

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

WALEED HAMED and KAC357, INC.,

Plaintiffs,

v.

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

Defendants.

Civil No. SX-16-CV-00429

ACTION FOR DAMAGES

JURY TRIAL DEMANDED

**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:

1. 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
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Christiansted, VI 00820
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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:

i

Charlotte Perrell, Esq.

Stephen Herpel, Esq.

DNF

Counsel for Defendant Fathi Yusuf

Charles Lockwood, Esq

DNF

Counsel to ScotiaBank

/s/ Carl J. Hartmann III

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.
2. 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 threatened 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

EXHIBIT B

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

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Plaintiffs,

v.

BANK OF NOVA SCOTIA, dlbla
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ORDER

THIS MATTER is before the Court on the Motion of Carl J. Hartmann, co-counsel for the Plaintiff to withdraw as counsel--effective October 1, 2024. The premises considered, the Court will grant the Motion.

ORDERED that Plaintiff's co-counsel's motion to withdraw a counsel is **GRANTED** effective October 1, 2024.

DATED: _____, 2024.

DOUGLAS A. BRADY, JUDGE

ARREST: TAMARA CHARLES
Clerk of the Court

By: _____
Court Clerk