

APPEARANCES

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

HISHAM HAMED, individually, and )  
 derivatively on behalf of SIXTEEN )  
 PLUS CORPORATION, )  
 Plaintiff, )  
 vs. ) Case No. SX-2016-CV-00650  
 FATHI YUSUF, ISAM YOUSUF and )  
 JAMIL YOUSUF, )  
 Defendants, )  
 and )  
 SIXTEEN PLUS CORPORATION, )  
 a nominal Defendant. )

**THE VIDEOTAPED ORAL DEPOSITION OF MAHER "MIKE" YUSUF**  
 was taken on the 17th day of July, 2023, at the Offices of  
 Caribbean Scribes, Inc., 1244 Queen Cross Street, Suite 1A,  
 Christiansted, St. Croix, U.S. Virgin Islands, between the  
 hours of 10:21 a.m. and 11:25 a.m., AST, pursuant to Notice  
 and Federal Rules of Civil Procedure.

Reported by:  
 Susan C. Nissman RPR-RMR  
 Registered Merit Reporter  
 Caribbean Scribes, Inc.  
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**A-P-P-E-A-R-A-N-C-E-S**

**For the Defendant Fathi Yusuf and Maher "Mike" Yusuf:**  
 Law Offices of  
 Dudley Newman Feuerzeig, LLP  
 1131 King Street, Suite 204  
 Christiansted, St. Croix  
 U.S. Virgin Islands 00820

By: Stefan B. Herpel

**Also Present:** Michael Gelardi, Videographer

**MAHER "MIKE" YUSUF -- RULE 31(a)(1) EXAMINATION**

1 **THE VIDEOGRAPHER:** In the matter of Fathi  
 2 Yusuf, Isam Yousuf, and Jamil Yousuf versus Sixteen Plus  
 3 Corporation.  
 4 In the District Court of the Virgin Islands,  
 5 Division of St. Croix. Civil Action Number SX-2016-CV-  
 6 00650.  
 7 My name is Michael Gelardi. I am the  
 8 court -- videographer for today's proceedings. Our court  
 9 reporter is Susan Nissman. Today's date is July 17th, 2023.  
 10 The deponent is Hisham Hamed (sic). The time is 10:21.  
 11 For the purposes of voice identification, I'm  
 12 requesting that the attorneys present identify themselves at  
 13 this time.  
 14 **MR. HERPEL:** Stefan Herpel, from the Law Firm  
 15 of Dudley Newman Feuerzeig, on behalf of Mike Yusuf, who is  
 16 the deponent, not Hisham Hamed, as you indicated.  
 17 **THE VIDEOGRAPHER:** Please swear in the  
 18 witness.  
 19 **MAHER "MIKE" YUSUF,**  
 20 called as a witness, having been first duly sworn,  
 21 testified on his oath as follows:  
 22 **DIRECT EXAMINATION**  
 23 **BY MR. HERPEL:**  
 24 **Q.** And I'm going to be reading the questions that  
 25 were prepared by opposing counsel, Carl Hartmann, and

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1 reading some introductory material before I start reading  
 2 the questions, and I'll begin with that introductory  
 3 material.  
 4 This is a deposition pursuant to Rule 31 of  
 5 the Virgin Islands Rules of Civil Procedure. Thus, all  
 6 questions, assertions of privilege and objections, have been  
 7 agreed to in writing prior to this examination. Therefore,  
 8 no person shall interrupt the questions and answers I will  
 9 put to this witness.  
 10 If you need a break to use the lavatory or to  
 11 get a drink, please inform us.  
 12 After each question or sub-question, I will  
 13 ask you to answer. The questions cannot be answered as a  
 14 group. There must be a response or refusal to respond as to  
 15 each separately.  
 16 Mr. Yusuf, if any of the following deposition  
 17 questions cannot be answered in full, please answer to the  
 18 extent possible, state the reason for your inability to  
 19 answer the remainder, and then go on and state whatever  
 20 information or knowledge you have concerning the unanswered  
 21 portion. Where exact information is unknown to you or  
 22 unavailable, supply estimated information, indicate that you  
 23 have done so, and explain the basis on which the estimate  
 24 was made.  
 25 If you decline to answer any deposition

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1 question, or a portion of any deposition question, on a  
2 claim of privilege (such as the Fifth Amendment Right  
3 Against Self-Incrimination), the privilege or other basis  
4 for withholding the answer you are asserting, and describe  
5 in detail the facts upon which you base such claim or  
6 privilege or basis for withholding.

7 It is requested that all copies of all  
8 documents you refer to in this deposition or identified by  
9 you in response to a question be provided to the court  
10 reporter, if it is present at this deposition, and to  
11 opposing counsel, if it is not.

12 The terms used in this deposition have the  
13 following meaning:

14 The term "document" is used in its broadest  
15 sense to include, by way of illustration only and not by way  
16 of limitation, all originals and non-identical copies of any  
17 writing or any other tangible thing or data compilation in  
18 the custody, possession, or control of the Defendant,  
19 whether printed, typed, reproduced by any process, written  
20 or produced by hand, including any graphic matter, however  
21 produced or reproduced, or produced by any other technical  
22 means and all data, either electronic, magnetic, chemical,  
23 mechanical, or other form of data storage.

24 "Communication" means any correspondence,  
25 contact, discussion, exchange, contract, or agreement

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1 between any two or more persons. Without limiting the  
2 foregoing, "communication" includes all documents as defined  
3 above, telephone conversations, internet communications,  
4 e-mail, facsimile transmissions, voicemail, face-to-face  
5 conversations, meetings, and conferences.

6 "Relevant time period" means 1995 to 2000.

7 "Manal Mohammad Yusef" or "Manal" shall mean  
8 the party herein. "Fathi Yusuf" shall mean the party  
9 herein.

10 "Hamed" shall mean Hisham Hamed, the  
11 Plaintiff. "Hamad Family" or "the Hameds" shall mean the  
12 member of the family of Mohammad Hamed involved in the 370  
13 partnership case, "Wally, Shawn, Willie, and Mafi.

