

**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 Deft., )  
 )  
vs. ) Case No. SX-2012-CV-370  
 )  
FATHI YUSUF and UNITED )  
CORPORATION, )  
 )  
Defendants/Counterclaimants, )  
 )  
vs. )  
 )  
WALEED HAMED, WAHEED HAMED, )  
MUFEED HAMED, HISHAM HAMED, and )  
PLESSEN ENTERPRISES, INC., )  
 )  
Counterclaim Defendants. )  
WALEED HAMED, as Executor of the )  
Estate of MOHAMMAD HAMED, )  
 )  
Plaintiff, )  
 )  
vs. ) Consolidated with  
 ) Case No. SX-2014-CV-287  
 )  
UNITED CORPORATION, )  
 )  
Defendant. )  
WALEED HAMED, as Executor of the )  
Estate of MOHAMMAD HAMED, )  
 )  
Plaintiff, )  
 )  
vs. ) Consolidated with  
 ) Case No. SX-2014-CV-278  
 )  
FATHI YUSUF, )  
 )  
Defendant. )

**VIDEOTAPED ORAL DEPOSITION OF  
WAHEED "WILLIE" HAMED**

**THE VIDEOTAPED ORAL DEPOSITION OF WAHEED "WILLIE" HAMED**

was taken on the 22nd day of January, 2019, at the Offices of Joel H. Holt, 2132 Company Street, Downstairs Conference Room, Christiansted, St. Croix, U.S. Virgin Islands, between the hours of 10:25 a.m. and 12:09 p.m., pursuant to Notice and Federal Rules of Civil Procedure.

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Reported by:

Susan C. Nissman RPR-RMR  
Registered Merit Reporter  
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**APPEARANCES****A-P-P-E-A-R-A-N-C-E-S****For the Plaintiff:**

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By: Carl Hartmann, III  
Kimberly Japinga

**For the Defendants:**

Law Offices of  
Dudley, Topper & Feuerzeig  
P.O. Box 756  
Charlotte Amalie, St. Thomas  
U.S. Virgin Islands 00804

By: Charlotte Perrell

**Also Present:** Fathi Yusuf and Maher Yusuf  
Hisham, Mufeed, and Waleed Hamed  
Michael Gelardi, Videographer

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**WAHEED "WILLIE" HAMED -- DIRECT**

1                   **THE VIDEOGRAPHER:** In the matter Waleed Hamed  
2 versus Fathi Yusuf and United Corp., in the Superior Court  
3 of the Virgin Islands, Division of St. Croix, Civil Action  
4 Number SX- 2012-CV-370.

5                   My name is Michael Gerald. I'm the  
6 videographer for today's proceedings. Our court reporter is  
7 Susan Nissman. Today's date is January 22nd, 2019. The  
8 deponent is Waheed Hamed. The time is 10:25.

9                   For the purpose of voice identification, I am  
10 requesting that the attorneys present identify themselves at  
11 this time.

12                   **MS. PERRELL:** Good morning. Charlotte  
13 Perrell, on behalf of Fathi Yusuf and United Corporation.

14                   **MR. HARTMANN:** Carl Hartmann, on behalf of  
15 the Hameds.

16                   **THE VIDEOGRAPHER:** Please swear in the  
17 witness.

18                   **WAHEED "WILLIE" HAMED,**  
19 called as a witness, having been first duly sworn,  
20 testified on his oath as follows:

21                   **DIRECT EXAMINATION**

22 **BY MS. PERRELL:**

23                   **Q.** Good morning.

24                   **A.** Morning.

25                   **Q.** My name is Charlotte Perrell. I believe that

**WAHEED "WILLIE" HAMED -- DIRECT**

1 we've met briefly before. I represent Mr. Yusuf and United  
2 Corporation in this matter. I've got a couple questions to  
3 ask you.

4 We have agreed, and I'll just put it on the  
5 record, we've agreed that we're going to limit these  
6 depositions to only certain matters that are pending between  
7 the families. We're going to come back at another point in  
8 time and address other claims. We thought it was more  
9 expeditious to -- to address certain things first, and then  
10 come back and circle back, so we might see each other again  
11 in the same kind of setting.

12 Have you had an opportunity to review the  
13 notice of the deposition and what the topics were that are  
14 to be discussed?

15 **A.** Yes.

16 **Q.** All right. And I'm assuming you don't know  
17 certain things about various matters. That's appropriate.  
18 Certain folks do and don't. Let me just go through that. I  
19 want to see which ones you know things about and then want  
20 to get the extent of your knowledge.

21 All right. With regard to -- there's a claim  
22 that United is making for rent that they're claiming is due  
23 as to Bays 5 and 8 at the United Shopping Center relating to  
24 Plaza Extra East.

25 You don't have any information about that; is

**WAHEED "WILLIE" HAMED -- DIRECT**

1 that correct?

2 **A.** The only information I know is when Yusuf would be  
3 on the phone with his son and Wally telling them they could  
4 go ahead and use the warehouse.

5 **Q.** Okay. So you're saying that there were telephone  
6 conversations between Mr. Yusuf, Wally, and Mike saying that  
7 they could use the warehouse?

8 **A.** Yes, ma'am.

9 **Q.** Okay. And when was that conversation?

10 **A.** I can't recall the date.

11 **Q.** Okay. Would it have been in the '90s or in --

12 **A.** I really don't --

13 **Q.** You don't know?

14 **A.** -- recall that.

15 **Q.** All right. And in the conversation, was Mr. Yusuf  
16 indicating that they could use the warehouse rent-free?

17 **A.** There was no mention of any money, any  
18 compensation for anything.

19 **Q.** Okay. But did he say the words "free"? It sounds  
20 like you didn't -- he didn't say it one way or the other?

21 **A.** He didn't say the word "free" at all and he didn't  
22 say there was money to be paid. So all I know, that he was  
23 on the phone. We have a small office. And he would tell  
24 him, Go ahead and use the warehouse.

25 **Q.** Okay.

**WAHEED "WILLIE" HAMED -- DIRECT**

1           **A.**    Until somebody else comes in and then you guys  
2 move out.

3           **Q.**    Okay. And have you seen the space in Bays 5 and  
4 8? Have you been there before?

5           **A.**    No, ma'am.

6           **Q.**    Okay. Do you know what any of the space and  
7 storage needs were at Plaza Extra East?

8           **A.**    No, ma'am.

9           **Q.**    Okay. All right. Other than that single  
10 conversation, do you have any personal or firsthand  
11 knowledge relating to the renting of Bays 5 and 8?

12          **A.**    No, ma'am.

13          **Q.**    Okay. I want to direct your attention to  
14 Exhibit 2.

15                   Exhibit 2 is a letter that has been  
16 identified as a document prepared by a gentleman named, I  
17 believe it's Thomas. I'm sorry. Thomas.

18          **A.**    Thomas Luff.

19          **Q.**    Thomas Luff.

20                   Have you ever seen this before?

21          **A.**    (Witness reviews document.) I've seen -- not  
22 these, but I've seen something like this. Like these here.  
23 (Indicating.)

24          **Q.**    Okay. When you say, "these here," we've got some  
25 numbers on the bottom --



**WAHEED "WILLIE" HAMED -- DIRECT**

1           **A.**    Oh, okay.

2           **Q.**    -- of the pages that we need to identify.  What  
3 page numbers?

4           **A.**    F -- what do you want me -- I don't know what  
5 number page or I can --

6           **Q.**    This one.  (Indicating.)

7           **A.**    -- read this out to you?  Yeah.  FXI --  
8 FBIX237825.

9           **Q.**    Okay.  You've seen that one before?

10          **A.**    I've seen something, yeah.  I've seen something  
11 like that, yes.

12          **Q.**    When did you -- when did you first --

13          **A.**    I don't recall when.  These -- these used to come  
14 in from their accountant in St. Croix to Yusuf.

15          **Q.**    Okay.

16          **A.**    To the accountant at the time.  I think it was Ben  
17 Irving or whoever the accountant was.

18          **Q.**    Okay.  So you've seen these before?

19          **A.**    Yes.

20          **Q.**    Okay.  How many have you seen?

21          **A.**    Numerous.  At least once a month.

22          **Q.**    Okay.  Why would you have an occasion to see  
23 these, because these relate to the tenant accounts?

24          **A.**    We're all in the same office.  Comes on our fax.  
25 Whoever gets the fax, gives it to the respective party.

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1           **Q.**    Okay.  And so you haven't seen this front part --

2           **A.**    No.

3           **Q.**    -- but you're saying you've only seen the pages  
4 that you identified?

5           **A.**    Yes, ma'am.

6           **Q.**    Okay.  Have you seen this particular one?

7           **A.**    I've seen -- I don't know the contents of each  
8 individual sheet, but I've seen something like this, yes.

9           **Q.**    Okay.  Other than the -- you can't testify that  
10 these are, in fact, the ones that you've received?

11          **A.**    No, but I've seen something similar to this.

