

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

SIXTEEN PLUS CORPORATION,  
Plaintiff/Counterclaim Defendant,  
v.  
MANAL MOHAMMAD YOUSEF,  
Defendant/Counterclaim Plaintiff.

CASE NO.: SX-2016-CV-00065  
ACTION FOR DECLARATORY JUDGMENT  
JURY TRIAL DEMANDED

MANAL MOHAMMAD YOUSEF,  
Plaintiff/Counterclaim Defendant,  
v.  
SIXTEEN PLUS CORPORATION,  
Defendant/Counterclaim Plaintiff/Third Party  
Plaintiff,  
v.  
FATHI YUSUF,  
Third Party Defendant.

CASE NO.: SX-2017-CV-00342  
ACTION FOR DEBT AND FORECLOSURE OF  
REAL PROPERTY MORTGAGE  
JURY TRIAL DEMANDED

HISHAM HAMED, on behalf of himself and  
derivatively, on behalf of SIXTEEN PLUS  
CORPORATION,  
Plaintiff,  
v.  
FATHI YUSUF, ISAM YOUSUF, and JAMIL  
YOUSUF,  
Defendants,  
and  
SIXTEEN PLUS CORPORATON,  
Nominal Defendant.

CASE NO.: SX-2016-CV-00650  
DERIVATIVE SHAREHOLDER SUIT,  
ACTION FOR DAMAGES, CICO RELIEF,  
EQUITABLE RELIEF, AND INJUNCTION  
JURY TRIAL DEMANDED

**Typographical Error - This is  
Order Consolidating - Not for  
Withdrawal**

**ORDER FOR WITHDRAWAL**

THIS MATTER is before the Court following the granting of Plaintiff Hamed's Motion to Consolidate ("Motion"), filed January 9, 2019--where Plaintiff's Motion sought to consolidate Case No. SX-

2016-CV-00650, a derivative shareholder suit, with two previously consolidated matters, SX-2016-CV-00065, an action for declaratory judgment, and SX-2017-CV-00342, an action for debt and foreclosure. For the reasons set forth below, the Motion will be granted.

Virgin Islands courts are given broad discretion to consolidate multiple actions where they involve “a common question of law or fact.” V.I. R. Civ. P. 42(a)(2). “The purpose of consolidation is to streamline and economize pretrial proceedings so as to avoid duplication of effort, and to prevent conflicting outcomes in cases involving similar legal and factual issues.” *Yusuf v. Estate of Hamed*, 2018 V.I. LEXIS 41, at \*3 (V.I. Super. Apr. 5, 2018) (quoting *St. Croix Fed’n of Teachers v. Gov’t of the V.I.*, 2011 U.S. Dist. LEXIS 82358, at \*3 (D.V.I. Jul. 25, 2011)).

All three of these matters concern the validity of the First Priority Mortgage and Note over the Diamond Keturah Property granted to Manal Mohammad Yousef by Sixteen Plus Corporation. They have identical scheduling orders and contain some mirror filings. While Defendants Isam and Jamil Yousef are named in the SX-2016-CV-00650 derivative action but not in the previously consolidated matters, consolidation does not “change the rights of the parties, or make those who are parties in one suit parties in another.” *Yusuf v. Estate of Hamed*, 2018 V.I. LEXIS 41, at \*3-4 (internal quotation omitted). Consolidation of these matters will result in convenience and judicial economy, and risk of juror confusion “may be reduced by the use of cautionary instructions to the jury.” *Id.* at \*4 (internal quotation omitted). In light of the foregoing, it is hereby

ORDERED that the Motion to Consolidate is GRANTED, and the caption is amended accordingly.

DATED: April 27, 2023

  
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DOUGLAS A. BRADY, JUDGE

**ATTEST:**  
TAMARA CHARLES  
Clerk of the Court

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

May 1, 2023