

**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 YOUSUF,

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

**PLAINTIFF HISHAM HAMED'S
FIRST NOTICE OF THE DEPOSITION OF ISAM YOUSUF**

PLEASE TAKE NOTICE the undersigned, on behalf of Plaintiff Hisham Hamed, will take the videotaped deposition of the following:

NAME: Defendant herein, Isam Yousuf (aka Sam Yousuf)

DATE & TIME: THURSDAY, FEBRUARY 9, 2023, at 10:30 AM. AST¹

¹ Pursuant to the joint agreement of the parties and the jointly submitted *Third Amended Report of Parties' Planning Meeting Pursuant to Virgin Islands Rules of Civil Procedure 16 and 26(f)* filed November 15, 2022:

All fact witness depositions shall be completed by March 31, 2023. Maximum number of depositions as provided by V.I. R. Civ. P. 30 (a)(2)(A). It is anticipated that plaintiff and defendants may need to exceed 10 depositions each and they will reasonably cooperate in scheduling same* * *Duration of depositions as provided by V.I. R. Civ. P. 30(d)(1)

Due to this schedule, this notice is being given now, without prior consultation as to timing--to assure a very well-noticed announcement as to the need for attendance. Plaintiff notes, however, that this is intended to assure a date within the approximate time period, but that discussions and accommodations as to the date and time are anticipated, and, in fact, expected. *He will do everything possible to set a date and time convenient for the witness, counsel and staff.*

PLACE: Law Offices of Joel H. Holt
2132 Company Street,
Christiansted, VI 00820,
Email: holtvi@aol.com,
Phone: (340) 773-8709,
Fax: (340) 773-8677

The witness is directed to appear in person. However, arrangements will be made for counsel's remote attendance via Zoom (link information will be provided at a later date) The deposition will be conducted utilizing video conferencing (VTC) services or telephonically to provide remote access for counsel or staff wishing to attend or participate in the deposition via the internet and/or telephone. Also take notice that, the court reporter may also be remote via one of the options above for the purposes of reporting the proceeding and may or may not be in the presence of the deponent. Please contact the noticing attorney in writing at least three (3) calendar days prior to the deposition to advise that it is your desire to appear via this remote participating means so that the necessary credentials, call-in numbers, testing and information, if necessary, can be provided to you prior to the proceedings.

This deposition is being taken for use as evidence and/or trial purposes, and/or any other purpose allowed by the governing rules, and may continue from day to day until completed. The deposition shall be recorded by videography and stenography.

Counsel for Hisham Hamed

Dated: December 21, 2022



Carl J. Hartmann III, Esq. (Bar #48)
Co-Counsel for Hisham Hamed
2940 Brookwind Dr,
Holland, MI 49424
Telephone: (340) 642-4422
Email: carl@carlhartmann.com

Joel H. Holt, Esq. (Bar # 6)
Counsel for Hisham Hamed
LAW OFFICES OF JOEL H. HOLT
2132 Company Street,
Christiansted, VI 00820
Email: holtvi@aol.com
Phone: (340) 773-8709/
Fax: (340) 773-8677

CERTIFICATE OF SERVICE

I hereby certify that this document complies with the page and word limitations set forth in Rule 6-1(e) and that on **December 21, 2022**, I served a copy of the foregoing by email and the Court's E-File system, as agreed by the parties, to:

James Hymes III, Esq.
Counsel for Defendants Isam and Jamil Yousuf
LAW OFFICES OF JAMES L.
HYMES, III, P.C.
P.O. Box 990
St. Thomas, VI 00804-0990
Tel: (340) 776-3470
Fax: (340) 775-3300
jim@hymeslawvi.com

Charlotte K. Perrell, Esq.
Stefan B. Herpel, Esq.
Counsel for Defendant Fathi Yusuf
DUDLEY NEWMAN
FEUERZEIG LLP
Law House
1000 Frederiksberg Gade
P.O. Box 756
St. Thomas, VI 00804-0756
Tel: (340) 774-4422
cperrell@dnfvi.com,
sherpel@dnfvi.com

Kevin A. Rames, Esq.
Counsel for Nominal Defendant
Sixteen Plus Corporation
2111 Company Street, Suite 3
Christiansted, VI 00820
Phone: (340) 773-7284
Fax: (340) 773 -7282
kevin.rames@rameslaw.com

/s/ Carl J. Hartmann