12          **Q.**    All right.  Do you know the periods of time that  
13 Plaza Extra East was utilizing Bays 5 and 8?

14          **A.**    No, ma'am.

15          **Q.**    Okay.  Other than what we've just discussed with  
16 regards to Bay 5 and 8 -- well, let me ask you this:  With  
17 regard to -- with regard to the fax, if a document had come  
18 across the fax machine at Plaza Extra Tutu Park, --

19          **A.**    Um-hum.

20          **Q.**    -- wouldn't it have some kind of an indication of  
21 a fax on the top of the page?  I mean, this may be a  
22 different copy, but is that what would happen?

23          **A.**    Yes and no, because sometimes we've had our fax  
24 break down, whether in St. Croix or St. Thomas, so we  
25 replace fax.  And sometimes when you're new and you don't

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1 program it the way to your number and your company name,  
2 then it won't print that. Or if you e-mail it from your  
3 computer, it won't come up with that thing that you're  
4 requesting.

5 **Q.** Okay. So you're saying that you don't -- that,  
6 yes, they did sometimes, but --

7 **A.** Yes.

8 **Q.** -- you're not sure all the time --

9 **A.** Yes.

10 **Q.** -- is that correct?

11 **A.** Yes, ma'am.

12 **Q.** Okay. Other than what we discussed this morning  
13 regarding Bays 5 and 8, do you have any other information  
14 relating to that?

15 **A.** No, ma'am.

16 **Q.** Okay. All right. Do you have any information  
17 relating to the Dorthea, what we're calling the Dorthea  
18 property, which is the sale of some stock of a company  
19 called Y & S?

20 **A.** Yes.

21 **Q.** Okay. What was your -- did you have any  
22 involvement in the sale of the Dorthea property?

23 **A.** I didn't have any involvement, but I was there  
24 when he was talking to Salem.

25 **Q.** Okay. When was this?

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1           **A.**    I don't recall the dates.

2           **Q.**    Okay.  What was the substance of the conversation?

3           **A.**    The sale of Dorthea.

4           **Q.**    Okay.  And what was the discussion that you  
5 recall?  Well, first of all, where were you?

6           **A.**    In my office.

7           **Q.**    Okay.  So this is in St. Thomas?

8           **A.**    Yes, ma'am.

9           **Q.**    Okay.  And can you give me a decade or a time  
10 frame in which this went -- occurred?

11          **A.**    No.

12          **Q.**    Okay.

13          **A.**    I mean, I really don't know and I don't want to  
14 guess.

15          **Q.**    That's okay.  If you don't know, you don't know.

16          **A.**    Yeah.

17          **Q.**    I just have to ask --

18          **A.**    No, that's no problem.

19          **Q.**    -- to -- to establish.

20          **A.**    No problem.

21          **Q.**    So with regard to the conversation that took  
22 place, who all was present besides yourself?

23          **A.**    Yusuf and Salem.

24          **Q.**    Okay.  Were you all three talking together, or did  
25 you just overhear this?

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1           **A.**    It's -- let me just draw the -- the office.

2                            Yusuf would be sitting where Kim is sitting.  
3       Salem would be sitting where Michael, yes, and I would be  
4       sitting where Yusuf is sitting.

5           **Q.**    Okay.  So you were --

6           **A.**    And my office was right here and the desk is maybe  
7       not this big, and this is how close we were.

8           **Q.**    Okay.  And I have not been to that physical  
9       office.

10                           Are there walls in between this?

11          **A.**    No, ma'am, it's all open.

12          **Q.**    It's an open space?

13          **A.**    Yes, ma'am.

14          **Q.**    All right.  So your knowledge of this meeting  
15       between Yusuf and Salem is as a result of overhearing it?

16          **A.**    Overhearing it and being part of it.

17          **Q.**    Okay.  So what was the discussion?

18          **A.**    The discussion was he was trying to sell the  
19       property that we owned to Salem for the 1.5 mil.

20          **Q.**    Um-hum.

21          **A.**    And he was saying -- Salem or Salem, I don't know,  
22       the conversation was, Okay, well, you know, this is the  
23       Hameds' portion, this is my portion, and this is, you know,  
24       you will get this.

25                           And then Yusuf pulled out a piece of paper

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1 and start writing that paper that you guys have in exhibit,  
2 whatever that exhibit is, and he says, Well, Willie, this is  
3 what your money is. This is -- I took money from Jordan. I  
4 did this. I did this, and here it is.

5 **Q.** Okay. So this conversation took place when the  
6 decision to sell was being discussed?

7 **A.** No.

8 **Q.** Okay.

9 **A.** They already concotted (sic) that way back.

10 **Q.** Okay. So that's what I was trying to ask you,  
11 when was this conversation?

12 **A.** I don't know.

13 **Q.** Okay.

14 **A.** I don't know. I don't know.

15 **Q.** Okay. All right. Let me hand you what's been  
16 marked as Exhibit H-1-6.

17 Do you recognize that?

18 **A.** No, ma'am.

19 **Q.** Okay.

20 **A.** Hum-um, I don't.

21 **Q.** Okay. The agreement to sell the stock between the  
22 Yusuf side and -- Yusuf and Hamed side to Salem, the  
23 agreement took place in 2000.

24 Are you aware of that?

25 **A.** I'm aware. I mean, I also questioned the fact

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1 that why would you sell a property, you know, for 1.5  
2 million that is worth over 10 million? That was my  
3 question. But, you know, you can't speak to Yusuf, because  
4 he has his, you know, he gets on his high horses, and, you  
5 know, slams his hand on the table and that kind of stuff, so  
6 I just let it be.

7 **Q.** Okay. So my question, though, I appreciate you  
8 elaborating, however, what my question was, is, is are you  
9 aware that the transaction, when the Yusuf/Hamed side was  
10 going to be selling to Salem, that the contract for that  
11 deal to happen was in 2000?

12 **A.** I don't recall the date.

13 **Q.** Okay. And my question to you is, when they were  
14 having this discussion and the handwritten paper was  
15 written, was it your understanding that the -- the  
16 transaction had already occurred, or was it your  
17 understanding that the transaction was to occur?

18 **A.** Occurred to do what?

19 **Q.** Has it happened or not?

20 **A.** You mean the sale?

21 **Q.** Yes.

22 **A.** I really -- I knew they were talking about it for  
23 a while. And I know they had that, you know, on the wraps,  
24 because they were all -- if I come around, they start  
25 whispering, so I don't know what happened, to tell you when

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1 it happened and when it didn't happen. All I know is when  
2 Yusuf came and says, Hey, this is, you know, what I owe your  
3 family for -- for the money that we owe, and that's that.

4 **Q.** Okay. So let me just break that down, because I  
5 think I misunderstood what you said before.

6 **A.** Sure.

7 **Q.** What you said before was, is that there was a  
8 meeting with Salem and Yusuf and that you were in the same  
9 room, not completely participating, but somewhat  
10 participating in this conversation. And during that  
11 conversation is when Mr. Yusuf wrote some document or  
12 something on a handwriting and said, This is what your  
13 family would get; is that right?

14 **A.** Yeah.

15 **Q.** Okay. Let me just go ahead and get that document  
16 so we can -- so we can be clear on it.

17 All right. I've handed you what's been  
18 marked as H-1-8.

19 Is -- do you recognize this document?

20 **A.** Yes, ma'am.

21 **Q.** Okay. So is this the handwritten document that  
22 you were referring to in your testimony a few minutes ago?

23 **A.** Yes, ma'am.

24 **Q.** Okay. So my question to you is, is when Mr. Yusuf  
25 was writing this, which was during this meeting with Salem



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1 and him and you, --

2 **A.** Um-hum.

3 **Q.** -- was it your understanding that the transaction,  
4 the sale, had already happened and that Salem had already  
5 paid, or just that they were putting the deal together?

6 **A.** I think he was waiting to get paid --

7 **Q.** Okay.

8 **A.** -- 'cause he needed the money from Salem to do  
9 something in -- in Jordan --

10 **Q.** Okay.

11 **A.** -- and that's what I got out of it.

12 **Q.** Okay. So your impression was that this  
13 handwritten document was made and provided to you as --  
14 before the transaction had completely finished?

15 **A.** I -- I guess. I'm not sure a hundred percent.

16 **Q.** Okay. Well, your impression was, is that he  
17 hadn't received all the money yet?

18 **A.** Yes.

19 **Q.** Okay. All right. And you -- you don't have any  
20 idea of exactly what year or time frame that would have  
21 been?

22 **A.** No, ma'am.

23 **Q.** Okay. Let me hand you what's been marked  
24 Exhibit 7 and ask if you recognize that document?

25 **A.** No, ma'am, I've never seen that before.

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1           **Q.**    Okay.  At the time that you had this -- that you  
2           were present for the meeting that occurred --

3           **A.**    Um-hum.

4           **Q.**    -- between Yusuf and Salem, was this document  
5           presented to you in any way?

