

**IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

FATHI YUSUF,

Plaintiff,

v.

**PETER'S FARM INVESTMENT
CORPORATION, SIXTEEN PLUS
CORPORATION, MOHAMMAD A.
HAMED, WALEED M. HAMED,
WAHEED M. HAMED, MUFEED M.
HAMED, and HISHAM M. HAMED,**

Defendants.

Case No.: ST-2015-CV-344

**ACTION FOR DISSOLUTION
AND OTHER RELIEF**

**DEFENDANT WALEED HAMED'S FIRST REQUEST
FOR THE PRODUCTION OF DOCUMENTS TO PLAINTIFF FATHI YUSUF**

WALEED M. HAMED, by counsel, propounds the following first request for production of documents pursuant to Rule 26(d)(2) and 34 of the Federal Rules of Civil Procedure as well as Local Rule 39 on plaintiff Fathi Yusuf.

INSTRUCTIONS

In responding to these Requests for Production of Documents, the following instructions shall apply:

1. The obligations imposed by Fed. R. Civ. P. 26 and 34 are hereby incorporated, including but not limited to, the duty to supplement imposed by Fed. R. Civ. P. 26(e).
2. If the Defendant lacks information to respond to a particular request for production, in whole or in part, Defendant shall state or identify: a) the currently available information; b) any currently unavailable information; c) the efforts Defendant has taken, or will take, to obtain the currently unavailable information;

and d) when the Defendant expects to obtain this information. Further, if the Defendant believes that any other individual or entity may have information that responds to a specific request, in whole or in part, the Defendant shall provide the individual or entity's: a) name, address and telephone number and b) a brief description of the information the Defendant believes the entity or individual possesses.

3. Whenever in these requests for production the Defendant is directed to produce or "identify" a "document," the Defendant shall, besides providing the document itself (if asked to produce), state or identify the following: a) the date the document was prepared; b) the name, address and telephone number of each author or signatory; c) the name, address and telephone number of each recipient (both addressee and recipients of copies); d) the document type (e.g., letter, memorandum, report, etc.); e) the document title; f) the document's control number or Bates number; and g) the name, address and telephone number of the document's custodian.
4. If the Defendant no longer possesses any document the Defendant requests, the Defendant shall state or identify: a) the date the document was prepared; b) the name, address and telephone number of each author or signatory; c) the name, address and telephone number of each recipient; d) the document type (e.g., letter, memorandum, report, etc.); e) what was done with the document; f) the name, address and telephone number of each individual responsible for, or otherwise involved with, transferring or disposing of the document; and g)

reason(s) the document was disposed of or transferred; and h) the name, address and telephone of the document's custodian, if known.

5. If the Defendant believes any information the Defendant requests is privileged and/or protected, in whole or in part, the Defendant shall provide the following: a) the document's title; b) the document type (e.g., memorandum, letter, report, email etc.), c) the name, address and telephone number of each author or signatory; d) the name, address and telephone number of each recipient; e) the date the document was prepared; f) the privilege(s) and /or protection(s) the Defendant is asserting; g) the factual bases for the Defendant asserting the privilege(s) and /or protection(s); and h) a summary of the information the Defendant is not producing to enable a court of competent jurisdiction to rule whether the information is privileged and /or protected.
6. If the Defendant redacts anything from a document it produces in response to these requests for production, the Defendant shall state or provide the following: a) a summary of the deleted information; b) the reason(s) for deleting the information; and c) the name, address and telephone number of each person responsible for, or otherwise involved with, deleting the information.
7. The Defendant shall respond to each of these requests for production to the fullest extent possible, and in good faith, preserving any valid objections the Defendant may have. The Defendant may further ask the Defendant's attorney to clarify or limit any request for production Defendant believes is vague or unduly burdensome.

8. Whenever these requests for production use any word in the plural, the Defendant shall understand the word to include the singular as necessary to make the request for production inclusive rather than exclusive. Further, whenever these requests for production use any word in the singular, the Defendant shall understand the word to include the plural as necessary to make the request for production inclusive rather than exclusive.
9. Whenever these requests for production use any word in the masculine, the Defendant shall understand the word to include the feminine as necessary to make the request for production inclusive rather than exclusive. Further, whenever these requests for production use any word in the feminine, the Defendant shall understand the word to include the masculine as necessary to make the request for production inclusive rather than exclusive.
10. Verbs written in the present tense shall also be taken to mean and include the past. Verbs written in the past tense shall also be taken to mean and include the present.
11. Whenever these requests for production use the word "and" or the word "or," the Defendant shall understand the word conjunctively or disjunctively as necessary to make the request for production inclusive rather than exclusive.