14 "Sixteen Plus" shall mean the Sixteen Plus  
15 Corporation, a USVI corporation.

16 "St. Martin" or "STM" or "St. Marteen" all  
17 refer to the island which contains both a French and a  
18 Netherlands Antilles side, without distinction to  
19 boundaries.

20 Do you understand the instructions I have  
21 given, or would you like me to repeat any of them?

22 Also, if you need a question repeated, please  
23 tell me.

24 A. I believe I understand.

25 Q. Okay. Introduction to Deposition Question

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1 Number 1.

2 In the following questions, you will be asked  
3 to describe in detail (with reference to the persons  
4 involved, the dates and the actions), all acts between 1995  
5 and 2000, in which you were involved in any of the  
6 following. If you cannot recall any or all specific  
7 instances, please describe what you did generally.

8 Question 1-A is: Did you personally remove  
9 unreported (to UVI tax authorities) funds from Plaza Extra  
10 cash registers in the form of cash? And if so, describe in  
11 detail how this occurred?

12 A. No.

13 Q. Question 1-B is: Describe in detail how you  
14 directed one or more others in the removal of such  
15 unreported funds from Plaza Extra cash registers in the form  
16 of cash?

17 A. I have no involvement. That's unreported stuff,  
18 which is taxes. I don't deal with taxes.

19 Q. Question 1-C is: Describe in detail how you  
20 personally failed to add such unreported funds removed from  
21 Plaza Extra registers on United's or Plaza Extra's income  
22 tax filings?

23 A. I don't have no involvement with unreported funds.

24 Q. Question 1-D: Describe in detail how you directed  
25 one or more others not to add such funds removed from Plaza

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1 Extra on United's or Plaza Extra's income tax filings?

2 A. I have no involvement with taxes.

3 Q. Question 1-E: Questions after this one will refer  
4 to these funds removed from Plaza Extra Supermarket cash  
5 registers without reporting them to tax authorities as:  
6 "Such funds" or "such cash." Describe in detail how such  
7 cash from Plaza Extra was then converted from Plaza Extra  
8 gross receipts to the personal use of you, your family  
9 members, the Hameds or the Hamed family members, or entities  
10 owned or controlled by any of them. If you do not know the  
11 exact dates, amounts, or methods, please answer generally.

12 Question 1-F: Describe in detail how and  
13 when you personally converted such cash to the use of you,  
14 your family members, the Hameds, or the Hamed family  
15 members, or entities owned or controlled by any of them. If  
16 you do not know the exact dates, amounts, or methods, please  
17 answer generally.

18 A. No, I never converted any cash.

19 Q. Question 1-G: Describe in detail how you  
20 personally directed others to convert such cash to the use  
21 of you, your family members, the Hameds, or the Hamed family  
22 members, or entities owned or controlled by any of these  
23 persons or entities. If you do not know the exact dates,  
24 amounts, or methods, please answer generally.

25 A. Like I said, I never converted anything.

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1 Conversion, means that's like taking. Stealing.  
 2 **Q.** Question 1-H: Describe in detail how you  
 3 personally took such cash removed from Plaza Extra to  
 4 St. Maarten. If you do not know the exact dates, amounts,  
 5 or methods, please answer generally.  
 6 **A.** I had no dealings with anything to do with  
 7 St. Maarten with any cash or anything.  
 8 **Q.** Question 1-I: Describe in detail how you caused  
 9 such cash removed from Plaza Extra to be transported by  
 10 someone else to St. Maarten. If you do not know the exact  
 11 dates, amounts, or methods, please answer generally.  
 12 **A.** I had no involvements with St. Maarten.  
 13 **Q.** Question 1-J: Describe in detail how you  
 14 transported such cash removed from Plaza Extra to Jordan or  
 15 the west Bank. If you do not know the exact dates, amounts,  
 16 or methods, please answer generally.  
 17 **A.** Repeat the question.  
 18 **Q.** Describe in detail how you transported such cash  
 19 removed from Plaza Extra to Jordan or the west Bank. If you  
 20 do not know the exact dates, amounts, or methods, please  
 21 answer generally.  
 22 **A.** I have no knowledge of removing cash to go to  
 23 some -- Jordan.  
 24 **Q.** Question 1-K: Describe in detail how you caused  
 25 such cash removed from Plaza Extra to be transported by

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1 **Q.** Question 1-O: Describe in detail how you caused  
 2 another person to deposit such funds in a bank on St. Martin  
 3 or in Jordan or the west Bank. Identify that person and  
 4 describe how that would take place. If you do not know the  
 5 exact dates, amounts, or methods, please answer generally.  
 6 **A.** I had no involvement with St. Martin. I used to  
 7 take orders from waleed Hamed in anything that needs to be  
 8 done, but I never dealt with St. Martin.  
 9 **Q.** Question 1-P: Describe in detail how you  
 10 personally, or someone else, used such cash or any other  
 11 cash removed from Plaza Extra to purchase land in St.  
 12 Martin, Jordan, or the west Bank. If you do not know the  
 13 exact dates, amounts, or methods, please answer generally.  
 14 **A.** I had no involvement with purchasing lands or  
 15 anything with St. Martin.  
 16 **Q.** Question 1-Q: Describe in detail how you  
 17 personally, or someone else, used such cash or any other  
 18 cash removed from Plaza Extra to purchase land in the USVI.  
 19 This shall include purchase by you, your families or  
 20 entities, owned fully or partly by them, such as Plessen  
 21 Enterprises, Peter's Rest, J&S, or East-West. If you do not  
 22 know the exact dates, amounts, or methods, please answer  
 23 generally.  
 24 **A.** As far as I know, you cannot take cash and buy  
 25 property with, and I had no involvement with purchasing