6           **A.**    No, ma'am.

7           **Q.**    Okay.  So you've never seen this?

8           **A.**    No, this -- this is something that Attorney King  
9           and them have done later on.

10          **Q.**    Okay.  How do you know that?

11          **A.**    My brother told me.

12          **Q.**    Okay.  Let me come back to that in just a minute,  
13          but you've never seen it?

14          **A.**    No.  He just said that, you know, they signed some  
15          release to release the stock.

16          **Q.**    Okay.  All right.  From the time that this  
17          original meeting occurred where the handwritten document was  
18          presented --

19          **A.**    Um-hum.

20          **Q.**    -- and then this second document, which is  
21          Exhibit 7, what is the time difference between?

22          **A.**    I have no idea.

23          **Q.**    You don't know?

24          **A.**    No.

25          **Q.**    All right.  You said your brother told you about

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1 this document, Exhibit 7, correct?

2 **A.** No, he didn't tell me about the same exhibit. He  
3 just told me, Hey, I had to sign a document releasing the  
4 stock.

5 **Q.** Okay. Which brother?

6 **A.** Shawn.

7 **Q.** And did he call you?

8 **A.** Yes.

9 **Q.** Okay.

10 **A.** We communicate. I mean, we -- we're -- we're  
11 brothers, so we always communicate.

12 **Q.** I'm assuming. I'm just trying -- I'm trying to  
13 just get it down --

14 **A.** Yeah, no problem.

15 **Q.** -- because we're trying to understand what,  
16 exactly, the timeline was on this.

17 So did he call you, and what exactly did he  
18 say?

19 **A.** I don't recall the total of the conversation. All  
20 I know is that he said, Hey, I signed the release for the  
21 Yusufs.

22 **Q.** Okay. And did you say -- what did -- what was  
23 your response?

24 **A.** I didn't say much. I mean, I'm sure he knew what  
25 he was doing. I didn't question it.

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1           **Q.**    Okay.  Do you know if he spoke to anybody else in  
2 your family?

3           **A.**    I have no idea.

4           **Q.**    Okay.  All right.  Just so you know, you and I are  
5 understanding our conversation very well, but I think the  
6 court reporter, we're talking over each other a little bit.

7           **A.**    I'm sorry.

8           **Q.**    So, yeah, we'll try to -- I'll try to wait if you  
9 can try to wait, too.  I think that will make everything a  
10 little bit clearer.

11                           All right.  Did you have any involvement in  
12 taking this document, or any other documents, down to Bob  
13 King relating to this stock transfer?

14           **A.**    No.

15           **Q.**    Okay.  Do you know if Hisham did?

16           **A.**    I don't know.

17           **Q.**    Okay.  Do you know who made contact from either  
18 the Hamed or the Yusuf side of that transaction with Bob  
19 King?

20           **A.**    The only person that dealt with Bob King was --  
21 was Yusuf.

22           **Q.**    Okay.  All right.  Have you ever spoken to  
23 Mr. Salem about this transaction, other than the meeting  
24 that we talked about?

25           **A.**    Yes, I have.

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1           **Q.**    Okay.  When did you speak with him?

2           **A.**    About 2 years before he died.

3           **Q.**    And when did he pass?

4           **A.**    He passed last month.

5           **Q.**    Okay.  So you spoke with him in -- 2 years, it  
6 would have been 2016?

7           **A.**    No, I'm sorry.  It's not 2 years.  It's right when  
8 we were getting our dispute and we filed the lawsuit, so  
9 that had to have been 3-4 years ago.

10          **Q.**    All right.

11          **A.**    Yeah, at least 4 years ago, I want to say.

12          **Q.**    All right.  And in your conversation with him, did  
13 it relate to any of -- anything having to do with the  
14 Dorthea transaction?

15          **A.**    Well, we spoke.  We spoke about everything.  He  
16 wanted to resolve our issues with the Yusufs and he wanted  
17 to get involved.  And, you know, I told him, you know, I  
18 appreciate you're trying to get involved, and this is, I  
19 think, right before we filed the lawsuit against Yusuf.  And  
20 he was saying, Listen, you know, we're -- we're friends,  
21 we're this, we're this, we don't need to get into this type  
22 of litigation.  I tell him, I don't have a problem.  I asked  
23 him one question:  Do you have control over Yusuf?  If you  
24 make a decision, will Yusuf respect your decision?  He says,  
25 No.  I said, Then we have nothing else to talk about.

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1                   And then we did mention, Hey, the Dorthea,  
2 did he pay you? I said, No, he hasn't paid us.

3           **Q.** Did he advise at that point when the Dorthea  
4 payments had been made?

5           **A.** No, we didn't go into detail. He just asked if I  
6 got paid for the Dorthea, because he was there when the  
7 paper was written.

8           **Q.** Okay. All right. All right. Anything else about  
9 that conversation that would lead you to believe when the  
10 payments had been received, how long Mr. Yusuf had had the  
11 funds, or the value of those funds?

12          **A.** No, ma'am.

13          **Q.** Okay. But during your conversation, it was clear  
14 to you that at that point, Salem had already made all of the  
15 payments?

16                   **MR. HARTMANN:** Object. Misstates prior  
17 testimony.

18          **A.** I don't know.

19          **Q.** **(Ms. Perrell)** Well, let me clarify.

20                   When you had the conversation with Salem  
21 shortly before the lawsuit was filed --

22          **A.** Um-hum.

23          **Q.** -- and he asked you, Have you gotten the money  
24 from Yusuf yet for the Dorthea sale, --

25          **A.** Right.

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1           **Q.**    -- correct? Was it your understanding that the  
2 money had already been paid?

3           **A.**    I don't know if the money was paid. The money was  
4 -- I don't think the money was ever paid.

5                        From what I understand in those meetings that  
6 they had, Yusuf was taking the money that Salem owed in  
7 Jordan. He was giving him money to go buy some property or  
8 buy something else. There was no money transferring from  
9 one place to the next.

10          **Q.**    Do you have any concept from Salem as to when he  
11 considered, based upon this conversation that you had, as to  
12 when the transaction or the value in whatever the form it  
13 was transferred, when that happened?

14          **A.**    No, ma'am.

15          **Q.**    Okay. So let me go back.

16                        In your conversation with him, did you have  
17 any understanding that it had already happened at least?

18          **A.**    I'm assuming.

19          **Q.**    Okay. Based upon the conversation you had with  
20 him?

21          **A.**    Yes.

22          **Q.**    And then he was asking whether you guys had then  
23 gotten your portion, correct?

24          **A.**    Right.

25          **Q.**    All right. And this conversation, you said, took

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1 place before the, what we call the main lawsuit was filed in  
2 2012?

3 **A.** Yes, ma'am.

4 **Q.** Okay.

5 **A.** Or just about that same time.

6 **Q.** All right. Other than these two conversations  
7 that we discussed, the one -- I keep pointing over here,  
8 'cause it was the visual that you had, there's no -- Kim  
9 wasn't there, but the conversation that you had when you  
10 were in the room, other than that conversation, and then the  
11 one you said you had with Salem before the lawsuit was  
12 filed, in that time frame, did you have any other  
13 conversations with Salem relating to the Dorthea property?

14 **A.** We -- we -- I mean, he -- he used to come in and  
15 speak to Yusuf once or twice a week. And if Yusuf is busy  
16 doing something, I'll sit with him and we'll converse  
17 together. But, you know, it was just regular conversation  
18 about maybe the Dorthea property, maybe about the condos,  
19 maybe of the repairing of the condos, or what he wants to do  
20 with whoever was living there. And, you know, it's a small  
21 island, so he knows the people I know.

22 **Q.** Okay. But no specific conversations with him  
23 about the transaction and what was going to happen with the  
24 transaction or what had happened with the transaction; is  
25 that fair?



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1           **A.**    That's fair.

2           **Q.**    Okay. All right. When you say you spoke with  
3 Salem shortly before the lawsuit got filed, did he reach out  
4 to you or did you reach out to him?

5           **A.**    He reached out to me.

6           **Q.**    Okay. And you said that that was in part of an  
7 effort to arrive at some kind of a, either I would say a  
8 mediation or some kind of a reconciliation between the  
9 families to assist in that regard?

10          **A.**    Yes. I was at Plaza at the time and he called me  
11 and I drove to his establishment, which is in Four Winds --

12          **Q.**    Uh-huh.

13          **A.**    -- and we're in Tutu, so it's really just about 5  
14 minutes. And I went there. I sat with him for a couple  
15 hours and we discussed and discussed. And he was trying to  
16 really be genuinely, you know, trying to solve our problems.

17                    But then, you know, I said, But if you  
18 don't -- if you can't -- if you can't convince him to --  
19 what's right and what's wrong, why would you be a mediator?  
20 He says, You're right. So then he withdrew.

21          **Q.**    Okay.

