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

WALEED HAMED and KAC357, INC.,

Civil No. SX-16-CV-00429

Plaintiffs.

ACTION FOR DAMAGES

٧.

BANK OF NOVA SCOTIA, d/b/a SCOTIABANK, FATH; YUSUF, MAHER YUSUF, YUSUF YUSUF, and UNITED CORPORATION.

JURY TRIAL DEMANDED

Defendants.

DECLARATION IN SUPPORT OF MOTION TO WITHDRAW AS COUNSEL (429) BY CARL J. HARTMANN TO BE EFFECTIVE OCTOBER 1, 2024

COMES NOW, co-counsel in this action, Carl J. Hartmann III, and upon his oath DECLARES the following to be true:

- Attorney Joel H. Holt is the lead counsel in this action, and has agreed that he
 will continue in representation—and that my withdrawal will not prejudice such
 representation.
- 2. I have agreed to provide such paralegal assistance with regard to supplying documents and evidence in my possession as he may deem necessary.
- 3. Attached hereto as Exhibit A is a true and correct declaration filed in the related action Sixteen Plus v. Fathi Yusuf, SX-2016-CV-00650 which is a copy of

my Petition to the V.I. Supreme Court to be changed from Active status to inactive status as of October 1, 2024.

4. Attached hereto as Exhibit B is a proposed order allowing my withdrawal in this action.

Dated: July 22, 2024

/s/ Carl J. Hartmann III
Carl J. Hartmann III, Esq. (#48)
Co-Counsel for Plaintiff
2940 Brookwind Dr,
Holland, MI 49424
Email: carl@carlhartmann.com

Phone: (616) 416-0956

Joel H. Holt, Esq. (Bar # 6)c 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

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd 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:

Charlotte Perrell, Esq.
Stephen Herpel, Esq.
DNF
Counsel for Defendant Fathi Yusuf

Charles Lockwood, Esq DNF Counsel to ScotiaBank

/s/ Carl J. Hartmann III



IN THE SUPREME COURT OF THE U.S. VIRGIN ISLANDS

IN RE CARL J. HARTMANN III,)	Sup. Ct. No	
)		
Petitioner.)		
)		

PETITION OF CARL J. HARTMANN III (BAR NO. 48) FOR CHANGE TO INACTIVE STATUS

COMES NOW the Petitioner, Carl J. Hartmann III, (Bar No. 48) pursuant to Rule 206(b) seeking an Order changing his membership status from "active" to "inactive".

Rule 206. Membership Status.

(a) Active Status.

An active member of the Bar is an attorney who is admitted to practice in any of the three categories set forth in Rules 201, 202 and 204, who is in good standing, and who actually engages in the practice of law as authorized. For purpose of this Rule 206, a member is in "good standing" if he or she is not presently suspended or disbarred for any reason, and is current with his or her annual registration and licensing obligations under Rule 203(e).

(b) Inactive Status.

(1) An inactive member of the Bar is an attorney who ceases to actively practice law in the Virgin Islands, provided, however, that no attorney shall be deemed to be an inactive member unless a petition for such status is filed with the Court setting forth the reasons therefor. Upon receipt of the petition, the Court, for good cause shown, may grant the petition. The pendency of disciplinary or other similar proceeding anywhere shall be a bar to the grant of inactive status. Prior to the grant of inactive status, all pending cases in which the member is attorney of record shall be disclosed to the Court and

appropriate action taken to arrange for substitute counsel. (Emphasis added.)

The reasons for the Petition are:

- 1. On April 21, 2024, I turned 70, and I am retiring from the active practice of law at this time--to explore whether I can handle the inactivity. In the event I cannot, If this effort fails, I may petition for a return to active status in the future.
- Working with Joel H. Holt, Esq. we have recently settled our client out of a large series of cases that had been pending since 2008 (SCRG/RED MUD/RED DUST.)
- 3. Thus, my only remaining cases are five related matters--all involving the separation of the Hamed and Yusuf families and their subsidiaries (SX-12-CV-370, SX-16-CV-429, SX-16-CV-650, SX-16-CV-65, SX-17-CV-342). In all of them, Joel H. Holt is lead counsel—and both he and the clients have agreed to his continuing as counsel in my absence. There is, therefore, appropriate replacement counsel. Motions have been filed in the Superior Court seeking my withdrawal from those case—also as of October 1, 2024.

Attached as **Exhibit A** is a receipt for payment of \$100.00 to the V.I. Bar Association. I attest upon my oath that I am not the subject of any pending (or past) ethical, disciplinary, or other orders—an know of no pending or threated actions, complaints or orders that would mitigate against the granting of this petition—here or in any other jurisdiction. (I am inactive in New Mexico, and still active but not practicing in the District of Columbia.)

WHEREFORE, I ask the Court, conditioned on the Superior Court allowing my requested withdrawals, order that my membership status be changed to "inactive" effective at the end of the day on October 1, 2024

RESPECTFULLY,

Dated: July 10, 2024

Carl J. Hartmann, III

Bar No. 48

2940 Brookwind Dr. Holland, MI 49424

Phone: (616) 414-0956

Email: carl@carlhartmann.com

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

WALEED HANIED and KAC35/, INC.,	CIVII No. 8A-10-C V-00429
Plaintiffs,	ACTION FOR DAMAGES
v.	
BANK OF NOVA SCOTIA, dlbla SCOTIABANK, FATH; YUSUF, MAHER YUSUF, YUSUF YUSUF, and UNITED CORPORATION,	JURY TRIAL DEMANDED
Defendants.	
OR	DER
THIS MATTER is before the Coucounsel for the Plaintiff to withdraw as copremises considered, the Court will grant	
ORDERED that Plaintiff's co-cound GRANTED effective October 1, 2024.	nsel's motion to withdraw a counsel is
DATED :, 2024.	
	DOUGLAS A. BRADY, JUDGE
ARREST: TAMARA CHARLES Clerk of the Court	
n	
By: Court Clerk	
Court Civin	