

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

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

Plaintiff,)

vs.)

**WALEED HAMED, WAHEED HAMED,
MUFEED HAMED, HISHAM HAMED, and
FIVE-H HOLDINGS, LLC,**)

Defendants,)

and)

PLESSEN ENTERPRISES, INC.,)

Nominal Defendant.)

CASE # SX-13-CV-120

**ACTION FOR DAMAGES,
AND INJUNCTIVE RELIEF**

JURY TRIAL DEMANDED

**RULE 26 INITIAL DISCLOSURES OF WALEED HAMED, WAHEED HAMED,
MUFEED HAMED, HISHAM HAMED AND FIVE-H HOLDINGS, INC.**

Waleed Hamed, Waheed Hamed, Mufeed Hamed and Hisham Hamed (collectively, the “Hamed Defendants”) and Five-H Holdings, Inc. (“Five-H” and, together with the Hamed Defendants, “Defendants”) hereby make the following initial disclosures pursuant to Federal Rule of Civil Procedure, made applicable to the above-captioned civil action (this “Action”) by Super. Ct. R. 39 and/or 7, subject to the following reservation of rights:

RESERVATION OF RIGHTS

Defendants’ initial disclosures are based upon information reasonably available to them as of the date that these disclosures were prepared. Accordingly, Defendants reserve the right to

supplement the information contained herein if additional information becomes known at some later date.

Defendants' initial disclosures are not intended to and do not waive any objections Defendants may later have to any discovery in this Action. Defendants expressly reserve any and all objections that they have, had, or may ever have, including, but not limited to, objections based on relevance, attorney-client privilege, attorney work-product privilege, any applicable privilege or protection under federal or territorial law, undue burden or harassment, immateriality and overbreadth.

Defendants expressly reserve the right to clarify, amend, modify or supplement the information contained in these initial disclosures in the event that they obtain additional information, to the extent required by applicable law and Court rules.

Defendants expressly reserve the right to identify or call as witnesses individuals in addition to those identified herein, if Defendants discover that such individuals have or might have knowledge of matters relevant to this action.

INITIAL DISCLOSURES

Subject to and without waiving the above-stated reservation of rights and Defendants' duty/right to supplement these disclosures under applicable rules, Defendants disclose the following in accordance with Fed. R. Civ. P. 26(a)(1)(A)(i):

1. Waleed Hamed
2. Waheed Hamed
3. Mufeed Hamed
4. Hisham Hamed
5. Fathi Yusuf

6. Fawzia Yusuf
7. Maher Yusuf personally and as the President of United Corporation
8. Yusuf Yusuf
9. Syaid Yusuf
10. Zayed Yusuf
11. Negeh Yusuf
12. John Gaffney
13. Scotiabank representatives with knowledge of the \$460,000 withdrawal
14. VIPD Officers/officials with knowledge of the complaints re \$460,000 withdrawal
15. DOJ/USVI officials with knowledge of the complaints re \$460,000 withdrawal
16. Carl Beckstedt
17. Plessen Enterprises, Inc.'s 30(b)(6) witness
18. United Corporation's 30(b)(6) witness
18. Rebuttal and/or impeachment witness
19. All parties to this case, including their employees
20. Witnesses who identify or authenticate documents or exhibits

Subject to and without waiving the above-stated reservation of rights and

Defendants' duty/right to supplement these disclosures under applicable rules, Defendants disclose the following in accordance with Fed. R. Civ. P. 26(a)(1)(A)(ii):

The attached disc containing documents indexed as set forth on Exhibit A hereto, identifying the documents by bates number.

Subject to and without waiving the above-stated reservation of rights and

Defendants' duty/right to supplement these disclosures under applicable rules, Defendants disclose the following in accordance with Fed. R. Civ. P. 26(a)(1)(A)(iii):

Not applicable; no counterclaim filed.

Subject to and without waiving the above-stated reservation of rights and Defendant's duty/right to supplement these disclosures under applicable rules, Defendant discloses the following in accordance with Fed. R. Civ. P. 26(a)(1)(A)(iv):

None.

Dated: December 1, 2016

HAMMECKARD, LLP

By:



Mark W. Eckard (V.I. Bar No. 1051)
5030 Anchor Way
Christiansted, VI 00820
Direct Line: 340. 514.2690
Office: 340.773.6955
Facsimile: 855.456.8784
Email: meckard@hammeckard.com

Counsel for Waleed Hamed, Waheed Hamed,
Mufeed Hamed, Hisham Hamed and Five-H
Holdings, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on December 1, 2016, I served a copy of the foregoing by email, as agreed by the parties, on:

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Charlotte K. Perrell
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Jeffrey B. C. Moorhead
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jeffreymlaw@yahoo.com



EXHIBIT A

Exhibit A
Defendants' Rule 26 Initial Disclosures Document Index for SX-13-CV-120
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HAMD629399-HAMD629399
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HAMD629414-HAMD629414
HAMD629415-HAMD629419

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Bates Range
HAMD629420-HAMD629420
HAMD629421-HAMD629423
HAMD629424-HAMD629424
HAMD629425-HAMD629426
HAMD629427-HAMD629430
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HAMD629440-HAMD629440
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HAMD629557-HAMD629557
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HAMD629681-HAMD629689
HAMD629690-HAMD629720
HAMD629721-HAMD629721
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HAMD630300-HAMD630301
HAMD630394-HAMD630395
HAMD630399-HAMD630402
HAMD630403-HAMD630404
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HAMD630503-HAMD630516
HAMD630997-HAMD631010
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HAMD631412-HAMD631412
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HAMD632805-HAMD632805
HAMD632809-HAMD632809
HAMD633255-HAMD633255
HAMD637566-HAMD637569
HAMD637638-HAMD637638
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PEOP100165-PEOP100175
PEOP100176-PEOP100196
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PEOP100269-PEOP100355
PEOP100356-PEOP100413
PEOP100414-PEOP100428
PEOP100429-PEOP100431
PEOP100432-PEOP100452
PEOP100453-PEOP100463

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Bates Range
PEOP100464-PEOP100468
PEOP100469-PEOP100471
PEOP100472-PEOP100490
PEOP100529-PEOP100566
PEOP100567-PEOP100624
PEOP100625-PEOP100626
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PEOP100673-PEOP100673
PEOP100674-PEOP100675
PEOP100676-PEOP100686
SCOT500520-SCOT500530
SCOT500531-SCOT500531
SCOT500582-SCOT500583
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SCOT500716-SCOT500779
SCOT500780-SCOT500854
SCOT500855-SCOT500922
SCOT500923-SCOT500966
SCOT500967-SCOT501217
SCOT501222-SCOT501229
SCOT501245-SCOT501246
SCOT501249-SCOT501249
YUSF239404-YUSF239404
YUSF239410-YUSF239414