

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

**HISHAM HAMED, on behalf of himself
and derivatively, on behalf of SIXTEEN
PLUS CORPORATION,**

Plaintiffs,

v.

**FATHI YUSUF, ISAM YOUSUF,
JAMIL YOUSUF, and
MANAL MOHAMMAD YOUSEF,**

Defendants,

and

SIXTEEN PLUS CORPORATION,

a nominal defendant.

Case No.: 2016-SX-CV-650

**DERIVATIVE SHAREHOLDER
SUIT, ACTION FOR DAMAGES,
CICO RELIEF, EQUITABLE
RELIEF AND INJUNCTION**

JURY TRIAL DEMANDED

CONSOLIDATED CASES: Civil Case No. SX-2016-CV-650; Civil Case No. SX-2016-CV 00065; Civil Case No. SX-2017-CV-342

**MOTION TO WITHDRAW AS COUNSEL (650)
BY CARL J. HARTMANN
TO BE EFFECTIVE OCTOBER 1, 2024**

COMES NOW, co-counsel in this action, Carl J. Hartmann III, and moves this Court for an order, **effective October 1, 2024**, allowing him to withdraw as of that date, from the captioned action pursuant to Rule 6-5

Rule 6-5. Motions by Counsel for Leave to Withdraw No attorney may withdraw an appearance except with leave of court after notice to the attorney's client. All motions for withdrawal as counsel shall include a verified statement as to contact

with or attempts to contact the client concerning such withdrawal, an indication of service upon or efforts to serve the client with the moving papers, and updated civil litigant data forms for each client, which forms shall include the client's last known address and telephone number.

Attached below is a verified statement by Movant, that counsel is in continuous contact with his client herein, and has specifically informed the client of his withdrawal, and served a copy of these moving papers—and the client's agreement and permission.

Five related Hamed v. Yusuf (or their subsidiaries) actions (SX-12-CV-370, SX-16-CV-429, SX-16-CV-650, SX-16-CV-65, SX-17-CV-342) are the only civil actions in which undersigned remains as counsel before any Court of the U.S. Virgin Islands, including the federal court.) Attached as **Exhibit A** is the undersigned's receipt demonstrating payment of the \$100 fee to the V.I. Bar Association and his Petition to the V.I. Supreme Court for a change of status to "Inactive" also effective October 1, 2024.

Finally, attached hereto as **Exhibit B** is the updated civil litigant data form for the client.

Dated: July 8, 2024

/s/ Carl J. Hartmann III
Carl J. Hartmann III, Esq.
Co-Counsel for Plaintiff
2940 Brookwind Dr,
Holland, MI 49424
Email: carl@carlhartmann.com
Phone: (616) 416-0956

Joel H. Holt, Esq. (Bar # 6)
Counsel for Plaintiff
Law Offices of Joel H. Holt
2132 Company Street,
Christiansted, VI 00820
Email: holtvi@aol.com
Phone: (340) 773-8709
Fax: (340) 773-8677

VERIFIED STATEMENT AS TO CLIENT COMMUNICATION

I state and verify upon my oath that I am in continuous contact with my client herein, and have specifically informed the client of my withdrawal, and served a copy of these moving papers—and I have obtained, by email on July 8, 2024, the client's agreement and permission.

Dated: July 8, 2024

/s/ Carl J. Hartmann III

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of July 2024, I served a copy of the foregoing--by the Court's E-File System and email, as agreed by the parties, on:

i

Charlotte Perrell

Stephen Herpel

Counsel for Defendant Fathi Yusuf

Christopher Allen Kroblin

Marjorie Whalen

Counsel for Defendants

Manal Mohammad Yousef

Jamil Yousuf

Isam Yousuf

Kevin Rames

Counsel for Nominal Defendant

Sixteen Plus Corporation

/s/ Carl J. Hartmann III

Virgin Islands Bar Association

Exhibit A

Date	PO	Invoice #
7/5/2024		200004997

Bill To
Carl Hartmann Carl J. Hartmann, Attorney 2940 Brookwind Dr. Holland, MI 49424 United States

Ship To
Carl Hartmann Carl J. Hartmann, Attorney 2940 Brookwind Dr. Holland, MI 49424 United States

Terms	Due Date
Due on receipt	7/5/2024

Qty	Description	Price	Totals
1	Inactive Status	\$100.00	\$100.00
Sub-Total			\$100.00
Total			\$100.00

Payments/Adjustments

Qty	Description	Price	Totals
1	Payment via Credit Card (using card xxxxxxxxxxxx2732) <i>Applied to invoice on 7/5/2024 11:30:55 AM</i>	(\$100.00)	(\$100.00)
Total Payments/Adjustments			(\$100.00)
Balance Due			\$0.00

Additional Information:

Application will be made to the VI Supreme Court for this to be effective October 1, 2024

CASE INFORMATION AND LITIGANT DATA FORM

CASE NO. 2016-SX-CV-650

DATE OF FILING: 10-31-2016

PARTY INFORMATION

PLAINTIFF 1: (FULL NAME)

Hisham Hamed

ALIAS: Shawn Hamed

PLACE OF BIRTH: St. Croix USVI

DOB: 12 / 19 / 1975
MONTH/DAY/YEAR

MAILING ADDRESS: (Include zip code)

PO BOX 2926
Frederiksted, VI 00841

PHYSICAL ADDRESS:

14 Plessen
Frederiksted, VI 00840

PLACE OF EMPLOYMENT:

KAC357, INC., d/b/a The Market

EMAIL ADDRESS:

Shawn@kacvi.com

HOME TELEPHONE: ()

CELL NUMBER: (340) 719-3139

WORK NO.: (340) 719-1870

FAX NO.: ()

