

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

**WALEED HAMED**, as the Executor of the  
Estate of MOHAMMAD HAMED,

*Plaintiff/Counterclaim Defendant,*

vs.

**FATHI YUSUF** and **UNITED CORPORATION**

*Defendants and Counterclaimants.*

vs.

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

*Counterclaim Defendants,*

**Case No.: SX-2012-cv-370**

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

JURY TRIAL DEMANDED

Consolidated with

**Case No.: SX-2014-CV-287**

**ACTION FOR DECLARATORY  
JUDGMENT**

JURY TRIAL DEMANDED

Consolidated with

**Case No.: SX-2014-CV-278**

**ACTION FOR DEBT AND  
CONVERSION**

JURY TRIAL DEMANDED

---

**WALEED HAMED**, as the Executor of the  
Estate of MOHAMMAD HAMED,

*Plaintiff,*

vs.

**UNITED CORPORATION,**

*Defendant.*

---

**WALEED HAMED**, as the Executor of the  
Estate of MOHAMMAD HAMED,

*Plaintiff,*

vs.

**FATHI YUSUF,**

*Defendant.*

**NOTICE OF WITHDRAWAL OF EMERGENCY MOTION  
AS TO INTERROGATORY 21 (CLAIM H-142 TUTU LAND)**

**PLEASE TAKE NOTICE** that the Emergency Motion for Order to Compel as to Interrogatory 21 – regarding Claim H-142 (Tutu Land) filed on July 21, 2018, is withdrawn without prejudice to re-filing after the taking of depositions, as agreed by the parties.

**Dated:** July 30, 2018

A handwritten signature in blue ink, appearing to read "Carl J. Hartmann III", with a long horizontal flourish extending to the right.

**Carl J. Hartmann III, Esq (Bar #48)**  
*Co-Counsel for Plaintiff*  
5000 Estate Coakley Bay, L-6  
Christiansted, VI 00820  
Email: carl@carlhartmann.com  
Tele: (340) 719-8941  
Fax: (212) 202-3733

**Joel H. Holt, Esq.**  
*Counsel for Plaintiff*  
Law Offices of Joel H. Holt  
2132 Company Street,  
Christiansted, VI 00820  
Email: holtvi@aol.com  
Tele: (340) 773-8709  
Fax: (340) 773-867

### CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of July, 2018, I served a copy of the foregoing by email (Via CaseAnywhere), as agreed by the parties, on:

**Hon. Edgar Ross**

Special Master  
edgarrossjudge@hotmail.com

**Gregory H. Hodges**

**Stefan Herpel**

**Charlotte Perrell**

Law House, 10000 Frederiksberg Gade  
P.O. Box 756  
St. Thomas, VI 00802  
ghodges@dtflaw.com

**Mark W. Eckard**

Hamm, Eckard, LLP  
5030 Anchor Way  
Christiansted, VI 00820  
mark@markeckard.com

**Jeffrey B. C. Moorhead**

CRT Brow Building  
1132 King Street, Suite 3  
Christiansted, VI 00820  
jeffreymlaw@yahoo.com



### CERTIFICATE OF WORD/PAGE COUNT

This document complies with the page or word limitation set forth in Rule 6-1 (e).



# EXHIBIT A

## DEPOSITION TOPICS

### 1. Hamed Claim H-142 (Tutu Land)

#### A. The funds used to purchase the land described as:

Parcel No. 2-4 Rem. Estate Charlotte Amalie  
No. 3 New Quarter, *St. Thomas*, U.S. Virgin Islands  
consisting of 0.536 acre, more or less, as shown on  
OLG Map No. D9-7044-T002, dated April 10, 2002

hereinafter referred to as the "Land".

- i. The source and how the funds were generated, and taxes paid on those funds
- ii. The methods and means used to skim funds to avoid taxes
- iii. The methods and means used to purchase other property with skimmed funds.
- iv. The methods and means used to transfer the funds used to purchase the Land
- v. The persons directing the obtaining, use and payment of these funds.
- vi. Negotiations surrounding the purchase of the Land.
- vii. The offer for the Land.
- viii. The acceptance of the offer for the Land
- ix. The preparation of documents for the transfer of the Land.
- x. The Closing on the Land.
- xi. The documents relating to the Land.

B. The purchase of the large adjacent parcel of the Land. ("Large Adjacent Parcel")

- i. The source and how the funds were generated, and taxes paid on those funds
- ii. The methods and means used to transfer the funds used to purchase the Large Adjacent Parcel
- iii. The persons directing the obtaining, use and payment of these funds.
- iv. Negotiations surrounding the purchase of the Large Adjacent Parcel.
- v. The offer for the Large Adjacent Parcel.
- vi. The acceptance of the offer for the Large Adjacent Parcel
- vii. The preparation of documents for the transfer of the Large Adjacent Parcel.
- viii. The Closing on the Large Adjacent Parcel.
- ix. The documents relating to the Large Adjacent Parcel.

C. The Mortgage and Note in Favor of United Corporation on the Land (the "Mortgage")

- i. The source and how the funds were generated for United to loan or pay consideration to the Partnership or Plessen for the Note and Mortgage, and taxes paid on those funds
- ii. The methods and means used to transfer the funds used to purchase the Mortgage
- iii. The persons directing the obtaining, use and payment of these funds.
- iv. Negotiations surrounding the Mortgage.
- v. The offer for the Mortgage.
- vi. The acceptance of the offer for the Mortgage

- vii. The preparation of documents for the Mortgage and Note.
- D. The Deed in Lieu in Favor of United Corporation on the Land (the "Mortgage")
- viii. The source and how the funds were generated for United to loan or pay consideration to the Partnership or Plessen for the Note and Deed in Lieu, and taxes paid on those funds
  - ix. The methods and means used to transfer the funds used to purchase the Deed in Lieu
  - x. The persons directing the obtaining, use and payment of these funds.
  - xi. Negotiations surrounding the Deed in Lieu.
  - xii. The offer for the Deed in Lieu.
  - xiii. The acceptance of the offer for the Deed in Lieu
  - xiv. The preparation of documents for the Deed in Lieu and Note.
- E. The intended use of the Land and Large Adjacent Parcel
- F. The Criminal Action and its Effects
- i. On the use of the Land
  - ii. On the funds available
  - iii. On the transferring of interests in property
  - iv. On United
  - v. On Plessen
  - vi. On the grocery stores
  - vii. On the Tutu Store
- G. The involvement of individuals on the purchase of the Land, mortgage and Deed in Lieu
- i. Fathi Yusuf
  - ii. Mohammad Hamed

- iii. Waleed Hamed
  - iv. Mike Yusuf
  - v. Counsel
  - vi. CPA's and Accountants
  - vii. Title Searchers
  - viii. Title Insurance Providers
- H. Plessen Enterprises. Inc. at the time of the purchase of the Land, mortgage and Deed in Lieu
- I. United Corporation at the time of the purchase of the Land, mortgage and Deed in Lieu
- J. The Partnership at the time of the purchase of the Land, mortgage and Deed in Lieu
- K. Accounting Practices at the time of the purchase of the Land, mortgage and Deed in Lieu
- L. Banking Practices at the time of the purchase of the Land, mortgage and Deed in Lieu
- M. Legal work being done at the time of the purchase of the Land, mortgage and Deed in Lieu
- N. The practices surrounding Fathi Yusuf being "in charge" of the office, finances and decision-making at the time of the purchase of the Land, mortgage and Deed in Lieu
- O. The practices surrounding Fathi Yusuf being "in charge" of the office, finances and decision-making regarding the Land