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1 someone else to Jordan or the west Bank. If you do not know  
 2 the exact dates, amounts, or methods, please answer  
 3 generally.  
 4 **A.** Like I said, never had any money/cash moved to  
 5 Jordan.  
 6 **Q.** Question 1-L: Describe in detail how you  
 7 personally caused such cash removed from Plaza Extra to be  
 8 sent by wire, telex, money order, or other non-human means  
 9 traveling to St. Maarten. If you do not know the exact  
 10 dates, amounts, or methods, please answer generally.  
 11 **A.** Like I said before, I had no involvement with  
 12 St. Maarten.  
 13 **Q.** Question 1-M: Describe in detail how you  
 14 personally caused such cash removed from Plaza Extra to be  
 15 sent by wire, telex, money order, or other non-human means  
 16 traveling to Jordan or the west Bank. If you do not know  
 17 the exact dates, amounts, or methods, please answer  
 18 generally.  
 19 **A.** I have traveled to Jordan and took cash with me  
 20 for vacation, if that's -- that counts. I don't know.  
 21 **Q.** Question 1-N: Describe in detail how you  
 22 personally deposited such funds in a bank on St. Martin or  
 23 in Jordan or the west Bank. If you do not know the exact  
 24 dates, amounts, or methods, please answer generally.  
 25 **A.** I never had any involvement with St. Martin.

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1 properties.  
 2 **Q.** Question 1-R: Describe in detail how you had  
 3 someone else use such cash, or any other cash removed from  
 4 Plaza Extra to purchase land in the USVI. This shall  
 5 include purchase by you, your family, or entities owned  
 6 fully or partly by them, such as Plessen Enterprises,  
 7 Peter's Rest, J&S, or East-West. If you do not know the  
 8 exact dates, amounts, or methods, please answer generally.  
 9 **A.** Not -- not to my knowledge. I don't purchase  
 10 property. That's not -- I never purchased property. I have  
 11 no involvement with property.  
 12 **Q.** Question 1-S: Describe in detail how you assisted  
 13 your father or others in using such cash, or any other cash  
 14 removed from Plaza Extra to purchase land in the USVI. This  
 15 shall include purchases by you, your family, or entities  
 16 owned fully or partly by them, such as Plessen Enterprises,  
 17 Peter's Rest, J&S, or East-West. If you do not know the  
 18 exact dates, amounts, or methods, please answer generally.  
 19 **A.** I never had involvement with any of these things.  
 20 **Q.** Question 1-T: Describe in detail what you know  
 21 about your father using cash removed from Plaza Extra to  
 22 purchase land in the USVI. This shall include purchases by  
 23 you, your families, or entities, owned fully or partly by  
 24 them, such as Plessen Enterprises, Peter's Rest, J&S, or  
 25 East-West. If you do not know the exact dates, amounts, or

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- 1 methods, please answer generally.
- 2 **A.** As far as I know, my father never removed cash
- 3 from Plaza Extra.
- 4 **Q.** Question 1-U: Describe in detail, as to any such
- 5 funds you personally took to St. Martin, to whom did you
- 6 give it, and what did you understand they did with it. If
- 7 you do not know the exact dates, amounts, or methods, please
- 8 answer generally.
- 9 **A.** I had no involvement to St. Martin.
- 10 **Q.** Question 1-V: Describe in detail as to any such
- 11 funds you caused to be sent to St. Martin by others, to whom
- 12 was it given, and what do you believe they did with it. If
- 13 you do not know the exact dates, amounts, or methods, please
- 14 answer generally.
- 15 **A.** I have no knowledge of it.
- 16 **Q.** Question 1-W: Describe in detail, as to any such
- 17 funds you personally took to Jordan or the West Bank, to
- 18 whom did you give it, and what did you understand they did
- 19 with it. If you do not know the exact dates, amounts, or
- 20 methods, please answer generally.
- 21 **A.** Like I said, I took money to St. -- to Jordan for
- 22 visit. As a visit. Spending money. Vacation.
- 23 **Q.** Question 1-X: Describe in detail, as to any such
- 24 funds you caused to be sent to Jordan or the West Bank by
- 25 others, to whom was it given, and what do you believe they

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- 1 did with it. If you do not know the exact dates, amounts,
- 2 or methods, please answer generally.
- 3 **A.** The same question. I took money personally. If I
- 4 went to St. -- to Jordan, is I took cash myself for
- 5 vacation.
- 6 **Q.** Question 1-Y: Describe in detail as to any such
- 7 funds you personally used in the USVI to buy land, to whom
- 8 did you give it, and what do you believe they did with it.
- 9 If you do not know the exact dates, amounts, or methods,
- 10 please answer generally.
- 11 **A.** I never dealt with any land purchasing or anything
- 12 to do with land.
- 13 **Q.** Question 1-Z: Describe in detail how, as to any
- 14 such funds you caused to be used by other or know of being
- 15 used by others in the USVI, to whom it was given, and what
- 16 do you believe they did with it. If you do not know the
- 17 exact dates, amounts, or methods, please answer generally.
- 18 **A.** I never dealt with that.
- 19 **Q.** Question 1-AA: Describe in detail, as to any such
- 20 funds you assisted your father with in the USVI, to whom did
- 21 he give it, and what do you believe they did with it. If
- 22 you do not know the exact dates, amounts, or methods, please
- 23 answer generally?
- 24 **A.** When you say "assisted," that's a broad question.
- 25 Assist for what?

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- 1 **Q.** Question 1-BB: Describe in detail, as to any such
- 2 funds know of your father using on St. Martin, in Jordan, or
- 3 the West Bank, or in the USVI, to whom was it given, and
- 4 what do you believe they did with it. If you do not know
- 5 the exact dates, amounts, or methods, please answer
- 6 generally.
- 7 **A.** I never had any dealings with any St. Martin, West
- 8 Bank, Jordan.
- 9 **Q.** Question 1-CC: Describe in detail the removal of
- 10 funds not reported to tax authorities from Plaza Extra by
- 11 means other than taking cash from cash registers. If you do
- 12 not know the exact dates, amounts, or methods, please answer
- 13 generally.
- 14 **A.** When you say "reported," that's tax issue. I
- 15 never dealt with taxes.
- 16 **Q.** Question 1-DD: Describe in detail how, if there
- 17 was the removal of unreported funds from Plaza Extra by
- 18 means, other than by taking cash from cash registers, was
- 19 the means of transport, deposit, and use different than your
- 20 responses as to funds taken from the registers as cash? If
- 21 so, how? If you do not know the exact dates, amounts or
- 22 method, please answer generally.
- 23 **A.** When it comes to reporting and all that, I never
- 24 dealt with any of that. Waleed Hamed is the one that deals
- 25 with it. With that.