22          **A.**    'Cause usually -- I'm sorry, usually when you're a  
23 mediator in our culture, the elders become mediators, which  
24 Yusuf has been a mediator in other places. And once that  
25 mediation is done and says, Hey, you're at fault, or you're

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1 at fault, then that's it. It has to go. You have to listen  
2 to them.

3 We've had five mediations with Yusuf and all  
4 of them were against him and he still didn't listen to  
5 anybody, so now we filed a lawsuit.

6 **Q.** All right. Other than the conversations that you  
7 had in the -- at the store and then this couple-hour  
8 conversation which was in the context of this mediation, any  
9 other conversations with Salem regarding the Dorthea condo?

10 **A.** No, ma'am.

11 **Q.** All right. Other than your brief conversation  
12 with your brother, Hisham, saying I was asked to sign the  
13 release, any other conversations with him relating to the  
14 stock transfer before the lawsuit was filed?

15 **A.** No, ma'am.

16 **Q.** Okay. Did you have any conversations with any  
17 other members of your family, either Waleed or any other  
18 brothers relating to the Dorthea condo transaction before  
19 the lawsuits were filed?

20 **A.** One of the things that I brought up to my family  
21 was, why would we buy a property for a million dollars and  
22 sell it for a million and a half and it's worth over  
23 10 million? So I knew something was fishy with Yusuf and  
24 Salem, that why would you sell something that cheap. And  
25 then I turn around, they end up in partnership together on

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1 something else.

2 Q. So you raised that question?

3 A. With my family.

4 Q. Okay. But you recognize that the agreement --  
5 that the family agreed to go ahead and go forward with the  
6 sale?

7 A. Yes, ma'am.

8 Q. Okay. All right. All right. Do you have any --  
9 well, let me ask you this. Sorry.

10 The handwritten document, did you keep  
11 Exhibit H-1-8?

12 A. Yes, ma'am.

13 Q. Okay. So you kept this since that meeting?

14 A. Yes, ma'am.

15 Q. Where did you keep it?

16 A. In my office.

17 Q. Okay. And did you ever present it to Mr. Yusuf at  
18 any time and say, Where's our money?

19 A. No.

20 Q. Okay. Did this document become part of the  
21 records that were seized by the FBI?

22 A. No.

23 Q. Why not?

24 A. I don't know.

25 Q. Okay. Was it in your -- were records from your

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1 physical desk seized by the FBI?

2 **A.** Yes.

3 **Q.** Okay. And where were these kept on your -- in  
4 your office?

5 **A.** I don't recall where, in which drawer, and all  
6 that stuff. I mean, I've got stuff that they seized and  
7 I've got stuff they didn't seize.

8 **Q.** Okay. Do you have a file with any other  
9 documentation relating to this Dorthea condo transaction in  
10 any files --

11 **A.** No.

12 **Q.** -- that you maintain?

13 **A.** No.

14 **Q.** Okay. Did you provide a copy of this to anybody  
15 else in the Hamed family?

16 **A.** I gave it -- I gave it to my brother, Wally and  
17 Shawn.

18 **Q.** Okay. After the lawsuit was filed?

19 **A.** I don't recall. No, I got it -- as soon as I got  
20 this, I gave it to them.

21 **Q.** Okay. You made a copy?

22 **A.** I scanned it and I sent it to them.

23 **Q.** Okay. All right. Let me ask you a question about  
24 this.

25 Do you have any knowledge -- let me ask you

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1 this: Did Mr. Yusuf go down all of the lines in this  
2 document as to what the money was and so forth?

3 **A.** Yeah.

4 **Q.** Okay. So let's go through. The first line here  
5 says 1.5 million, correct?

6 **A.** Yes.

7 **Q.** What was his statements relating to the 1.5  
8 million?

9 **A.** Selling of the property.

10 **Q.** Okay. And then what was the next line where it  
11 says Jordan funds 75 dinar?

12 **A.** That's 75,000 dinar he took.

13 **Q.** Okay. Which equals, is this what he explained  
14 equals \$105,000 --

15 **A.** Yes.

16 **Q.** -- in U.S. dollars?

17 **A.** Yes.

18 **Q.** Okay. And so did he just walk through this  
19 equation with you?

20 **A.** Yeah, he just wrote it down and says, This is for  
21 me, this is from Jordan, and this is the balance owed to me,  
22 and this is what I owe you guys.

23 **Q.** All right.

24 **A.** And then he did it again over here to confirm what  
25 he did here. (Indicating.)

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1 Q. Okay. And so do you know if the amount, the one  
2 -0- five amount was ever ultimately paid to your father?

3 A. No.

4 Q. You don't know, or it was not?

5 A. I don't know.

6 Q. Okay. You never asked him?

7 A. No.

8 Q. Okay. Do you know or do you have any  
9 understanding as to any payments made by Salem to the batch  
10 plant in Jordan?

11 A. No, ma'am.

12 Q. So in all your conversations with Salem, you've  
13 never heard him talk about that payment?

14 A. No, I don't think that ever existed.

15 Q. All right. So you don't think that the payment  
16 for the 150,000 went to the batch plant?

17 A. No.

18 Q. Okay. And you base that on what knowledge?

19 A. Him.

20 Q. All right. Why?

21 A. Because he comes up with things every day. This  
22 is this, or this is that. This is this. Your father is  
23 this, your father is that. Your father is this. And it's  
24 all bogus.

25 Q. Okay. So the reason that you don't believe the

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1 hundred and fifty went to the batch plant is because --

2 **A.** That's what he's assuming, ma'am. I don't mean to  
3 overtalk you, but he's -- he's telling me, or you're telling  
4 me that he paid 150,000 in -- in -- in -- in the Middle  
5 East, and there's no proof of it. There's nothing to prove  
6 that anything was done that way. But it's only what he  
7 thinks in his mind. So I don't know what he has in his mind  
8 thinking that we're some cash cow that we're going to keep  
9 funding whatever he wants and whatever he accuses us of.

10 **Q.** Okay. Have you seen the document that shows the  
11 transfer of the funds to the batch plant?

12 **A.** No, ma'am.

13 **Q.** Okay. If there is a document that demonstrates a  
14 transfer of property to the batch plant, would that -- well,  
15 let me just ask you this: You're not aware of that  
16 document, correct?

17 **A.** No, ma'am.

18 **Q.** Okay. All right. And did you have any  
19 discussions with your father relating to any payments going  
20 to the batch plant?

21 **A.** We discussed with my late father anything that he  
22 claimed, and my dad denied it.

23 **Q.** Okay. All right.

24 (Respite.)

25 There was a deposit for \$150,000 made in

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1 St. Thomas. Do you have any knowledge or information  
2 relating to the hundred and fifty that would ultimately be  
3 the transfer?

4 **A.** I have no idea what you're talking about. I don't  
5 recall what deposits or what anything. I mean, unless you  
6 show me what it is, I can comment on it, but for me to tell  
7 you yes or no, I -- I don't know.

8 **Q.** All right. So you don't have any information  
9 about -- to specifically refute Mr. Yusuf's testimony that a  
10 deposit was made in order to pay to the batch plant in  
11 St. Thomas?

12 **A.** Of course I'm going to refute it, because there's  
13 no proof of it.

14 **Q.** But I'm just saying, you don't have any other  
15 independent knowledge?

16 **A.** I don't get your question.

17 **Q.** You don't know anything about the 150,000,  
18 correct? For the batch plant?

19 **A.** Yeah, I don't know anything about it.

20 **Q.** Okay. All right. You worked primarily in  
21 St. Thomas, correct?

22 **A.** Yes, ma'am.

23 **Q.** Okay. And you're familiar with the containers  
24 that are outside of the Tutu Park store, correct?

25 **A.** Yes, ma'am.



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1           **Q.**    Okay.  And it's true that those containers are  
2 used for storage; is that right?

3           **A.**    Yes, ma'am.

4           **Q.**    All right.  Let me hand you what's been marked as  
5 Exhibit 7.

6                                Have you had an opportunity to review this?

7           **A.**    I looked through it, yes.

8           **Q.**    All right.  Exhibit 7 is a calculation prepared by  
9 Mr. Yusuf.

10          **A.**    Based on bogus numbers.  Just want to put that in  
11 the record.

12          **Q.**    All right.  So let me just ask you these  
13 questions.

14                                How many containers are in St. Thomas?

15          **A.**    Eight.

16          **Q.**    Eight.  Okay.

17                                How many containers were in St. Thomas that  
18 were utilized for storage at the time of the bidding and the  
19 split?

20          **A.**    That had product in them?

21          **Q.**    That were used for storage?

22          **A.**    About four.

23          **Q.**    Okay.  Was one of the containers a 45-foot  
24 container?

25          **A.**    They're all 45-footers.

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1           **Q.**    Okay.  So they're all 45?

2           **A.**    I think there's two that are 40.

3           **Q.**    Okay.  And I'm talk -- and let me just -- I'm -- I  
4 am limiting these questions to the time frame of the bidding  
5 and the split.

