

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

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

Plaintiff,

v.

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

Defendants,

and

SIXTEEN PLUS CORPORATION,

a nominal Defendant.

Case No.: 2016-SX-CV-650

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

JURY TRIAL DEMANDED

NOTICE OF FILING

COMES NOW the Plaintiff, by counsel, and hereby gives notice of filing the initial
Self Disclosures pursuant to Rule 26 as follows:

Dated: March 13, 2017


Joel H. Holt, Esq. (Bar # 6)
Counsel for Plaintiffs
Law Offices of Joel H. Holt
2132 Company Street,
Christiansted, VI 00820
Email: holtvi@aol.com
Tele: (340) 773-8709
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Carl J. Hartmann III, Esq.
Co-Counsel for Defendants
5000 Estate Coakley Bay, L-6
Christiansted, VI 00820
Email: carl@carlhartmann.com

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of March, 2017, I served a copy of the foregoing by mail and email, as agreed by the parties, on:

Greg Hodges

Stefan Herpel

Lisa Komives

Law House, 10000 Frederiksberg Gade

P.O. Box 756

St. Thomas, VI 00802

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Kye Walker, Esq.

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A handwritten signature in blue ink, appearing to read "Greg Hodges", is written over a horizontal line.

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PLAINTIFF'S INITIAL RULE 26 DISCLOSURES

COMES NOW the Plaintiff, by counsel, and hereby provide the following Self
Disclosures pursuant to Rule 26 as follows:

Witnesses:

1. Fathi Yusuf-Defendant-Has knowledge of the fraud committed in creating the note and mortgage on the Diamond Keturah Land as well as the fact that Manal Yousef paid no consideration for the note and mortgage. He also knows the actions of Isam Yousuf and Jamil Yousef as co-conspirators, as well as the communications related to the conspiracy.
2. Waleed Hamed-c/o Plaintiff's counsel- Has knowledge of the facts alleged in the First Amended Complaint.
3. Waheed Hamed- c/o Plaintiff's counsel- Has knowledge of the facts alleged in the First Amended Complaint.
4. Hisham Hamed- c/o Plaintiff's counsel- Has knowledge of the facts alleged in the First Amended Complaint.
5. Manel Yousef-c/o her attorney Kye Walker. Has knowledge about the fact that she has never advanced any funds so that the mortgage Note made payable to her has no consideration. Also knows about the execution of the Power of Attorney.

6. Kye Walker-has knowledge of facts relevant to Yusuf's involvement in the defense of the declaratory judgment action filed against Manal Yousef by Sixteen Plus.
7. Isam Yousef- has knowledge of facts relevant to the facts specifically alleged about him in the First Amended Complaint
8. Jamil Yousef-has knowledge of facts relevant to the facts specifically alleged about him in the First Amended Complaint

Documents:

The following documents may be used to support Plaintiff's claims or defenses:

- 1) The Draft Summary Report by the FBI and DOJ as to the movement of Partnership funds in 1996-2001 – particularly the charts therein which describes the flow of Sixteen Plus funds-this document was produced by Yusuf in another case, so he has a copy already.
- 2) Power of Attorney given to Fathi Yusuf by Manal Yousef that is the subject of and has been appended to filings herein.
- 3) The following Exhibits to the First Amended Complaint:

Exhibit 2 - St. Martin attorney's demand to Sixteen Plus - for payment of the sham note and mortgage Sixteen Plus allegedly owed to Manal Yousef.

Exhibit 3 – Holt response to St. Martin attorney's demand to Sixteen Plus - for payment of the sham note and mortgage Sixteen Plus allegedly owed to Manal Yousef.

Exhibit 4 – Holt email chain with St. Martin attorney re demand to Sixteen Plus - for payment of the sham note and mortgage Sixteen Plus allegedly owed to Manal Yousef.

Exhibit 5 - August 5, 2016, response by Fathi Yusuf's counsel stating that he had initiated a "reasonable search" as to his client and his client's documents, and falsely represented - on behalf of Fathi Yusuf -- there was no such power of attorney.

Exhibit 6 – In 15-CV-344, Excerpts from Plaintiff's Second Supplemental and Amended Responses To Defendant Waleed Mohammad's First Set Of Interrogatories.

Exhibit 7 – In 15-CV-344, Excerpts from Plaintiff's Second Supplemental and Amended Responses To Hamed's First Set Of Interrogatories.

