

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

MOHAMMAD HAMED, by his)
authorized agent **WALEED HAMED**,)
)
Plaintiff/Counterclaim Defendant,)

vs.)

CIVIL NO. SX-12-CV-370

FATHI YUSUF and)
UNITED CORPORATION,)
)
Defendants/Counterclaimants,)

vs.)

**ACTION FOR DAMAGES
INJUNCTIVE RELIEF AND
DECLARATORY RELIEF**

WALEED HAMED, WAHEED)
HAMED, MUFEED HAMED,)
HISHAM HAMED,)
and **PLESSEN ENTERPRISES, INC.,**)
)
Counterclaim Defendants.)

JURY TRIAL DEMANDED

**COUNTERCLAIM DEFENDANT WAHEED HAMED'S INTERROGATORIES TO
FATHI YUSUF**

Each of the following requests is to be answered subject to the following two provisions:

A. Plaintiff asserts the existence of a stipulation with regard to acts of money laundering, tax evasion and related criminal matters entered into on March 31, 2014. If you agree that this stipulation exists, you need not respond to a request, but can simply indicate: "Not Answered Pursuant to the March 31, 2014 Stipulation."

B. Plaintiff asserts a Statute of Limitation bar to acts prior to 2006. If you agree that this bar exists, you need not respond to a request, but can simply indicate: "Not Answered Pursuant to the SOL Bar."

DEFINITIONS

Unless otherwise specified, or the context of the Request requires otherwise, answers to these Requests shall be governed by the following definitions:

"United" or "United Corp" shall mean the defendant United Corporation.

"Yusuf" or "You" shall mean defendant Fathi Yusuf.

"Hamed" shall mean the Counterclaim Defendant herein Willie Hamed.

INTERROGATORIES

1. Describe in detail all conversations between Gregory Hodges and Carl Hartmann prior to the taking of any deposition on March 31, 2014, including but not limited to what was said and by whom and any stipulations or agreements entered into.

2. Describe in detail all contact, including phone conversations and emails between any member of the DTF firm and any judge or clerk of the Superior Court regarding this action where neither Joel Holt or Carl Hartmann was part of the conversation or copied on the email.

3. With regard to the email below, state with specificity why no copy of the email to Judges Brady and Dunston were copied to opposing counsel.

From: Henry L. Feuerzeig [mailto:hfeuerzeig@dtflaw.com]
Sent: Tuesday, April 01, 2014 9:48 AM
To: Douglas A. Brady; Michael C. Dunston
Subject: Emergency Motion; MOHAMMAD HAMED, by his authorized agent WALEED HAMED v. FATHI YUSUF and UNITED CORPORATION, Civil No. SX-12-CV-370

Good Morning,

Pursuant to my conversation this morning with Presiding Judge Dunston's office, attached is a **Motion to Continue or Extend the Durational Limit of the Deposition of Mohammad Hammed** in the above captioned St. Croix case. It is being filed now in the Superior Court on St. Thomas due to the closure of the court on St. Croix. Judge Dunston's office advised me to file the attached motion and email it to Judge Brady as well as to Judge Dunston. The motion involves depositions occurring on St. Croix, which began yesterday and are continuing today.

I also am attaching an **EMERGENCY MOTION FOR PROTECTIVE ORDER CANCELLING DEPOSITIONS**, which was filed on Friday, March 28, 2014, with Clerk's Office on St. Thomas, again, because the Court on St. Croix was closed on Friday.

Hank

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4.. Describe in detail all occasions on which counsel for Fathi Yusuf (either individually or as one of a group of criminal defendants):

A. Reviewed seized criminal documents in the possession of the United States Government (including but not limited to the FBI, the U.S. Department of Justice or any other investigative or prosecutorial agency.)

B. With regard to reviews of documents set forth in response to A above, state the dates and all materials provided for review, as well as any restrictions on documents provided for review..

5. Describe generally how, from 1986 to 2002, cash was removed from Plaza Extra Supermarkets sales reporting by the Hameds and Yusufs. For each method or technique used, provide specificity about: A. Methods used to remove ("skim") the cash; B. Where cash first went after being skimmed; C. Which individual Hameds or Yusuf were involved; D. What intermediate accounts or transfer instruments and methods were used (i.e. that the cash was used to purchase or create); E. What final destinations the cash (or instruments into which the cash had been converted) were placed, deposited or otherwise used to purchase assets; F. What funds exist in foreign bank accounts now, obtained with such funds; G. What property or assets exist in the U.S. Virgin Islands now, obtained with such funds; and, H. What property or assets exist in foreign countries now, obtained with such funds.

6. Describe why cash was removed or "skimmed" from the sales of Plaza Extra Supermarkets. Give Yusuf's understanding of the purpose and goals of those acts and what results were achieved or sought to be achieved, and state:

- A. Whose idea was the skimming
- B. Who was "in charge" of the skimming
- C. Who kept the records of the skimming and what records were kept

7. For each of the years from 1986 to 2002, state the approximate amount Fathi Yusuf believes was skimmed from the sales of Plaza Extra Supermarkets.

8. Describe in detail whether the amount reflected in the plea agreement in the criminal case (where tax evasion by underreporting of sales in 2002 was part of the allocution) for the actual and reported sales is correct, and for the amount that was not reported, state what was done with those funds.

9. Describe all bank accounts and property which Fathi Yusuf directly or indirectly owns presently as a result of the transactions set forth in #5 above.

10. Describe all bank accounts and property known to you which Waleed Hamed directly or indirectly owns presently as a result of the transactions set forth in #5 above.

11. Describe all funds obtained as set forth in #5 above which Fathi Yusuf used for gambling -- and provide the amount gambled, won and lost by year for the years 1990-2008.

12. Describe in detail the net worth, assets and liabilities of Mr. & Mrs. Fathi Yusuf, United Corporation and Mattress Pal as of the date of your responses hereto.

13. Describe all funds obtained as set forth in #5 above which Fathi Yusuf used for investing in stock options -- and provide the amount invested, gains and losses by year for the years 1990-2008.

14. State how monies skimmed by the Hameds and Yusufs as set forth in response to Interrogatory #5 were divided among family members; and state what amount Waleed Yusuf should correctly have received of these funds.

15. With regard to your response to Interrogatory #14, state how monies skimmed by the Hameds and Yusufs as set forth in response to Interrogatory #5 beyond amounts that Waleed Hamed should have properly received were taken by Waleed Hamed, and state what amount (and calculation) Waleed Yusuf obtained beyond what he should correctly have received of these funds.

16. State how monies skimmed by the Hameds and Yusufs as set forth in response to Interrogatory #5 were divided among Yusuf family members; and state what amount Fathi and Mike Yusuf should correctly have received of these funds.

17. With regard to your response to Interrogatory #14, state how monies skimmed by the Hameds and Yusufs as set forth in response to Interrogatory #5 beyond amounts that Fathi and Mike Hamed should have properly received were taken by them, and state what amount (and calculation) they obtained beyond what they should correctly have received of these funds.

18. Describe any and all accounting or recordkeeping for the years 1986 to 2002 which reflect on or were used in calculating responses to 14-17 above.

19. Describe when and how the Associated Grocers (AG) membership and stock were obtained, what funds were used to obtain them and who Fathi Yusuf presently believes is the rightful owner of them.

20. Describe in detail the relationship between Seaside Market and AG, and whether the AG membership or stock are involved and how.

Dated: August 22, 2014



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CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of August, 2014, I served a copy of the foregoing Motion by email, as agreed by the parties, on:

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