6           **A.**    Um-hum, yes.

7           **Q.**    Okay.  So which would be, let's say, the end of  
8 April 2015.

9           **A.**    Yes, ma'am.

10          **Q.**    Okay.  So on the property, at the end of April of  
11 2015, you're saying that there were four 45-foot containers;  
12 is that right?

13          **A.**    Yes, ma'am.

14          **Q.**    Okay.  And were those four -- well, let me ask you  
15 this:  Are you familiar with what was in those four 45-foot  
16 containers at the time of -- end of April, 2015?

17          **A.**    Yes, ma'am.

18          **Q.**    Okay.  I just have to establish that you knew what  
19 was there.

20          **A.**    Sure, yes.

21          **Q.**    All right.  So inside the four 45-foot containers,  
22 were they all containing product that was stored at that  
23 time?

24          **A.**    They had some product.

25          **Q.**    Okay.  Do you have an inventory of what was in

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1 those four containers as of the end of April of 2015?

2 **A.** No, I don't.

3 **Q.** Okay. Would you normally have had an inventory of  
4 those containers as of April of -- end of April of 2015?

5 **A.** If we done the inventory with that RGIS company,  
6 then it should be there.

7 **Q.** Okay. So do you know if one was done by the RGIS  
8 company at the end of April of 2015?

9 **A.** Yes, ma'am. And the person who had record of the  
10 RGIS information was his son.

11 **Q.** Okay.

12 **A.** And his son is the one that dealt with all the  
13 technical stuff. I don't have no knowledge of -- the only  
14 thing I get from them is a report saying how much inventory  
15 we have per department.

16 **Q.** Okay.

17 **A.** And the total value of that inventory.

18 Now, he has to get it deciphered or whatever  
19 and then he presented it to us. Just like my brother in  
20 St. Croix: He gets it. He gets it deciphered from the guy,  
21 our tech in the States, and then they present it to us, or  
22 both sides of the family.

23 **Q.** Okay. So what you're saying is, is that there's a  
24 document somewhere and that document would -- was prepared  
25 by a company called, I'm sorry, RGIS?

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1           **A.**    RGIS.

2           **Q.**    Okay.  And would RGIS do the deciphering or would  
3           RGIS do both the initial data and the deciphering?  You said  
4           that there were sort of two issues.

5           **A.**    Well, yeah.  RGIS gets the numbers and then they  
6           plug it into the company that we bought our system from and  
7           he creates a program that reads it and then he gives us the  
8           numbers.

9           **Q.**    Okay.  So you get one report, is what I'm trying  
10          to understand.

11          **A.**    Yes, ma'am.

12          **Q.**    So you get one report and then the report, would  
13          it break it down by --

14          **A.**    Yes, ma'am.

15          **Q.**    Hold on.  Let me finish the question.

16                   **MR. HARTMANN:**  Wait.  Go ahead.

17          **Q.**    **(Ms. Perrell)**  Yeah.  Let me finish the question.

18                   Would it break it down by where certain  
19          inventory was stored?

20          **A.**    No, it would break it down by department.

21          **Q.**    All right.  So by department.

22                   Can you tell me -- give me an example of the  
23          different departments?

24          **A.**    You got grocery, produce, meat, dairy, non-food,  
25          pet food, health and beauty.

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1           **Q.**    Okay.

2           **A.**    Et cetera, et cetera.

3           **Q.**    From the reports that you're discussing that were  
4 ultimately provided by RGIS, can you tell, by looking at any  
5 of those reports, where certain products are stored on -- in  
6 the Tutu Park area, whether it's inside the store or whether  
7 it's in the containers?

8           **A.**    No, ma'am.

9           **Q.**    Okay.  So -- so there -- so there is not an  
10 inventory that you can point to that says this is exactly  
11 what was in those containers, --

12          **A.**    Okay.

13          **Q.**    -- correct?

14          **A.**    Correct, but let me elaborate a little bit for  
15 you.

16                        So when I hire a company and say, Hey,  
17 listen, I want you to do inventory, they go and do the  
18 inventory.  They don't tell me -- maybe on their books they  
19 would have Aisle 1, this is the numbers.  Aisle 5, this is  
20 the numbers.  Meat, this is the numbers.  Containers, this  
21 is the numbers.  No, they just give us a grand total.  They  
22 would have the information.  And the person who was in  
23 charge of taking care of the RGIS documents was his son.

24          **Q.**    Okay.  Nejeh, is that who you're talking about?

25          **A.**    Yes, ma'am.

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1           **Q.**    So -- but the inven -- let me ask you this: So  
2 the folks that are doing the inventory, are they coming in  
3 physically and doing inventories?

4           **A.**    Yes, ma'am.

5           **Q.**    Okay. And how often did they come in?

6           **A.**    Every year.

7           **Q.**    Every year?

8           **A.**    Yes, ma'am.

9           **Q.**    All right. What time of year did they come in?

10          **A.**    Around February.

11          **Q.**    Okay. So -- and how long did it take them to do  
12 these inventories?

13          **A.**    Approximately between 3 to 5-6 days.

14          **Q.**    Okay. So if they came in February, their  
15 inventory would be, let's assume they came any time in  
16 February, their inventory would be as of February; is that  
17 right?

18          **A.**    Yes.

19          **Q.**    Okay. So their inventory would not indicate what  
20 was the inventory in the end of April of 2015, correct?

21          **A.**    Correct.

22          **Q.**    Okay. But it would be a snapshot; is that  
23 correct?

24          **A.**    Yeah. Well, I don't know if it's a snapshot or  
25 what. That's their job. I don't do inventory.

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1           **Q.**    Okay.

2           **A.**    My point is, any time we do inventory throughout  
3 our three stores, we've always, always depleted the  
4 inventory so we don't have much inventory to do. So our  
5 inventory is always at its lowest, not at its highest.

6           **Q.**    Before these people come in?

7           **A.**    Yes.

8           **Q.**    Okay. So the people came in --

9           **A.**    So we don't order -- I'm sorry to cut you off. We  
10 don't order containers and containers and containers. We  
11 hold off on ordering so when they come in -- remember, when  
12 they're here, if they got to do it when it's really packed,  
13 it's going to take them 2 weeks to do the inventory. But if  
14 it's enough for them to come in, go out, it's -- that's what  
15 we always do.

16          **Q.**    Okay.

17          **A.**    And they know that.

18          **Q.**    All right. So the inventory that they're  
19 checking, these RGIS folks are checking, is a deflated  
20 inventory from what is typically there throughout the year,  
21 correct?

22          **A.**    Correct.

23          **Q.**    And we don't have an inventory from the RGIS folks  
24 for the end of April 2015, correct?

25          **A.**    They have that.

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1           **Q.**    Okay.  But you said that the inventory was  
2 conducted in February?

3           **A.**    Around February, yes.

4           **Q.**    Okay.  So what I'm asking you is, we don't  
5 actually -- the RGIS folks wouldn't have done an inventory  
6 for April, correct --

7           **A.**    No --

8           **Q.**    -- because you said they did them in February?

9           **A.**    -- because -- because the Tutu Park store was not  
10 going to be sold based on inventory, it was going to be a  
11 bidding process, and we bid on it, and we bid on it, and we  
12 bid on it until we won it.  Once we won it, it doesn't  
13 matter whether it had \$10 million in it or it had \$1 million  
14 in it.  We're buying it as is.

15          **Q.**    Okay.

16          **A.**    And that was the agreement with our attorneys and  
17 the Yusufs.

18          **Q.**    Okay.  I understand that --

19          **A.**    Okay.

20          **Q.**    -- that's your position.

21          **A.**    Yes.

22          **Q.**    And I'm not sitting here arguing with you --

23          **A.**    Yes.

24          **Q.**    -- about those -- those -- those arguments.

25                    What I'm asking you is, is we -- you do not



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1 have access to an inventory as of the end of April of  
2 2013 -- 15 for the containers in Tutu Park?

3 **A.** No, I don't, but I knew what was in them.

4 **Q.** Okay. So -- but -- but RGIS doesn't have one?  
5 There's no inventory, formal prepared inventory, correct?

6 **A.** I don't know.

7 **MR. HARTMANN:** We'll stipulate there wasn't.

8 **Q. (Ms. Perrell)** Okay. Well, that would have saved  
9 some time. Okay. All right.

10 So you're saying -- Mr. Yusuf has listed here  
11 various containers. And you're -- I just want to  
12 understand. He's saying that there was five containers on  
13 the site as of the end of April of 2015, and you are saying  
14 there's four containers on the site?

15 **A.** I guess.

16 **Q.** Well, do you know how many containers were on the  
17 site --

18 **A.** I told you previously how much containers we have.

19 **Q.** But then I wanted to backtrack.

20 At the -- in April of 2015, --

21 **A.** Yes.

22 **Q.** -- how many containers -- do you know how many  
23 containers were on the site used as storage?

24 **A.** Eight containers.

25 **Q.** Eight containers?