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- 1 **Q.** Introduction to Question Number 2.
- 2 In the following questions, you will be asked
- 3 to describe, for any of the cash or other such removed
- 4 amounts, described in deposition -- in response to
- 5 Deposition Question Number 1, whether it first went
- 6 elsewhere or not, state whether some of that cash was used
- 7 in the USVI or Puerto Rico. For each such amount state:
- 8 **Q.** Question 2-A: Approximately what unreported
- 9 amounts do you know or believe were used to buy land in the
- 10 USVI? If you do not know the exact dates, amounts, or
- 11 methods, please answer generally.
- 12 **A.** I had no involvement with the purchase of
- 13 property, so I wouldn't know.
- 14 **Q.** Question 2-B: When were those unreported funds
- 15 used to buy land in the USVI? If you do not know the exact
- 16 dates, amounts, or methods, please answer generally.
- 17 **A.** Same question: I never dealt with purchasing of
- 18 the land.
- 19 **Q.** What means -- Question 2-C: What means were used
- 20 to pay those amounts? If you do not know the exact dates,
- 21 amounts, or methods, please answer generally.
- 22 **A.** Same thing: I never had any dealings with
- 23 property.
- 24 **Q.** Question 2-D: What were those unreported funds
- 25 used to buy in the USVI? If you do not know the exact

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- 1 dates, amounts, or methods, please answer generally.
- 2 A. I never dealt with unreported taxes. I never
- 3 dealt with taxes, period.
- 4 Q. Question 2-E: In the case of the use of such
- 5 funds by your father to purchase option contracts through
- 6 Merrill Lynch, describe what you know about that activity,
- 7 including the use of Hamdan Diamond or its accounts. If you
- 8 do not know the exact dates, amounts, or methods, please
- 9 answer generally.
- 10 A. I had no dealings with any Merrill Lynch accounts
- 11 that you're speaking about.
- 12 Q. Introduction to Deposition Question Number 3.
- 13 There is none.
- 14 Question 3-A: In the case of the use of such
- 15 funds by you or your family or the Hameds to fund the
- 16 purchase of land for Plessen Enterprises, describe what you
- 17 know about that activity. If you do not know the exact
- 18 dates, amounts, or methods, please answer generally.
- 19 A. I had no involvements with purchasing property,
- 20 once more, again.
- 21 Q. Question 3-B: In the case of the use of such
- 22 funds by you or your family or the Hameds to fund the
- 23 purchase of land for Peter's Farm, describe what you know
- 24 about that activity. If you do not know the exact dates,
- 25 amounts, or methods, please answer generally.

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- 1 A. I had no involvements with purchasing land or --
- 2 Q. Question 3-C: In the case of the use of funds by
- 3 you or your family or the Hameds to fund the purchase of
- 4 land for Y&S, describe what you know about that activity.
- 5 If you do not know the exact dates, amounts, or methods,
- 6 please answer generally.
- 7 A. I have no involvement with Y&S or any properties.
- 8 Q. Question 3-D: what part did you personally play
- 9 in any such purchases (as described in answer to the three
- 10 preceding questions)? And what part did your father play?
- 11 If you do not know the exact dates, amounts, or methods,
- 12 please answer generally.
- 13 A. I had no part to play in that. what part my dad
- 14 played, I'm not sure. It was him and wally.
- 15 Q. Introduction to Deposition Question Number 4.
- 16 For any such cash or other such removed
- 17 amounts described previously, state whether some or all of
- 18 that was used to buy land in Jordan or the West Bank.
- 19 Question 4-A: what amount do you estimate
- 20 was used to buy land on the West Bank or in Jordan? (You
- 21 may approximate.) If you do know the exact dates, amounts,
- 22 or methods, please answer generally.
- 23 A. I don't know what amounts was used to purchase
- 24 land, but I know there's land in Jordan.
- 25 Q. Question 4-B: what that amount was used for? If

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- 1 you do not know exact dates or purposes, please answer
- 2 generally.
- 3 A. I have no idea.
- 4 Q. Question 4-C: what parcels of land were bought,
- 5 under what name(s) and for how much? If you do not know
- 6 exactly, please state your general understanding. If you do
- 7 not know the parcel name or number, amounts, or methods,
- 8 please answer generally.
- 9 A. I have no knowledge of it.
- 10 Q. Question 4-D: what land is still owned by you,
- 11 your father, or any entity partially owned or controlled by
- 12 either of you? And by whom is it owned? If you do not know
- 13 exactly, please state your general understanding. If you do
- 14 not know the exact parcels or names, amounts or methods,
- 15 please answer generally.
- 16 A. I don't know what parcels. what names they're in.
- 17 Q. Question 4-E: what part did you personally play
- 18 in any of these purchases? And what part did your father
- 19 play? If you do not know the exact dates, amounts, or
- 20 methods, please answer generally.
- 21 A. I didn't have -- I didn't have no part to play in
- 22 any of that. If it was my dad, probably he would.
- 23 Q. Deposition Question Number 5.
- 24 For any such cash or other removed amounts
- 25 described earlier as going to St. Martin, describe in detail

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- 1 what part Isam played in the receipt, deposit, withdrawal
- 2 sending, and use of those funds.
- 3 A. I have no clue. I had no involvement with
- 4 St. Martin.
- 5 Q. Deposition Question Number 6.
- 6 For any such cash or other removed amounts
- 7 described earlier as going to St. Martin, describe in detail
- 8 what part Manal played in the receipt, deposit, withdrawal
- 9 sending, and use of those funds. If you do not know exactly
- 10 what acts and actions she was involved in, please describe
- 11 the general role and activities.
- 12 A. I have no clue.
- 13 Q. Deposition Question Number 7.
- 14 For any such cash or other removed amounts
- 15 described earlier as going to St. Martin, describe in detail
- 16 what part Yussrah, Y-U-S-S-R-A-H, played in the receipt,
- 17 deposit, withdrawal sending, and use of those funds.
- 18 A. I have no clue. That's my sister. I have no
- 19 clue.
- 20 Q. Deposition Question Number 8.
- 21 For any such cash or other removed amounts
- 22 described earlier as going to St. Martin, describe in detail
- 23 what part Yussrah played in the receipt, deposit, withdrawal
- 24 sending, and use of those funds. If you do not know exactly
- 25 what acts and actions she was involved in, please describe

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1 the general role and activities.