Exhibit 8 - U.S. Income Tax Return for an S Corporation, 2011, Sixteen Plus Corporation.

Exhibit 9 - U.S. Income Tax Return for an S Corporation, 1999, Sixteen Plus Corporation.

Exhibit 10 – Report Of Corporation Franchise Tax Due, Sixteen Plus Corporation, June 2012.

Exhibit 11 - Annual Report On Domestic Or Foreign Corporations, Sixteen Plus Corporation, December 2012.

4) The Following Bates Numbered Documents were previously produced to Yusuf, so he has a copy already:

2/6/1997, Articles of Incorporation
(HAMD596151-HAMD596154)

12/30/1998, By Laws
(HAMD596207-HAMD596210)

12/30/1998, Unanimous consent action of the stockholders
(HAMD596201-HAMD596201)

12/31/1998, Unanimous consent action of the Directors
(HAMD596276-HAMD596277)

3/12/1999, Certificate of Corporate Ownership
(HAMD596301-HAMD596301)

2/6/1997, Consent of Agent for Service of Process
(HAMD596150-HAMD596150)

12/31/2014, Unanimous consent action of the Directors
(HAMD596276-HAMD596277)

2/1/1999, Unanimous consent action of the Directors
(HAMD596280-HAMD596280)

2/1/2000, Unanimous consent action of the Directors
(HAMD596331-HAMD596331)

2/1/2001, Unanimous consent action of the Directors
(HAMD596491-HAMD596491)

2/1/2002, Unanimous consent action of the Directors
(HAMD596504-HAMD596504)

2/1/2003, Unanimous consent action of the Directors
(HAMD596512-HAMD596512)

9/5/2012, Annual Report on Foreign or Domestic Corporations
for Lt. Governor's Office (HAMD588628-HAMD588633)

7/1/2013, Annual Report on Foreign or Domestic Corporations
for Lt. Governor's Office (HAMD588665-HAMD588669)

- 5) Records of the bank and investment accounts obtained by both parties from the FBI and the parties' prior accountants, so that Yusuf has it already, including:

Banque Francaise Commerciale 0 40 60 63877 90
Cairo Amman Bank 01 500 172349 00
Cairo Amman Bank 01 532 172349 00
Cairo Amman Bank 02 033 172349 00
Cairo Amman Bank 02 503 172349 00
Cairo Amman Bank 02 528 172349 00
Cairo Amman Bank 02 533 172349 00
American Express-3713 -845112 -21003
Scotiabank Visa Gold 4563-4601- 5003-9052
Merrill Lynch 140-07884
Banque Francaise Commerciale 0 40 60 63887 90
Merrill Lynch 140-21722
Merrill Lynch 140-07951
Scotiabank 60804314 (personal checking)
Citi-Visa-4922 0020 0003 6759
BP 194-018332
First Bank 58-02114835
Banco Popular-4549-0550-1358-6262
Bank of America-5474-1500-0117-5222
ML-4264-5200-2653-6235
Prudential Securities 05Q-958838-55
Banque Francaise Commerciale 40606387890
Cairo Amman Bank-6101863
VI Community Bank 182-605817
American Express-2248
American Express-7171
Banco Popular 2248
Banco Popular Visa Advantage-7171
Scotiabank-5417-5615-1001-7327
Scotiabank-6125
Visa-5417-5615-1080-3940
Banco Popular 2812
Bank of America-4147-3600-1855-3242
Bank of America-4549-0550-0758-1550

Banco Popular-3791
Banco Popular-6073
Banco Popular-7727
Banco Popular-8137
Banco Popular-8740
Banco Popular Advantage-4549-2102-7831-7727
Banco Popular-2858
Banco Popular-6251
Banco Popular-___49-2102-0515-6073
Banco Popular-4549-0550-4631-3791
Cairo Amman Bank 02 501 171878 00
Cairo Amman Bank 02 533 171878 00
Scotiabank 044-55152125
Popular Securities PSP-000762
Scotiabank 058-00119415
Merrill Lynch 140-19156
Cairo Amman Bank-02/501/171878/00
Banco Popular 08-3640-022
Core States, First Pennsylvania Bank 11150056080
Chase 721-1-047688

- 6) Documents obtained by both parties from the FBI and the parties' prior accountants.
- 7) Discovery documents and filings from the other litigation between the Hameds and Yusufs from 2012-present.

Damages: The loss of the various sales of the property are believed to be in excess of \$25,000,000.

Insurance:

None

Dated: March 13, 2017



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