

FILED

November 16, 2022 06:57 PM

SX-2016-CV-00065

TAMARA CHARLES
CLERK OF THE COURT

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

MANAL MOHAMMAD YOUSEF,
Plaintiff

v.

SIXTEEN PLUS CORPORATION,
Defendant.

and

SIXTEEN PLUS CORPORATION,
Counter-Plaintiff

v.

MANAL MOHAMMAD YOUSEF,
Counter-Defendant,

and

SIXTEEN PLUS CORPORATION,
Third-Party Plaintiff

v.

FATHI YUSUF,
Third-Party Defendant,

CIVIL NO. SX-17-CV- 00342

**ACTION FOR DEBT AND
FORECLOSURE**

**COUNTERCLAIM FOR
DAMAGES**

THIRD PARTY ACTION

JURY TRIAL DEMANDED

Consolidated With

CIVIL NO. SX-16-CV-00065

**ACTION FOR
DECLARATORY JUDGMENT,
CICO and FIDUCIARY DUTY**

COUNTERCLAIM

JURY TRIAL DEMANDED

SIXTEEN PLUS CORPORATION,
Plaintiff,

v.

MANAL MOHAMMAD YOUSEF,
Defendant.,

and

MANAL MOHAMMAD YOUSEF,
Counter-Plaintiff.,

v.

SIXTEEN PLUS CORPORATION,
Counter-Defendant.

**SIXTEEN PLUS CORPORATION'S
NOTICE
TO THE CLERK OF THE COURT
RE CAPTIONING / EFILE ISSUE**

Sixteen Plus Corporation, through undersigned co-counsel, hereby gives notice to the Clerk of the Court and all parties of a series of multi-party, multi-instance errors, both in the captions (on a number of documents) and in the Court's E-File system. He asks the Clerk for an administrative correction in the E-File system.

1. Hisham Hamed is not and never has been a party in either the 342 action or the 65 action. He is, therefore, not a party in the consolidated 342/65 action. That party identification was picked up by accident from the companion 650 action, *Sixteen Plus Corporation v. Fathi Yusuf, Isam **Yousuf** and Jamil **Yousuf***, SX-2016-CV-00650, which is also pending before Judge Brady. Hisham Hamed has been repeatedly identified as a Plaintiff. That error has been picked up in the E-File system.
2. **The undersigned asks the Clerk to correct the fact that the E-File system incorrectly identifies the 342/65 action as having “Hisham Hamed” as the Plaintiff when notices are emailed to counsel. Also, when E-Filing, there is a “Filed on Behalf of” checkbox for “Hisham Hamed” but none for “Sixteen Plus Corporation”.**
3. When notices of filing are sent out, they read “Hisham Hamed” *both for the consolidated 342/65 case and for the 650 case*. This can be confusing.
4. Also, Kevin Rames, Esq. is not counsel to any party in this 342/65 action. However, he ***is*** the sole counsel to the nominal defendant, Sixteen Plus Corporation, in SX-2016-CV-00650 and must be served in that case.
5. Joel H. Holt and Carl J. Hartmann III are counsel to Sixteen Plus Corporation in this 342/65 action—they are not its counsel in the SX-2016-CV-00650 action. They are counsel only to the Plaintiff, Hisham Hamed, in the 650 action.

6. James Hymes is counsel to Manal **Yousef** in the 342/65 action, and counsel to Isam **Yousuf** and Jamil **Yousuf** in the 650 action. Manal Yousef is not a party to the 650 action.
7. Charlotte Perrell and Stefan Herpel represent Fathi **Yusuf** in both the 342/65 action (where Fathi Yusuf is a Third-Party Defendant) and in 650, where he is a Defendant.
8. I have also noted (by bolding) the correct spellings of the names of Ms. Yousef, Mr. Yusuf and the two Yousufs. There were various spelling errors earlier—the names here are from government ID's supplied by the parties or their counsel.

Undersigned counsel greatly apologizes to the Clerk and the Court for any part he (or his mis-captioned filings) played in this confusion—but these cases have been through an odd path of consolidations, non-consolidations, and judges--as well as an effort to have them joined together in a single Complex Litigation proceeding.

Dated: November 16, 2022

/s/ Carl J. Hartmann III

Carl J. Hartmann III

Co-Counsel to Sixteen Plus Corp.

2940 Brookwind Dr.

Holland, MI 49424

Phone: (340) 642-4422

Fax: (202) 403-3750:

Joel H. Holt

Counsel to Sixteen Plus Corp.

Law Offices of Joel H. Holt

2132 Company Street,

Christiansted, VI 00820

Email: holtvi@aol.com

Tele: (340) 773-8709

CERTIFICATE OF SERVICE

I hereby certify that this document complies with the page and word limitation set forth in Rule 6-1(e) and that on November 16, 2022, I served a copy of the foregoing by the Court's E-File system, as agreed by the parties at the addresses below

Charlotte Perrell
Stefan Herpel, Esq.

DNF

Law House, 10000 Frederiksberg Gade

P.O. Box 756

St. Thomas, VI 00804-0756

Tel: (340) 774-4422

cperrell@dnfvi.com

sherpel@dtflaw.com

James L. Hymes, III, Esq.

P.O. Box 990

St. Thomas, VI 00804-0990

Tel: (340) 776-3470

jim@hymeslawvi.com

With a Courtesy Copy to: ***Kevin Rames, Esq.***

/s/ Carl J. Hartmann III