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1           **A.**    Yes, ma'am.

2           **Q.**    Okay.  On the site used as storage?  Not moving  
3 containers?

4           **A.**    Eight containers.

5           **Q.**    Okay.  All right.  And the eight containers had  
6 product in them?  You've already established that?

7           **A.**    No, ma'am.  Not all eight had product.

8           **Q.**    Okay.

9           **A.**    And I already stated that; I said about four or  
10 five of them --

11          **Q.**    Okay.

12          **A.**    -- have product in them, the others, no.

13          **Q.**    All right.  So of the four or five --

14          **A.**    Yes.

15          **Q.**    -- that had product in them, what type of product  
16 was in those containers?

17          **A.**    For example, cups --

18          **Q.**    Um-hum.

19          **A.**    -- from Monte Santos.  Proctor & Gamble, some  
20 paper towel.  Some dish liquid.  Water.

21          **Q.**    Um-hum.

22          **A.**    We had a container of water out there.  And then  
23 we had some supplies, such as bowls and -- and what you call  
24 it?  Liquor boxes and plastic bags.

25          **Q.**    Okay.  So have you undertaken to determine a value

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1 for the containers that had product in them, the four to  
2 five containers that had product in them, as of April 30th,  
3 2015?

4 **A.** No, ma'am, because why would I need to?

5 **Q.** Okay. I'm just asking if you've done it?

6 **A.** No, no, I'm serious. And even -- even his  
7 evaluation of what he's done, he has never opened the  
8 containers, nor him, nor his son. They have never worked  
9 those containers. They don't even know what it looks on the  
10 inside.

11 **Q.** Okay.

12 **A.** I've worked them with my hands. I've offloaded  
13 them. I've packed them. I did everything with them. I  
14 order for the store, they don't.

15 **Q.** Okay. So of those products that you've just  
16 described, do you have any valuation or any basis to contest  
17 his valuation of the \$415,000?

18 **A.** I contest all of it.

19 **Q.** Okay. You don't have an alternative value?

20 **A.** The valuation shouldn't even be considered because  
21 when we bid -- when I made the bid for the store, Judge Ross  
22 was there and he told him that was part of the deal. The  
23 forklifts was part of the deal. The only thing that Judge  
24 Ross gave him was the car, which they still had to pay for.

25 **Q.** Okay. I'm just asking you, do you admit that

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1 there were four to five containers that had product in them  
2 at the time of the bidding?

3 **A.** Yes.

4 **Q.** Okay. And my question to you is, is do you know  
5 the value of the product that was in there? There's clearly  
6 value in there.

7 **A.** It's -- my estimation right now, if I look at it  
8 top of my head, no more than maybe \$10,000-\$15,000.

9 **Q.** All right. And you've not undertaken any effort  
10 to try to actually determine those values, correct?  
11 Besides, just you said, off the top of your head?

12 **A.** Yeah, because I work it. I mean, you're an  
13 attorney. You know how you can judge a case. Well, I can  
14 judge my work by knowing what inventory I have.

15 **Q.** All right.

16 **A.** But you're in a profession, I'm in a profession.

17 **Q.** So your review of these various invoices and so  
18 forth, are you contending that these are representative of  
19 the kinds of things that were in there?

20 **A.** Of course.

21 **Q.** All right. And other than that, no -- other than  
22 what you've just stated today, nobody has undertaken to  
23 determine a full value of those four to five containers that  
24 had product; is that correct?

25 **A.** That's correct.

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1           **Q.**    Okay. All right. In August of 2012, the Yusufs  
2           sent a letter -- provided a letter to the Hameds indicating  
3           that they would be removing \$2.7 million, and they provided  
4           a basis for why the 2.7 they were claiming is an offset to  
5           other amounts that had previously been taken by the Hameds.

6                                Are you familiar with that?

7           **A.**    No, ma'am.

8           **Q.**    Okay. Is your knowledge relating to the 2.7  
9           something that you simply know as a result of being in this  
10          lawsuit?

11          **A.**    Yeah. I mean, just -- I mean, reading about it.

12          **Q.**    Okay. So it wasn't anything that you knew about  
13          before the lawsuit was filed?

14          **A.**    No, I think most of that happened on St. Croix.

15                                (Respite.)

16          **Q.**    Okay. All right. All right. You said you worked  
17          primarily in St. Thomas; is that correct?

18          **A.**    Yes, ma'am.

19          **Q.**    And there was a procedure -- and I'm just going to  
20          go from 2011 forward, because I know there was a different  
21          procedure relating to taking cash out of the safes before,  
22          so I'm going to frame these questions from 2000, let's say  
23          '11, forward, all right?

24                                So it's my understanding that the -- the  
25          process for removing the funds from -- or any cash from the

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1 safe was to provide the receipts for any kind of a business  
2 expense, and tally it up after a week or two, and remove  
3 cash from the safe.

4 Is that your understanding of the cash  
5 process?

6 **A.** No.

7 **Q.** All right. So what is the cash removal process  
8 from the safe in St. Thomas from the period 2011 forward?

9 **A.** It wasn't much. After the FBI raid, we didn't  
10 move any -- hardly any money.

11 **Q.** Okay. And when I say "removing cash," what was  
12 the process for reimbursing one, an employee or yourself or  
13 Nejeah, for removing or for purchasing things for the store,  
14 business expenses?

15 **A.** You show a receipt, you get the money.

16 **Q.** Okay. And when you say you "show a receipt," who  
17 are you showing the receipt to?

18 **A.** Whoever is in charge of the safe.

19 **Q.** Okay. And who was typically in charge of the  
20 safe?

21 **A.** Which safe?

22 **Q.** The one in St. Thomas?

23 **A.** Which safe?

24 **Q.** Okay. So there's more than one safe?

25 **A.** Yes, ma'am.

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1           **Q.** All right. So what is the process if, let's say  
2 you incurred an expense, a hotel expense, for example? You  
3 went on a trip and you're turning it in as a business  
4 expense. I don't know if it was a show or something. And  
5 you were to get reimbursed, how would you go about doing  
6 that?

7           **A.** I'd take that to the girl that's counting the  
8 money in the back. I gave her my receipt. She gives me the  
9 cash.

10          **Q.** Okay. So that has nothing to do with the safe?

11          **A.** She is in charge of the safe.

12          **Q.** Okay. I'm trying to understand. I don't know  
13 who -- when you say "the girl in the back," you know, I  
14 haven't seen the process, so I don't know the process.

15          **A.** Well, he's the boss. He was the boss then, he  
16 should have known.

17          **Q.** Okay. So -- but I'm asking you for your testimony  
18 of how it's supposed to work.

19          **A.** Okay. All right. Cool.

20          **Q.** All right. So which safe is she in charge of?

21          **A.** A small safe upstairs in the office.

22          **Q.** Okay. Would you consider that to be like a petty  
23 cash type safe?

24          **A.** It is for petty cash and it is for change.

25          **Q.** Okay. So is that the only manner in which you

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1 went to be able to receive reimbursements for business  
2 expenses?

3 **A.** Yes, ma'am.

4 **Q.** And do you know if that's the only way that Nejah  
5 went to receive reimbursement for business expenses?

6 **A.** No.

7 **Q.** Okay. Is it -- do you have an understanding as  
8 how Nejah reimbursed himself for business expenses?

9 **A.** Oh, he just goes into safes and takes whatever he  
10 wants.

11 **Q.** Okay. So did Nejah provide receipts?

12 **A.** All right. I think I know where you're going with  
13 this, but let me just elaborate.

14 The safe, the big safe, Nejah would write  
15 checks in there and put it against the -- take -- put the  
16 checks in and take money out. It was his responsibility to  
17 make -- keep a total on it, because when the FBI had it, it  
18 had a total. When we -- when I bought the store and we  
19 counted the safe, it was short money, okay? Even with his  
20 checks being added, it was short money.

21 Second, the next -- there's another safe down  
22 below, which is also for the cashiers, and we used that also  
23 for change, and he uses it for petty cash. And he would  
24 have a little tally sheet and he would write 5,000, 2,000,  
25 1,000, whatever he needed the money for, he just takes the



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1 cash out and just write on a piece of paper, 1,000, 1,000,  
2 1,000.

3 So if that paper was just -- it's this big.  
4 I'm sure you guys have copies of it, but if it gets lost,  
5 then the money is gone.

6 **Q.** Okay. I'm asking so -- I appreciate what you're  
7 saying, but what I'm asking is, after 2011, did this process  
8 continue?

9 **A.** Yes.

10 **Q.** Okay. All right. You guys are making a claim in  
11 this case for certain things that -- let's see, what are we  
12 on? Exhibit 9.

13 (Deposition Exhibit No. 9 was  
14 marked for identification.)

15 I have a copy for you.

16 **A.** I really can't see this. It's too small.

17 **Q.** All right. This is how it was provided to us.

18 **MR. HARTMANN:** What -- what is this, 9?

