, this is irrelevant to any issue related to this case and will not be provided.

Interrogatory 9(b) asked how you and/or Island Appliances obtained the \$2 Million to transfer to Sixteen Plus on or about February 19, 1997. My clients have repeatedly explained to you that these funds came from Manal's father. No further explanation is required.

Document Request No. 1 asked for copies of all monthly account statements for any checking, savings, investment, brokerage account titled to you in your name from 1990 through 1997. The response was none. This response cannot change since there are no documents in his possession, custody, or control.

You have requested factual answers to Interrogatory No. 22, and its subsections E, F and G. Information will not be provided because the funds for the loan to Sixteen Plus did not come from Island Appliances, but rather from Manal's father.

I have been advised that what you thought was a bank card is in fact an insurance card, and therefore there will be no further supplementation to Document Request No. 9.

Finally, you have demanded information as to how the \$1,080,000 of interest which your client denied paying was spent by Manal. She and her husband purchased a supermarket from Isam with the first payment of interest, and spent the second payment supporting the operation of the supermarket and for their own personal use. They purchased a car and a van with a portion of the money. Between 1999 and 2003, a second store was opened and supported with the third payment of interest. Any remaining cash was received and used as needed for personal consumption.

Access to the financial records of Island Appliances and my clients will not be granted. Your clients have denied making any payments of interest. Therefore, they have no reason to look in bank accounts for those funds. If your clients used the money which they skimmed from Plaza Extra to fund the Note and Mortgage, they should have the documents by which those funds were deposited in a bank in St. Maarten for transfer back to them in the Virgin Islands. Indeed, those documents should have been produced as part of your rule 26 initial disclosures, but, unless I am mistaken, I have not seen them to date.

Respectfully submitted



James L. Hymes, III

JLH:rs

cc: Joel H. Holt, Esq.  
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