2 A. I have no clue.

3 Q. Deposition Question Number 9.

4 For any such cash or other removed amounts

5 described earlier as going to St. Martin, describe in detail

6 what part Mohammad Hamdan (also known as Mohamad Yusuf)

7 played in the receipt, deposit, withdrawal sending, and use

8 of those funds. If you do not know exactly what acts and

9 actions he was involved in, please describe the general role

10 and activities.

11 A. I have no idea.

12 Q. Introduction to Question Number 10.

13 For any of the cash or other removed amounts

14 described earlier as going to St. Martin, describe in detail

15 what part Isam played in the receipt, deposit, withdrawal

16 sending, and use of those funds. If you do not know exactly

17 what acts or actions he was involved in, please describe the

18 general role and activities.

19 A. I have no idea.

20 Q. Introduction to Question Number 11.

21 For any of the cash or other removed amounts

22 described earlier as going to St. Martin, describe in detail

23 what you know about the use of:

24 Question 11-A: Your father's BFC bank

25 account in St. Martin. If you do not know the details -- if

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## MAHER "MIKE" YUSUF -- RULE 31(a)(1) EXAMINATION

1 you do not know details, give a general description of what

2 you understood.

3 A. That from my knowledge, from reading it, from

4 documents, I think that's a St. Martin bank account. That's

5 all I know.

6 Q. Question 11-B: Wally's BFC bank account on

7 St. Martin. If you do not know details, give a general

8 description of what you understood.

9 A. That's the same thing: That's a St. Martin --

10 St. Martin account.

11 Q. Question 11-C: Isam's two BFC bank accounts on

12 St. Martin. If you do not know details, give a general

13 description of what you understood.

14 A. I have no clue.

15 Q. Question 11-D: The Hamdan Diamond BFC bank

16 account on St. Martin. If you do not know details, give a

17 general description of what you understood.

18 A. I have -- have no idea what that is.

19 Q. Introduction to Deposition Question Number 12.

20 In early 1995, Isam ran and managed a small

21 furniture/appliance store, Island Appliances.

22 Do you know whether Island Appliances was a

23 corporation, a sole proprietorship, or a partnership? If

24 not, please describe what you did know about this,

25 generally, even if by rumor or supposition.

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## MAHER "MIKE" YUSUF -- RULE 31(a)(1) EXAMINATION

1 A. I don't know what's the name of the -- what's the

2 name of the furniture store. I know he had a furniture

3 store, but I have no clue what name it was, and if it was a

4 corporation, no.

5 Q. Question 12-B: Do you know whether there were

6 other owners or operators of the business? If not, please

7 describe what you did know about this, generally, even if by

8 rumor or supposition.

9 A. No, I have no clue.

10 Q. Question 12-C: Did you ever go inside the store?

11 If so, describe the size, condition, and what was for sale.

12 A. I don't recall if I ever went into the store. I

13 only been to St. Martin couple times on vacation.

14 Q. Question 12-D: How many times did you visit the

15 store between 1995 and 2000?

16 A. Like I said, I don't know the time when I was in

17 St. Martin, but I was -- not sure the year, the time, and I

18 don't even know if I ever visited the store.

19 Q. Question 12-E: How many times were you on

20 St. Martin between 1995 and 2000?

21 A. Same question: I don't know how many times I been

22 to St. Martin, but I know I went with my -- my family to

23 St. Martin.

24 Q. Question 12-F: Did you, United, Plaza Extra, or

25 any other business owned by one or more Yusuf family

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## MAHER "MIKE" YUSUF -- RULE 31(a)(1) EXAMINATION

1 members, or under the direction of any of them, ever ship

2 products to Island Appliances? If so, please describe

3 (approximately) what, how much, how often, and the value.

4 Please include the shipping of mattresses from St. Croix to

5 Island Appliances, regardless of who shipped them. If so,

6 please describe how this was carried out, by whom, and how

7 often.

8 A. We own a supermarket. Why would I ship furniture

9 or beds from here to St. Martin? St. Croix to St. Martin?

10 Q. Question 12-G: Did you, United, Plaza Extra, or

11 any other business owned by one or more Yusuf family members

12 direct or contract for the shipment of mattresses of Island

13 Appliances? If so, please describe (approximately) what,

14 how much, how often, and the value. And did any of these

15 mattresses or shipping containers ever contain cash? If so,

16 please describe.

17 A. Like I said, we're in the grocery business, not

18 the mattress business, so we never shipped. To my

19 knowledge, we never shipped anything. I know we never

20 shipped anything.

