

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

YUSUF YUSUF, derivatively on behalf of
PLESSEN ENTERPRISES, INC.,

Plaintiff,

v.

**WALEED HAMED, WAHEED HAMED,
MUFEED HAMED, HISHAM HAMED
and FIVE-H HOLDINGS, INC.**,

Defendants,

and

PLESSEN ENTERPRISES, INC.,

Nominal Defendant.

Case No. SX-13-CV-120

**CIVIL ACTION FOR DAMAGES
AND INJUNCTIVE RELIEF**

JURY TRIAL DEMANDED

MOHAMMAD HAMED'S RESPONSE TO COURT'S INQUIRY RE CONSOLIDATION

While Mohammad Hamed is not a party to this litigation, this Court allowed him to file a brief response to this Court's inquiry re consolidation.

Counsel for Mohammad Hamed has reviewed the pleadings filed in this case. The existing Complaint has resulted in motions being filed that address specific issues related to (1) the April 30, 2014, Plessen Board Meeting and (2) the Plessen-KAC357, Inc. lease. However, Judge Brady has issued extensive rulings on both issues. Thus, the fact that the Plaintiffs are attempting to re-litigate these same issues in this case supports consolidation with the pending case before Judge Brady, where these issues have already been addressed and resolved (*Hamed v Yusuf*, STX-2012-cv-370).

The new proposed Amended Complaint has the same problem, but enhances it, as it seeks relief on claims alleged against Mohammad Hamed and Plessen

Enterprises, Inc., which the new proposed Plaintiffs have already been asserted in the pending case before Judge Brady. Thus, that factor further supports consolidation.

Date: August 7, 2015



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CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of August, 2015, I served a copy of the foregoing by mail:

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