TERMS AND MEANINGS

The terms used in this Discovery have the following meaning:

"Document(s)" is used in its broadest sense to include, by way of illustration only and not by way of limitation, all originals and non-identical copies of any writing or any other tangible thing or data compilation in the custody, possession or control of the

Defendant - whether printed, typed, reproduced by any process, written or produced by hand, including any graphic matter however produced or reproduced, or produced by any other mechanical means and all data, either electronic, magnetic, chemical, mechanical, or other form of data storage capable of being transformed into written or oral matter, including, but not limited to, CD-ROMs, DVDs, computer disks, Hard-drive computer storage mediums - including e-mails, letters, affidavits, filings, engineering studies and /or tests, reports, agreements, communications, correspondence, permits, accounting records, business records, contracts, letters of agreements, telegrams, mailgrams, memoranda, summaries and /or records of personnel or telephone conversations, diaries, calendars, forecasts, photographs, tape recordings, facsimiles, models, statistical statements, graphs, charts, plans, drawings, service and /or pump data, logs, minutes or records of meetings, minutes or records of conferences, reports and /or summaries of interviews, reports, conversations, summaries of investigations, opinions or reports of consultants, topographical or geological maps or surveys, appraisals, records, reports or summaries of negotiations, drafts of any document, revisions of drafts of any document, purchase orders, invoices, receipts, original or preliminary notes, financial statements, accounting work papers, promissory notes, film, microfilm, microfiche, punch cards, slides, pictures, videotapes, moving pictures, computer programs, laboratory results, magnetic tapes or any other matter which is capable of being read, heard or seen with or without mechanical or electronic assistance.

"Communication" means any correspondence, contact, discussion, exchange, contract, or agreement between any two or more persons. Without limiting the

foregoing, "communication" includes all documents, as defined above, telephone conversations, internet communications, e-mail, facsimile transmissions, voice mail, face-to-face conversations, meetings, and conferences.

"Relevant time period" means 1995 to the present.

"Yusuf" shall mean the plaintiff Fathi Yusuf.

"Peter's Farm" shall mean Peter's Farm Investment Corporation.

"Sixteen Plus" shall mean Sixteen Plus Corporation.

"Hamed" or "Hameds" shall mean the individual Hamed defendants.

REQUESTS

1. Please provide all documents supporting allegation 12 of the Complaint in this case.
2. Please provide all documents supporting allegation 13 of the Complaint in this case.
3. Please provide all documents supporting allegation 14 of the Complaint in this case.
4. Please provide all documents supporting allegation 15 of the Complaint in this case.
5. Please provide all documents supporting allegation 16 of the Complaint in this case.
6. Please provide all documents supporting allegation 17 of the Complaint in this case.
7. Please provide all documents supporting allegation 19 of the Complaint in this case.
8. Please provide all documents supporting allegation 20 of the Complaint in this case.
9. Please provide all documents supporting allegation 21 of the Complaint in this case.
10. Please provide all documents supporting allegation 22 of the Complaint in this case.
11. Please provide all documents for the relevant time period relating to property owned by the Peter's Farm Investment Corporation. Documents shall include, but are not

limited to, deeds, closing statements, canceled checks, surveys, title searches, and title insurance.

12. Please provide all documents for the relevant time period relating to property owned by Sixteen Plus. Documents shall include, but are not limited to, deeds, closing statements, canceled checks, surveys, title searches, and title insurance.

13. Please produce all documents in your possession exchanged with Manal Mohamad Yousef from 1995 through the current date regarding Sixteen Plus, including but not limited to any mortgages, mortgage notes, powers of attorney, emails, letters, faxes or any other document.

14. Please produce all documents in your possession showing the transfer of any funds to Sixteen Plus, or payments to a third party made on behalf of Sixteen Plus, by Manal Mohamad Yousef, from 1995 through the current date regarding the mortgage recorded against the real property on St. Croix known as Diamond Keturah owned by Sixteen Plus.

15. Please provide documents generated by attorneys, financial consultants, investment advisors, accountants, bookkeepers or realtors paid more than \$100 by you, any member of your family, any corporation or entity in which you have any interest for work done for the Peter's Farm Investment Corporation during the relevant time period.

16. Please provide documents generated all attorneys, financial consultants, investment advisors, accountants, bookkeepers or realtors paid more than \$100 by you, any member of your family, any corporation or entity in which you have any interest for work done for Sixteen Plus during the relevant time period.

17. Please provide for the relevant time period all bank statements, canceled checks, deposits and transfer slips for all Peter's Farm Investment Corporation bank accounts.
18. Please provide for the relevant time period all investment statements, canceled checks, deposits and transfer slips for all Peter's Farm Investment Corporation investment accounts.
19. Please provide for the relevant time period all bank statements, canceled checks, deposits and transfer slips for all Sixteen Plus bank accounts.
20. Please provide for the relevant time period all investment statements, canceled checks, deposits and transfer slips for all Sixteen Plus investment accounts.
21. Please provide all of the corporate documents relating to Peter's Farm Investment Corporation.
22. Please provide all letters, memos, notes, meeting minutes or emails concerning the Peter's Farm Investment Corporation.
23. Please provide all of the corporate documents relating to Sixteen Plus Corporation.
24. Please provide all letters, memos, meeting minutes, notes or emails concerning the Sixteen Plus Corporation.
25. Any and all documents identified in your responses to the Individual Hamed Defendants' First Request for Interrogatories.

Dated: March 4, 2016



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CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of March, 2016, I served a copy of the foregoing Notice by email, as agreed by the parties, and mail on:

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