21 Q. Introduction to Deposition Question Number 13.

22 with regard to your father's brother,

23 Mohammad (also known as Mohammad Hamdan, also known as

24 Mohammad Yusuf), do you know what his name was as a child?

25 If so, what was it?

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## MAHER "MIKE" YUSUF -- RULE 31(a)(1) EXAMINATION

- 1 A. We used to call him something else. Abu Isam, we  
2 used to call him. I don't know him by Mohammad. Only in  
3 the -- later on, as I grew up, I know that's his name.
- 4 Q. Question 13-A: Do you know when and how it was  
5 changed from Mohammad Yusuf to Mohammad Hamdan, or any other  
6 name? If so, please state what you know.
- 7 A. Like I said, I didn't know what his name is. I  
8 used to call him by his first son. That's how, in our  
9 custom is, we call him by his first son. Abu, the father of  
10 Isam.
- 11 Q. Question 13-B: Do you know if he was arrested or  
12 served time in jail? If so, please state what you know.
- 13 A. I vaguely remember that years, maybe before I was  
14 even born, that he was arrested for something, but I don't  
15 know if he was. I don't know if that's true or not.
- 16 Q. Question 13-C: Do you know what he did for a  
17 living in the 1990s? If so, please state what you know.
- 18 A. No, I didn't know. I didn't know what he was  
19 doing for the 1990s, but I know he was -- he was active. He  
20 used to move around. My understanding from, you know,  
21 hearing my dad speak about him, that he used to travel a  
22 lot.
- 23 Q. Question 13-D: Do you know if he had any  
24 significant real estate or financial holdings during the  
25 1990s? If so, please state what you know.

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## MAHER "MIKE" YUSUF -- RULE 31(a)(1) EXAMINATION

- 1 A. I don't know of his financial statement, but from  
2 how -- how we visited him in -- in Jordan, when we went to  
3 Jordan, and actually when I had a wedding, he -- one of  
4 the -- of the largest wedding, we had about 1,500 people  
5 attend to that wedding, and he was the one who did  
6 everything.
- 7 Q. Question 13-E: How often do you know of his  
8 visiting the USVI during the 1990s?
- 9 A. I don't remember if he ever visited the Virgin  
10 Islands. Maybe he did way back when I was a young kid, but  
11 I -- I don't remember.
- 12 Q. Question 13-F: were you ever told of his gifts to  
13 his daughter, Manal? If so, please state when and what you  
14 know.
- 15 A. I have no idea.
- 16 Q. Question 13-G: were you ever told when and how he  
17 passed away? If so, please state what you know.
- 18 A. I don't know when he passed away, and I don't  
19 remember how he passed away, no.
- 20 Q. Introduction to Question Number 14.  
21 Prior to 1997, your father, Fathi, created a  
22 company in Anguilla with the words Hamdan Diamond in the  
23 name.  
24 Question 14-A: were you personally involved  
25 in the creation, operation, funding, or accounts of that

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- 1 entity? If so, please state what you did. If not, please  
2 state what you know about it.
- 3 A. I have no clue about that. I had no involvement.
- 4 Q. Question 14-B: Did you personally ever transact  
5 any business with or for that entity? If so, please state  
6 what you know. If not, please state what you understand  
7 about such transactions.
- 8 A. Like I said, I had no involvement. I don't  
9 know -- even know about Anguilla or that -- that  
10 transaction. No, I don't know anything.
- 11 Q. Question 14-C: Did you personally ever deposit or  
12 withdraw any funds to or from that entity's St. Martin BFC  
13 accounts? If so, please state what you know. If not,  
14 please state what you understand about such transactions?
- 15 A. I had no involvement with that.
- 16 Q. Question 14-D: Do you know any of the following:  
17 The entity's name, its directors, its shareholders, or its  
18 current status? If so, please state what you know.
- 19 A. I have no -- no knowledge of it.
- 20 Q. Question 14-E: Do you know anything about that  
21 entity trading in options through Merrill Lynch? If so,  
22 please state what you know.
- 23 A. No.
- 24 Q. Introduction to Deposition Question Number 15.  
25 Please state what you know about the

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## MAHER "MIKE" YUSUF -- RULE 31(a)(1) EXAMINATION

- 1 following transactions regarding Banque Francaise Commercial  
2 (BFC) accounts on St. Martin in 1996.
- 3 Question 15-A: The July 1996 BFC statement  
4 for the Hamdan Diamond account shows several deposits of  
5 50,000, and two for 200,000. The address on the account is  
6 Island Appliances, 12 Cannegieter Road Philip care/of Isam  
7 Yousuf, Sint Martin.
- 8 A. I have no knowledge of that.
- 9 Q. Question 15-B: The July 1996 statement for the  
10 "wally" BFC account correctly shows there was seven large  
11 deposits, and the balance went from 95k to 415k. These  
12 statements were also sent to the Island Appliance address,  
13 care/of "Isam."
- 14 A. Like I said, I had no involvement with anything in  
15 St. Martin.
- 16 Q. Question 15-C: In the August 1996 BFC statement  
17 for the Hamdan Diamond account, Isam is again the addressee  
18 at the Island Appliances address. The amount was, by then,  
19 going up rapidly. The balance was over 2.3 million.
- 20 A. I had no involvement with St. Martin.
- 21 Q. Question 15-D: In a September 12, 1996 letter  
22 from Fathi to Mr. Gumbs at BFC, Fathi directed the bank to  
23 pay a check for 2 million "issued and signed" by waleed  
24 Hamed. He stated: "Please pay check no. 3633491 in the  
25 amount of two million dollars drawn on Hamdan Diamond

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- 1 Corporation. Account Number 040606388790."  
 2 A. I had no involvement with St. Martin, again.  
 3 Q. Question 15-E: On September 17th, 1996, a \$2  
 4 million check was negotiated from the BFC Hamdan Diamond  
 5 account - exactly as Fathi has directed in his written  
 6 instructions to the bank.  
 7 A. I had no involvement with St. Martin, again.  
 8 Q. Question 15-F: The December BFC statement for  
 9 Hamdan Diamond shows the 2 million was now gone, and the  
 10 balance was back down to 300,000.  
 11 A. I had no involvement with St. Martin.  
 12 Q. Question 15-G: A French Banking Commission Report  
 13 states that during January 31st, 1997, in preparation for  
 14 the transfer of 2 million from Isam's Island Appliance  
 15 account, in just that one month, Isam "deposited" in ten  
 16 consecutive transfers, 1.5 million in cash to bring the  
 17 balance up over the \$2 million needed.  
 18 A. I have no clue.  
 19 Q. Question 15-H: Do you know if it is true that  
 20 Fathi Yusuf was totally in control of the Hamdan Diamond  
 21 account and funds, or how that was converted to cash for  
 22 Isam to transfer forward for use in buying the land?  
 23 A. I have no clue. I have no dealings with  
 24 St. Martin, again.  
 25 Q. Introduction to Deposition Question Number 16.

