

LAW OFFICES
OF
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REPLY TO:
 ST. THOMAS OFFICE

REPLY TO:
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December 27, 2022

PRIVILEGED & CONFIDENTIAL
ATTORNEY WORK PRODUCT

Carl J. Hartmann, III, Esq.
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Re: Hisham Hamed/Sixteen Plus v. Fathi Yusuf, et al.
SCVI/STX Civil No. SX-2016-CV-00650

Dear Attorney Hartmann:

I am writing in connection with the Motion you have filed to amend the Complaint in this case to add Manal Yousuf as a named party defendant. I will not consent to the filing of this motion to amend, or to the amendment itself. It is my belief that this pleading is not only completely barred by the applicable Statute of Limitations, but also is contrary to the provisions of Rule 11(b)(1-5), I request that this motion be withdrawn.

Your motion to amend alleges that the Note and Mortgage given to Manal by Sixteen Plus was a sham. If so, this sham took place at the time the Note and Mortgage were executed and delivered, now more than twenty-five (25) years ago. If this allegation is true, your clients, Waleed Hamed and the Sixteen Plus Corporation created the so-called sham, and therefore would have intimate knowledge of who was involved in the perpetration of this event, and the existence of Manal as a possible perpetrator was never more obvious than at the time she was given the Note and Mortgage by your clients. The expiration of any possible statute of limitation under the circumstances is patently obvious and irrefutable. In addition to the foregoing the statute of limitations for this cause of action, namely fraud, would have commenced to have run as of the time she sued your client, Sixteen Plus, to foreclose her Note and Mortgage, now more than two years ago.

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Under the circumstances, I do not see how you can represent to a court of law that this motion is being presented for a legitimate purpose and is supported by existing law and evidence.

Please be advised if you continue to pursue this ill advised course of action, I will seek every possible sanction against you and your clients and co-counsel, including but not limited to attorneys' fees incurred to defend this frivolous action

Sincerely yours.,



James L. Hymes, III

JLH:rs

cc: Joel H. Holt, Esq,
holtvi@aol.com

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