19 **Q.** (Ms. Perrell) Yeah.

20 Let me ask you this: And I know it's small,  
21 but have you ever seen -- seen this document before?

22 **A.** I mean, I can't even see what's on it, to be  
23 honest with you. I can't read any of the things here.

24 **Q.** All right. Let me direct your attention to -- on  
25 the bottom. All right. Let me direct your attention to --

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1 I want to use this JVZ Number, 1180?

2 **A.** Um-hum, okay.

3 **Q.** All right. About midway down the page, there's a  
4 little -- a little dot. I know it's very difficult to read.  
5 The dot indicates '06, I'm just going to say 2013, or '05,  
6 2013. It says Willie. It says something about Rodriguez  
7 Gas, and then it says \$50.

8 Do you see that?

9 **A.** Yes.

10 **Q.** All right.

11 **A.** I can't see it, but I'm assuming that's what  
12 you're saying.

13 **Q.** All right. What I'm asking you is, is we  
14 understand that this indicates this is for the cash room,  
15 large safe, receipt count, do you see that at the top?

16 **A.** Yes.

17 **Q.** Okay. And that Humphrey Caswell was, I guess,  
18 maintaining this.

19 Are you aware that he would do that?

20 **A.** This is one of the -- I can't really read all this  
21 stuff, but this is one of the things that I contested with  
22 Mr. Humphrey and Neje --

23 **Q.** Okay.

24 **A.** -- because I did not agree with this.

25 **Q.** Okay. What I'm asking is, is did you, as part of

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1 the process, did you, for example, turn in a receipt for gas  
2 and then get reimbursement for it?

3 **A.** Of course.

4 **Q.** Okay. So -- and did Nejeh do the same thing?

5 **A.** Well, this is where our claim is. He is having  
6 other businesses charging my store for me to pay for his  
7 elaborate life.

8 **Q.** Okay.

9 **A.** This is why we're contesting all this stuff, --

10 **Q.** Okay.

11 **A.** -- okay? Okay.

12 **Q.** What I'm asking you, though --

13 **A.** Sure.

14 **Q.** -- is to the extent that all of these say, you  
15 know, gas, or any -- there's certain business expenses that  
16 certainly Nejeh incurred, correct, on behalf of the  
17 business?

18 **A.** I guess.

19 **Q.** Okay. Well, are you saying that -- you're making  
20 a claim, and the document, the first two pages --

21 **A.** Um-hum.

22 **Q.** -- basically says that out of all of these  
23 documents that are reflected in Mr. Humphrey's listing,  
24 certain ones are attributable to Nejeh. Humphrey's document  
25 has got everybody, all right?

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1           **A.**    Okay.

2           **Q.**    So of the ones attributed to NejeH, you all are  
3           contending and claiming that the \$53,384.67 was not an  
4           appropriate business expense, or should be further  
5           elaborated upon.  And I'm trying to understand, what was the  
6           process?

7                         If, for example, you had purchased gas for  
8           \$50 and you got reimbursed, what would you do?

9           **A.**    Same thing you said earlier; go to the girl and  
10          she gives me the money.

11          **Q.**    All right.  And then that would be noted here, --

12          **A.**    Yes.

13          **Q.**    -- correct?

14          **A.**    Well, I don't know noted here.  Like I said, I'm  
15          not aware of this report because I can't read the report, --

16          **Q.**    Okay.

17          **A.**    -- okay?

18                         I cannot see each item.  But what you're  
19          telling me, I could see the same number here, the same  
20          number here, and I'm assuming this says NejeH.  I mean, he  
21          has, what, all 30, 20 something of gas, gas, gas, gas.  What  
22          is he doing, flying to St. Croix and back?  Where I'm using  
23          gas once every week or once a week or every 2 weeks or 3  
24          weeks, but he's using it every day.

25          **Q.**    Okay.

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1           **A.**    So what vehicles is he filling up --

2           **Q.**    All right.

3           **A.**    -- and I'm paying for?

4           **Q.**    Did you ever receive on any of the gas receipts  
5 cash and then split that reimbursement with NejeH?

6           **A.**    No.

7           **Q.**    Did he ever do that with you?

8           **A.**    No.

9           **Q.**    All right. Are you contesting, for example --  
10 beyond the gas issues, are you contesting, for example, if  
11 there's a document that relates to toner cartridges or  
12 something along those lines, that that wouldn't be  
13 considered a business expense?

14           **A.**    I don't know he was buying it for. He had other  
15 businesses. He would always come -- I mean, this is why I  
16 am contesting what Humphrey did and what Gaffney did,  
17 because Gaffney and Humphrey worked for them, they didn't  
18 work for us. They keep giving us the sham about, Oh, we're  
19 here for Plaza, Plaza. No, you're not. You work for them.  
20 And every time I question it, it's a -- it's a problem. Oh,  
21 they don't give me the information.

22                   Well, I need to know if NejeH's using these  
23 cartridges or this gas or whatever it is that he's charging  
24 for his business on the side, and not mine.

25           **Q.**    Okay. So at the time that this was being done,

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1 did you -- let me ask you this: The receipts for -- let's  
2 just use your example --

3 **A.** Yes.

4 **Q.** -- for your gas, your \$50 gas.

5 **A.** Yes.

6 **Q.** Where would the receipt go?

7 **A.** To the office.

8 **Q.** Okay. So those, all those receipts, should be in  
9 the office?

10 **A.** With the person who prepared this paper.

11 **Q.** Okay. All right. And have you -- and that's in  
12 St. Thomas?

13 **A.** Of course.

14 **Q.** All right. And you have access to the records in  
15 St. Thomas?

16 **A.** Every record that is before when we bought the  
17 store, we've cleaned up.

18 **Q.** Okay. What do you mean, "cleaned up"?

19 **A.** Whatever documents that we didn't have -- that  
20 belonging to the old regime, we got rid of it.

21 **Q.** You destroyed it?

22 **A.** I don't know what we did with it, but I -- I know  
23 it's not in my office.

24 **Q.** Okay. Did you -- did you -- did you have it  
25 shredded?

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1           **A.**    I don't know, ma'am.

2           **Q.**    Okay. Well, you did something with it?

3           **A.**    Clearly, but I just don't remember what I did with  
4 it. Maybe it's sitting in the back, maybe it's in the  
5 garbage. I mean, it could be anywhere.

6           **Q.**    Okay. So the receipts, however, that would back  
7 up this documentation from the period of time before you  
8 guys took over the store, would be in St. Thomas, correct?

9           **A.**    Unless they took it out.

10          **Q.**    Okay. Have you undertaken to even look to find  
11 these receipts?

12          **A.**    Ma'am, I don't even know what's on here right  
13 now --

14          **Q.**    Okay.

15          **A.**    -- 'cause my glasses cannot see these --

16          **Q.**    Okay.

17          **A.**    -- and I've expressed that three times.

18          **Q.**    Okay. What I'm asking, though --

19          **A.**    Yes.

20          **Q.**    -- is that your family is making a claim for the  
21 50-some-odd thousand dollars, what you contend, the family  
22 contends, is unsubstantiated business expenses from Neje?

23          **A.**    Yeah.

24          **Q.**    And your accountants and attorneys have provided  
25 these documents --

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1           **A.**    Right.

2           **Q.**    -- as what it is that you're questioning or  
3 claiming were improper business expenses.

4                         And so my question to you is, where would  
5 these receipts be?

6           **A.**    I would look for them for you.

7           **Q.**    Okay. Have you undertaken to look for them before  
8 now?

9           **A.**    No, ma'am.

10          **Q.**    Okay. And it's your -- also your testimony that  
11 any of the documentation that remained at the store as of  
12 the time that you took over, you've gotten rid of it?

13                         **MR. HARTMANN:** Object. Mischaracterizes his  
14 statement.

15          **Q.**    **(Ms. Perrell)** You can still answer.

16          **A.**    I don't know exactly what we did with it, but I  
17 know it's not in my office office. We have warehouses.  
18 Maybe it's in the warehouse.

19          **Q.**    Okay.

20          **A.**    Or maybe it's in the garbage. I really don't  
21 know. I would have to go physically and check.

22          **Q.**    All right. All right.

23          **A.**    And, for the record, I want to say that I heard  
24 Yusuf numerous time telling his son, Steal money from Plaza.  
25 Steal money from Plaza.



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1           **Q.** All right. Unresponsive. I would ask you to just  
2 simply respond to the questions that are asked.

3                         All right. Do you have any information  
4 relating to checks that were payable to NejeH in the period  
5 of time, 2013?

6           **A.** I don't understand what checks.

7           **Q.** Okay. Didn't there come a point in time when the  
8 family, with the Hamed family and the Yusuf family obviously  
9 were fighting as a result of this lawsuit being filed, and  
10 the requirement was for any and all checks that were to be  
11 written, to have a signature from both, someone from the  
12 Hamed family and someone from the Yusuf?

13           **A.** Yes.

