

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**

**JOINT MOTION FOR ENLARGEMENT  
OF THE SCHEDULING ORDER OF JANUARY 20, 2023**

**COME NOW** all of the parties, and jointly move the Court for an enlargement of its Scheduling Order of January 20, 2023. Counsel for the parties have agreed to this enlargement after mutual discussion, and to have this motion filed by the undersigned. A proposed order identical to the Court's except for dates is attached.

The revised dates have been calculated by adding approximately **six (6) months** to all dates in the January 20, 2023 scheduling order, with the exception of the conference with the Court set by Zoom—which has been left blank.

A simultaneous mirror motion is being filed in the 65/342 action.

**Counsel for Hisham Hamed**



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**Dated:** February 14, 2023

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## CERTIFICATE OF SERVICE

I hereby certify that, discounting captions, headings, signatures, quotations from authority and recitation of the opposing party's own text, this document complies with the page and word limitations set forth in Rule 6-1(e) and that on **February 14, 2023**, I served a copy of the foregoing by email and the Court's E-File system, as agreed by the parties, to:

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/s/ Carl J. Hartmann

**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**, )

Defendant. )

and )

**SIXTEEN PLUS CORPORATION**, )

a nominal Defendant. )

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**SX-2016-CV-00650**

DERIVATIVE SHAREHOLDER SUIT,  
ACTION FOR DAMAGES AND  
CICO RELIEF  
(JURY)

**ORDER**

THIS CONSOLIDATED matter is before the Court on the Parties' *Joint Motion for Enlargement of the Scheduling Order of January 20, 2023*, filed February 14, 2023. The Court being advised in the premises, it is hereby

ORDERED that the discovery plan as set forth in the Parties' Third Amended Planning Meeting Report is APPROVED; it is further

ORDERED that the parties shall adhere to the following deadlines in this matter:

**1. Pre-Discovery Disclosures:**

The parties will continue to exchange the information required by V.I. R. Civ. P. 26(a)(1).

**2. Discovery Plan:**

The parties jointly propose to the court the following discovery plan: Discovery will be needed on the following subjects:

- factual bases of the allegations stated in the complaint;
- the extent of the damages claimed by the plaintiff; and
- the defenses asserted by the defendants.

**A. Written discovery:**

All written discovery was propounded by **September 15, 2022**.

**B. Fact witness depositions:**

All fact witness depositions shall be completed by **September 30, 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).

**C. Expert discovery**

Reports from retained experts under Rule 26(a)(2) due:

- from plaintiff by **November 24, 2023**;
- from defendants by **February 15, 2024**.

Expert witness depositions shall be completed by **February 28, 2024**

**3. Other Items:**

Mediation shall be completed by **September 30, 2023**.

**Status Conference** shall take place on \_\_\_\_\_, **2023** at \_\_\_\_\_, via Zoom.

All Dispositive Motions shall be filed by **May 28, 2024**.

Settlement can be evaluated at any time during the pendency of the action.

Final lists of witnesses and exhibits shall be provided as directed by the Court.

Jury selection and trial shall be set at the Status Conference.

Dated: \_\_\_\_\_, **2023**

\_\_\_\_\_  
**DOUGLAS A. BRADY, JUDGE**

**ATTEST:**  
TAMARA CHARLES  
Clerk of Court

By: \_\_\_\_\_  
Court Clerk Supervisor