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## MAHER "MIKE" YUSUF -- RULE 31(a)(1) EXAMINATION

- 1 During the period from February 1997 through  
 2 September 1997, the note, mortgage, and corporate  
 3 resolutions for Sixteen Plus regarding the Diamond Keturah  
 4 land were drafted. Did you personally participate in any of  
 5 the following, and if so, please state what you know?  
 6 Question 16-A: Any negotiations of the note  
 7 from Sixteen Plus to Mana?  
 8 A. No.  
 9 Q. Question 16-B: Any negotiations of the mortgage  
 10 from Sixteen Plus to Mana?  
 11 A. No.  
 12 Q. Question 16-C: Any negotiations of the Sixteen  
 13 Plus corporate resolutions regarding the note and mortgage  
 14 from Sixteen Plus to Mana?  
 15 A. No.  
 16 Q. Question 16-D: Any drafting of the note from  
 17 Sixteen Plus to Mana?  
 18 A. No.  
 19 Q. Question 16-E: Any drafting of the mortgage from  
 20 Sixteen Plus to Mana?  
 21 A. No.  
 22 Q. Question 16-F: Any drafting of the Sixteen Plus  
 23 corporate resolutions regarding the note and mortgage from  
 24 Sixteen Plus to Mana?  
 25 A. No.

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## MAHER "MIKE" YUSUF -- RULE 31(a)(1) EXAMINATION

- 1 Q. Question 16-G: Any lawyer participation in the  
 2 note from Sixteen Plus to Mana?  
 3 A. No.  
 4 Q. Question 16-H: Any lawyer participation in the  
 5 mortgage from Sixteen Plus to Mana?  
 6 A. No.  
 7 Q. Question 16-I: Any lawyer participation in the  
 8 Sixteen Plus corporate resolutions regarding the note and  
 9 mortgage from Sixteen Plus to Mana?  
 10 A. No.  
 11 Q. Questions 16-J: Any funding or payment of the  
 12 note from Sixteen Plus to Mana?  
 13 A. No.  
 14 Q. Question 16-K: Any funding or payment of the  
 15 mortgage from Sixteen Plus to Mana?  
 16 A. No.  
 17 Q. Question 16-L: Any funding or payment of the  
 18 Sixteen Plus corporate resolutions regarding the note and  
 19 mortgage from Sixteen Plus to Mana?  
 20 A. No.  
 21 Q. Question 16-M: Any signing or execution of the  
 22 note from Sixteen Plus to Mana?  
 23 A. No.  
 24 Q. Question 16-N: Any signing or execution of the  
 25 mortgage from Sixteen Plus to Mana?

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## MAHER "MIKE" YUSUF -- RULE 31(a)(1) EXAMINATION

- 1 A. No.  
 2 Q. Question 16-O: Any signing or execution of the  
 3 Sixteen Plus corporate resolutions regarding the note and  
 4 mortgage from Sixteen Plus to Mana?  
 5 A. No.  
 6 Q. Deposition Question Number 17.  
 7 State what you know about an August 1st, 1997  
 8 letter from Andy Simpson to Fathi, in which Fathi is running  
 9 the Diamond Keturah acquisition, not me. It discusses the  
 10 survey, the title commitment, a problematic lien, and Fathi  
 11 not wanting the Marshal's deed at this time.  
 12 A. No, I never had any dealings with any properties.  
 13 Q. Question 17-B: State how decisions were made by  
 14 Sixteen Plus about the Diamond Keturah land in 1997 through  
 15 1998. What was your position, and what did you really do?  
 16 What was your father's position, and what did he really do?  
 17 A. I had no position. And my father and Waleed Hamed  
 18 is the one who discussed everything, as far as I know.  
 19 Q. Introduction to Deposition Question Number 18.  
 20 From 1998 through 2013, Sixteen Plus  
 21 Corporation filed tax returns and corporate filings in the  
 22 USVI.  
 23 Question 18-A: Were you ever involved in the  
 24 preparation or filing of any of those documents? If so,  
 25 please state how.

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## MAHER "MIKE" YUSUF -- RULE 31(a)(1) EXAMINATION

- 1 A. No.
- 2 Q. Question 18-B: On December 31st, 1998, Sixteen  
3 Plus Corporation's 998 tax return had a spreadsheet attached  
4 to it that showed \$4,522,261 as "loans from shareholders."  
5 No amount is listed on the available lines for any mortgages  
6 or notes. Do you know anything about how that information  
7 was entered on those forms?
- 8 A. No.
- 9 Q. Question 18-C: Similarly, the 1999 tax return  
10 filing for Sixteen Plus signed by Fathi under penalty of  
11 perjury shows no notes or mortgages on the available lines,  
12 but does show \$4,708,261 in loans from shareholders. Do you  
13 know anything about that?
- 14 A. No.
- 15 Q. Question 18-D: The 2000 USVI Annual Corporate  
16 Report for Sixteen Plus shows \$4,708,467 in a "Loan to  
17 Shareholders" under "Liabilities and Shareholders' Equity."  
18 There is no amount listed for the Mana1 Note/Mortgage. Do  
19 you know anything about that? If yes, what?
- 20 A. No.
- 21 Q. Question 18-E: Despite the indictment and the  
22 intense scrutiny you were all under during the 2000s, the  
23 USVI tax and corporate filing always carried the amount for  
24 Diamond Keturah as a "loan from shareholder" and always  
25 represented there was no note or mortgage. Do you know

