

**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

**NOTICE TO THE SPECIAL MASTER
RE SOLE REMAINING DISCOVERY MOTION:
RE ISAM YOUSUF LETTER RE HIS ST. MARTIN BANK RECORDS**

COMES NOW, counsel to Hisham Hamed in this action, Joel H. Holt, and provides notice of the status of the final discovery issue in this action—a letter to Isam Yousuf's bank and St. Martin authorities seeking Isam's own banking records that were provided by his bank to those authorities pursuant to a subpoena—as ordered by the Master.¹

¹ There is one non-discovery motion that also remains pending in 342. Hamed's January 1, 2023, motion to clarify the "in pari delicto" defense by adding a sentence.

The parties have had three Rule 37 conferences. The first one ended with Isam’s counsel agreeing to see if his client would sign the letter as drafted. The second one ended with Isam’s counsel noting his client’s objection to the letter as drafted. The third one ended with Isam’s counsel agreeing to send his client Hamed’s substantially revised letter eliminating the attachments that Isam did not want to include and through them removing all other discovery motions and requests. While counsel has been consistently negotiating over this letter, because of the time delay associated responses from off-island parties, the Rule 37 process has still not yet been concluded, as approval from Isam Yusuf is still needed for this last revision agreed upon by the Hamed Parties.

Defendants’ responses to the Second Amended Complaint and the Supplemental Complaint are due by August 26, 2024—and the parties assure the Master that this matter will also be concluded by that date.

Dated: August 9, 2024

/s/ Joel H. Holt

Joel H. Holt, Esq. (Bar # 6)
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CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of August 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
Stephen Herpel
Counsel for Defendant Fathi Yusuf

Kevin Rames,
Counsel for Nominal Defendant
Sixteen Plus Corporation

Christopher Allen Kroblin
Marjorie Whalen
Counsel for Defendants
Manal Mohammad Yousef
Jamil Yousuf
Isam Yousuf

/s/ Joel H. Holt