PLAINTIFF 2: (FULL NAME)

PLACE OF BIRTH:

DOB: / /
MONTH/DAY/YEAR

PO BOX 2926
Frederiksted, VI 00841

PHYSICAL ADDRESS:

14 Plessen
Frederiksted, VI 00840

PLACE OF EMPLOYMENT:

KAC357, INC., d/b/a The Market

EMAIL ADDRESS:

Shawn@kacvi.com

HOME TELEPHONE: ()

CELL NUMBER: ()

WORK NO.: ()

FAX NO.: ()

ATTORNEY INFORMATION

Check here if appearing pro se (on your own behalf, without an attorney)

ATTORNEY 1: (FULL NAME)

Joel H. Holt

ATTORNEY 2: (FULL NAME)

MAILING ADDRESS: (Include zip code)

2132 Company St.
Christiansted, St. Croix, VI 00820

PHYSICAL OFFICE ADDRESS:

Check if Same as Mailing Address

Check if Same as Mailing Address

EMAIL ADDRESS:

holtvi@aol.com

HOME TELEPHONE: ()

CELL NUMBER: ()

WORK NO.: (340) 773-8709

FAX NO.: (340) 773-8677

HOME TELEPHONE: ()

CELL NUMBER: ()

WORK NO.: ()

FAX NO.: ()

CASE INFORMATION AND LITIGANT DATA FORM

Check here if there are more than two (2) plaintiffs and/or plaintiffs’ attorneys involved in this case, and attach a separate sheet that includes the required information for all such additional persons.

CASE INFORMATION

Place an X next to the case type that best describes this case:

CIVIL ACTIONS:

TRACK 1: Debt/Foreclosure Eminent Domain Condemnation Debt Collection
(Basic): Enforcement of Settlement/Arbitration Award Enforcement and Execution Actions

TRACK 2: Contract (Goods, Employment Contracts, Buyer-Plaintiff disputes over goods; Other)
(Standard) Intentional Torts (Non-personal injury; Personal Injury; assault battery; intentional infliction of emotional distress, etc.) Real Property Disputes (Partition/Quiet Title/Ownership-Use disputes/Boundary disputes/Values Disputes) Tax-related matters Non-domestic relations Injunctive Relief Actions (Permanent and Preliminary Injunction)* Automobile negligence (to include personal injury, property loss and wrongful death resulting therefrom)
 Malpractice (medical, legal, other professional) Premises Liability
 Slander/Libel/Defamation Negligence Negligent infliction of emotional distress Fraud/Bad Faith Civil-Other (civil actions not specifically listed in a separate case type, for example: Civil Contempt actions; Action for Declaratory Judgment; Actions for Accounting; Appointment of Receiver; Enforcement of Equitable Liens; Equitable Relief; Interpleader; Wrongful Attachment and Stay of Execution, Conciliation; Conciliation; Dissolution of Instrument; Dissolution of Partnership; Forfeiture)

(*NOTE: Temporary Restraining Orders/Injunctive Relief are filed as emergency actions and considered on Track 6. Permanent and Preliminary injunctions are considered on this track)

TRACK 3: Class Action Product Liability Toxic Tort Wrongful/Employment Disputes
(Complex) Product Liability-Tobacco

TRACK 4: Writ of Review/Admin. Appeal Petition for Review of Magistrate Decision
(Review/ Administrative Appeals)

TRACK 5: Habeas Corpus/Prisoner petitions Expungement Extradition Foreign Judgment
(Specialized Actions/PITA) Judicial Review/Mandamus Civil Miscellaneous-Other (civil miscellaneous actions not specifically listed in a separate case type, to include: Petitions for mediator qualification/certification petitions; process server qualification; Letter Rogatory/pre-case discovery petitions etc.)

TRACK 6: Small Claims Landlord/Tenant/FED
(EMERGENCY /EXPEDITED PETITIONS) Petition for Temporary Restraining Order Other Emergency Petitions

FAMILY ACTIONS:

TRACK 1: Uncontested Divorce, Dissolution of Vesper Marriage Legal Separation
SUMMARY Visitation Paternity; Adoption; Conservatorship/Trusteeship; Name Change,
PROCEEDINGS PINS petitions, Guardianship (Juvenile)

TRACK 2: Custody (UCCA, Foreign Judgment, and Private Custody); Child support (All child support)
STANDARD Abuse; Neglect; Dependency/Child Victim; Contested Divorce

TRACK 3: Juvenile Delinquency; Custody (Public); Termination of Parental Rights
COMPLEX

TRACK 4: Petition for Restraining Order (DV); Involuntary Commitment; Guardianship (Adult);
EMERGENCY Marriage Application; Emergency Relief of any kind (i.e. emergency temporary custody,
PETITIONS etc.)

PROBATE ACTIONS:

TRACK 1: Summary Administration; Settlement Without Administration; Wills for Safekeeping;
SUMMARY Ancillary Probate Matters; Registration of Foreign Wills
OR EXPEDITED
PROCEEDINGS

TRACK 2: Settlement WITH Administration, Probate for Wrongful Death Actions; Probate by
STANDARD Creditor; All other Probate matters not specified in Track 1.

LIST/SPECIFY ALL CAUSES OF ACTION PLED: DERIVATIVE SHAREHOLDER
SUIT, ACTION FOR DAMAGES,
CICO RELIEF, EQUITABLE
RELIEF AND INJUNCTION

SIGNATURE(S) -- (Each Plaintiff's Attorney or Pro Se Litigant is Required to Sign and Date the document below):

Joel H. Holt

PRINT

/s/ Joel H. Holt

SIGNATURE

July 8, 2024

DATED

PRINT

SIGNATURE

DATED