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- 1 anything about that? If yes, what?
- 2 A. No.
- 3 Q. Question 18-F: For example, the 2009 USVI Annual  
4 Corporate Report for Sixteen Plus shows "Loan to  
5 Shareholders" under the "Liabilities and Shareholders'  
6 Equity." There is no entry for "Mortgages" and, thus, no  
7 amount listed for the Mana1 Note/Mortgage. Do you know  
8 anything about that? If yes, what?
- 9 A. No.
- 10 Q. Question 18-G: The 2009 USVI tax filing for  
11 Sixteen Plus shows "Loan from Shareholders" of \$4,710,626.  
12 There is a line for "Mortgages" and no amount listed for the  
13 Mana1 Note/Mortgage. Do you know anything about that? If  
14 yes, what?
- 15 A. No.
- 16 Q. Question 18-H: The 2010 USVI tax filing for  
17 Sixteen Plus shows "Loan from Shareholders." There is a  
18 line for "Mortgages" and no amount listed for the Mana1  
19 Note/Mortgage. Do you know anything about that? If yes,  
20 what?
- 21 A. No.
- 22 Q. Question 18-I: Similarly, after the 2010 plea  
23 agreement, at the end of 2011, Sixteen Plus filed a tax  
24 return signed by Fathi Yusuf, under penalty of perjury, in  
25 which he states there are no mortgages, but that 4,710,626

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- 1 is due as "Loans from Shareholders." Do you know anything  
2 about that? If yes, what?
- 3 A. No.
- 4 Q. Question 18-J: After the 2010 plea agreement, the  
5 June 19, 2012 USVI Domestic Corporation Report is signed by  
6 Fathi and wally, and states no mortgage, but "shareholder  
7 loans" of 4,710,626. Do you know anything about that? If  
8 yes, what?
- 9 A. No, I don't.
- 10 Q. Question 18-K: On September 25th, 2012, the  
11 Sixteen Plus Corporation filed the USVI Annual Report on  
12 Domestic or Foreign Corporations with the Virgin Islands  
13 Lieutenant Governor's Office, showing that Mohammad Hamed,  
14 Fathi Yusuf, and wally were directors of the corporation.  
15 Do you know anything about that? If yes, what?
- 16 A. No, I don't.
- 17 Q. Introduction to Question 19. There is none.
- 18 Question 19-A: Describe in detail any  
19 communications you, personally, have had with Mana1 Yousef  
20 from 2015, to date, regarding the note, mortgage, or  
21 litigation regarding Diamond Keturah.
- 22 A. No, I've never had any discussion with her.
- 23 Q. Question 19-B: Describe in detail any  
24 communications you, personally, have had with Fathi Yusuf  
25 from 2015 to date, regarding the note, mortgage, or

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## MAHER "MIKE" YUSUF -- RULE 31(a)(1) EXAMINATION

- 1 litigation regarding Diamond Keturah.
- 2 A. I really didn't elaborate on that. I don't  
3 remember what we spoke about. Not really.
- 4 Q. Question 19-C: Describe in detail any  
5 communications you, personally, have had with Jamil Yousuf  
6 from 2015 to date, regarding the note, mortgage, or  
7 litigation regarding the Diamond Keturah.
- 8 A. No. Never had any.
- 9 Q. Question 19-D: Describe in detail any  
10 communications you, personally, have had with Isam Yousuf  
11 from 2015 to date, regarding the note, mortgage, or  
12 litigation regarding Diamond Keturah.
- 13 A. Never.
- 14 Q. Question 19-E: Describe in detail any  
15 communications you, personally, have had with James Hymes,  
16 Esq. from 2015 to date, regarding the note, mortgage, or  
17 litigation regarding Diamond Keturah.
- 18 A. I don't even know who's James Hymes, no.
- 19 Q. Introduction to Question Number 20. There is  
20 none.
- 21 Question 20-A: Describe in detail your  
22 personal involvement in the legal action your father brought  
23 on St. Thomas in 2015 by which he sought to have Sixteen  
24 Plus ended and the mortgage for Diamond Keturah foreclosed.  
25 (Case number ending in 344).

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1       **A.** I had no involvement.

2       **Q.** Question 20-B: Describe in detail your personal

3 involvement in the legal action Sixteen Plus brought on

4 St. Croix in 2016, seeking declaratory judgment, that

5 Manal's note and mortgage were shams. (Case number ending

6 in 65).

7       **A.** I have no involvement with that.

8       **Q.** Question 20-C: Describe in detail your personal

9 involvement in the legal action Manal brought on St. Croix

10 in 2017, by which she sought to foreclose on the mortgage on

11 Diamond Keturah. (Case number ending in 342).

12       **A.** I had no involvement.

13       **Q.** Question 20-D: Describe in detail your personal

14 involvement in this legal action. (Case number ending in

15 650).

16       **A.** I have no involvement with this case.

17               **MR. HERPEL:** That concludes the questions.

18               **THE VIDEOGRAPHER:** This is the conclusion of

19 the deposition. The time is 11:25.

20

21

22                               (Whereupon the deposition concluded

23   at 11:25 a.m.)

24

25

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**C-E-R-T-I-F-I-C-A-T-E**

I, SUSAN C. NISSMAN, a Registered Merit Reporter and Notary Public for the U.S. Virgin Islands, Christiansted, St. Croix, do hereby certify that the above named witness, MAHER "MIKE" YUSUF, was first duly sworn to testify the truth; that said witness did thereupon testify as is set forth; that the answers of said witness to the oral interrogatories propounded by counsel were taken by me in stenotype and thereafter reduced to typewriting under my personal direction and supervision.

I further certify that the facts stated in the caption hereto are true; and that all of the proceedings in the course of the hearing of said deposition are correctly and accurately set forth herein.

I further certify that I am not counsel, attorney or relative of either party, nor financially or otherwise interested in the event of this suit.

IN WITNESS WHEREOF, I have hereunto set my hand as such Registered Merit Reporter on this the 31st day of July, 2023, at Christiansted, St. Croix, United States Virgin Islands.

\_\_\_\_\_  
/s/ Susan C. Nissman

My Commission Expires: June 28, 2027        Susan C. Nissman, RPR-RMR  
NP-644-23

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