

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

SIXTEEN PLUS CORPORATION,)	
)	
<i>Plaintiff,</i>)	Civil No. SX-16-CV-65
v.)	ACTION FOR
)	DECLARATORY JUDGMENT
MANAL MOHAMMAD YOUSEF,)	
)	
<i>Defendant.</i>)	
)	

REPLY TO DEFENDANT’S OPPOSITION TO MOTION TO CONSOLIDATE

This case, assigned to Judge Willocks, was filed against the Defendant, Manal Yousef by Sixteen Plus, Inc. -- *before* any other actions for such relief were pending -- seeking foreclosure the Sixteen Plus "Diamond Keturah" property on St. Croix. Thereafter, **an identical claim for foreclosure** was filed by Manal Yousef **in another case**. That identical claim is in Civ. No. SX-17-CV-342, assigned to Judge Brady. Thus, virtually identical motions to consolidate these two cases were filed by Hamed in each case, asking both Courts to have the just one of the Judges decide these identical claims.

Rather than offer any substantive response to this common sense motion to save costs and judicial resources, allowing the two Courts to decide which Judge should try the **identical** foreclosure issues, Yousef asked this Court to defer ruling on this motion until (1) her motion to disqualify counsel could be heard, and (2) Fathi Yusuf's (counterclaim co-defendant) Rule 12(b)(6) motion to dismiss filed in this case was resolved as well.

As for the second issue, the Rule 12(b)(6) motion is frivolous, particularly under the new Rule 12(b)(6) standard. In short, it can be easily resolved by either Judge after consolidation, so it is definitely *not* a basis for delaying consolidation. The same is true as to the first issue. It is respectfully submitted that the disqualification motions support consolidation, as the issue is exactly the same in each of the cases.

In summary, Yousef's filing fails to raise any basis for not consolidating these two identical cases. An identical reply has been filed in the companion case, SX-16-CV-65. See **Exhibit 1**.

Dated: January 16, 2018



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CERTIFICATE OF SERVICE

I hereby certify that *this document complies with the page or word limitation set forth in Rule 6-1(e)*, and that on this 16th day of January, 2018, I served a copy of the foregoing by hand delivery and email, as agreed by the parties,

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

MANAL MOHAMMAD YOUSEF a/k/a
MANAL MOHAMAD YOUSEF,

Plaintiff,

v.

SIXTEEN PLUS CORPORATION,

Defendant.

SIXTEEN PLUS CORPORATION,

Counterclaim Plaintiff,

v.

MANAL MOHAMMAD YOUSEF a/k/a
MANAL MOHAMAD YOUSEF and
FATHI YUSUF,

Counterclaim Defendants.

CIVIL NO. SX-17-CV-342

**ACTION FOR DEBT AND
FORECLOSURE**

**COUNTERCLAIM FOR
DAMAGES**

JURY TRIAL DEMANDED

**DEFENDANT'S REPLY TO PLAINTIFF'S OPPOSITION TO
MOTION FOR CONSOLIDATION**

This case, assigned to Judge Brady, was filed by the Plaintiff, Manal Yousef against Sixteen Plus, Inc. seeking foreclosure of the Diamond Keturah property on St. Croix, owned by Sixteen Plus. As noted below, **an identical claim for foreclosure** was previously filed by Manal Yousef **as a counterclaim in another case**. That completely claim is in a suit against her by Sixteen Plus, Civ. No. 16-cv-65, assigned to Judge Willocks. Thus, virtually identical motions to consolidate these two cases were filed in each case, asking both Courts to have the same Judge decide these identical claims.




Rather than offer any substantive response to this common sense motion to save costs and judicial resources, allowing the two Courts to decide which Judge should try the **identical** foreclosure issues, Yousef asked this Court to defer ruling on this motion until (1) her motion to disqualify counsel could be heard, and (2) Fathi Yusuf's (counterclaim co-defendant) Rule 12(b)(6) motion to dismiss filed in this case was resolved as well.

As for the second issue, the Rule 12(b)(6) motion is frivolous, particularly under the new Rule 12(b)(6) standard. In short, it can be easily resolved by either Judge after consolidation, so it is definitely *not* a basis for delaying consolidation. The same is true as to the first issue. It is respectfully submitted that the disqualification motions support consolidation, as the issue is exactly the same in each of the cases.

In summary, Yousef's opposition fails to raise any basis for not consolidating these two identical cases. An identical reply has been filed in the companion case, SX-16-CV-65. See **Exhibit 1**.

Dated: January 16, 2017



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A handwritten signature in black ink, appearing to read "JH", is written over a horizontal line.