14           **Q.** Okay. And that was also established as a practice  
15 in Tutu Park, correct?

16           **A.** Yes.

17           **Q.** Okay. And that was done after the lawsuit was  
18 filed, correct?

19           **A.** I assume.

20           **Q.** Okay. And would it be fair to say that if your  
21 signature is on a check that was payable to NejeH for some  
22 reason, that you ultimately approved that payment?

23           **A.** I don't want to say -- I don't want to agree with  
24 you to say approve, because sometimes we -- I had to make  
25 payments to his credit card based on the fact that, you

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1 know, he's charging bogus stuff, but yet not for me to get  
2 his credit messed up, I still paid -- made the payment.

3 **Q.** Okay. So it's your testimony that despite the  
4 fact that you may have signed a check, that that doesn't  
5 necessarily mean you approved the payment?

6 **A.** Yes.

7 **Q.** All right. You're making claims, your family is  
8 making claims in this case for six different checks that  
9 were payable to NejeH in 2013.

10 Do you have any reason to contest those  
11 checks?

12 **A.** If I can --

13 **MR. HARTMANN:** Object. Object. He hasn't  
14 been shown the checks. He knows nothing about them. If you  
15 want to be specific?

16 **Q.** (Ms. Perrell) Let me just hand you what we will  
17 mark -- and I didn't make a copy of this one. Let me show  
18 you what's been marked as Exhibit 10.

19 (Deposition Exhibit No. 10 was  
20 marked for identification.)

21 I'll just show it to counsel first. We'll  
22 make a copy later. This is the supporting documentation  
23 that you guys --

24 **MR. HARTMANN:** I -- I object unless you have  
25 the actual checks, but you can show it to him.

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1 **MS. PERRELL:** Okay.

2 **MR. HARTMANN:** I mean, he can't tell anything  
3 from a typed list.

4 **Q. (Ms. Perrell)** Okay. Let me ask you -- let me hand  
5 you what's been marked as Exhibit 10. And ask if you have  
6 any familiarity with these specific checks?

7 **A.** I don't even know what they represent.

8 **Q.** Okay. So do you have any further information  
9 relating to the -- this particular claim?

10 **A.** If I can see the checks, yes.

11 **Q.** Okay. Have you provided these checks? Have you  
12 provided these checks, 'cause I did not find it in any of  
13 your filings?

14 **MR. HARTMANN:** We provided the checks in  
15 discovery, yes.

16 **MS. PERRELL:** Okay. Do you have the checks?

17 **MR. HARTMANN:** With us now? No.

18 **Q. (Ms. Perrell)** Yeah. You do not. All right.

19 So have you had an opportunity to review the  
20 checks that are the basis of this claim prior to coming in  
21 here today?

22 **A.** No.

23 **Q.** Okay. There's another claim that your family is  
24 making, and there's no particular documents associated with  
25 this claim, and it seems to indicate -- actually, let me

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1 find the claim.

2 The nature of the claim is that the  
3 partnership -- your family is contending that the  
4 partnership resources, such as a compressor, shipping  
5 containers, personnel, and trucks were used by NejeH for his  
6 personal business expenses.

7 Do you have any knowledge relating to any of  
8 these allegations?

9 **A.** Well, we -- before the store was -- went up for  
10 bid, NejeH went and took a lot of equipment, a lot of items  
11 that belonged to the store and sold them. And I have a  
12 witness that's willing to come out and testify of what he  
13 did with those items that he took out of the store.

14 He took everything out of his office that was  
15 belonging to Plaza Extra Tutu, whether it's a computer,  
16 whether it's the laptop, whether it's the monitor, whether  
17 it's the TV, whether it's numerous things, I have employees  
18 telling me and showing me of him taking pallets and pallets  
19 of product out of the store.

20 I have customers telling me that NejeH was  
21 selling them product out of the store, and that was never  
22 rung into the store.

23 **Q.** Who are the names of these employees?

24 **A.** I will get you them.

25 **Q.** I need them now.

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1           **A.**    I don't know who they are, ma'am.

2           **Q.**    Have you identified them previously?

3           **A.**    I've spoken to them. I've never said, Hey, I'm  
4 going to use you in court or anything, but I just -- they  
5 told me that, and that's why I'm bringing it up.

6           **Q.**    All right. And are these individuals anybody that  
7 you have told to your attorneys?

8           **A.**    No, I never brought up their name, because I never  
9 thought it was going to, you know. I did mention it, yeah,  
10 that he was stealing. He was taking this, he was taking  
11 that, he was taking this.

12          **Q.**    Okay. And these are witnesses that you believe  
13 would testify to these -- the facts that you just stated?

14          **A.**    I would hope they would.

15          **Q.**    Okay. And you're saying you don't know these  
16 folks' names?

17                   **MR. HARTMANN:** We'll stipulate that they will  
18 not be calling them as witnesses. The employees. He  
19 said -- I don't know about the other one. You said there  
20 was an individual.

21          **A.**    Yes.

22                   **MR. HARTMANN:** Do you know who that is?

23          **A.**    Yes.

24                   **MR. HARTMANN:** Okay. You can tell her that.

25          **A.**    Fadi Mansour.

**WAHEED "WILLIE" HAMED -- DIRECT**

1           **Q.**    **(Ms. Perrell)** All right. And who is Fadi Mansour?

2           **A.**    One of their ex-partners.

3           **Q.**    All right. And what do you understand he knows?

4           **A.**    He -- he told me that -- he told me that Nejeah had  
5 a recorder in my office recording everything I'm doing. He  
6 also told me that a lot of the merchandise, Nejeah was taking  
7 and selling it to other people.

8           **Q.**    When --

9           **A.**    And -- and -- sorry. And he was renting from us  
10 for about 3 years to 4 years in -- downstairs by the service  
11 desk, and he had owed us over \$7,000, okay? And he never  
12 paid us because Yusuf and Nejeah told him, Don't worry about  
13 it. You don't owe us anymore money. We're going to help  
14 you out. You don't have that right. I have that right,  
15 because that's my money, too. So then they went in to  
16 partners with him and now they're feuding again.

17          **Q.**    Okay. So let me just break this down.

18          **A.**    But that's Fadi Mansour.

19                   **MR. FATHI YUSUF:** Watch the lawyer, not me.

20                   **MS. PERRELL:** Okay, okay, okay, okay.

21                   **MR. FATHI YUSUF:** Watch her, not me.

22          **A.**    This is my deposition, not yours.

23          **Q.**    **(Ms. Perrell)** All right.

24          **A.**    When you were doing it, --

25                   **MR. FATHI YUSUF:** Don't watch me.

**WAHEED "WILLIE" HAMED -- DIRECT**

1           **A.**    -- I was quiet.

2                   **MS. PERRELL:** All right. All right.

3           Everybody.

4                   **MR. HARTMANN:** Excuse me, I object to  
5           non-witnesses talking at the deposition.

6                   **MS. PERRELL:** That's fine. I would also ask  
7           your witness to simply -- I'm taking the --

8                   **MR. FATHI YUSUF:** Not to insult anybody.

9                   **MS. PERRELL:** Okay. Let's everybody just --

10                  **MR. HARTMANN:** You can't talk right now.

11                  **MS. PERRELL:** Yeah, unfortunately, no one  
12           else can speak in the deposition, other than the deponent  
13           and myself, or counsel for the Hameds.

14                   I would also ask you to simply -- ask you to  
15           direct your client to respond to the questions -- respond to  
16           the questions to me so that we can keep -- keep this as  
17           civil as possible, okay? All right.

18                  **Q.**    **(Ms. Perrell)** With regard to this Mr. Mansour, you  
19           said he was renting space from Tutu Park?

20                  **A.**    Yes, ma'am.

21                  **Q.**    Okay. Are you making a claim as to the renting of  
22           space in Tutu Park that was not paid?

23                  **A.**    Yes, ma'am.

24                  **Q.**    Okay. And you're making a claim against the  
25           Yusufs for that?

**WAHEED "WILLIE" HAMED -- DIRECT**

1           **A.**    Yes, ma'am.  I mean, we'll have to discuss with my  
2 attorney on it, but --

3                   **MR. HARTMANN:**  Your deposition.

4           **Q.**    **(Ms. Perrell)**  Okay.  Have you articulated this as  
5 a claim before?

6           **A.**    I don't recall.

7           **Q.**    All right.  What's the value of that claim?

8           **A.**    Seven to \$10,000.

9           **Q.**    All right.  With regard to the computer, the  
10 monitor, the TV, and so forth, counsel has already  
11 stipulated that none of the employees are going to be called  
12 to testify relating to that.

13                   Did you personally see the computer, the  
14 monitor, or the TV taken by Yusuf, NejeH Yusuf?

15           **A.**    I -- no, I did not physically see him.

16           **Q.**    Okay.  Other than communications and conversations  
17 with employees, do you have any knowledge of pallets of  
18 product being sold by NejeH to outsiders?

19           **A.**    If I have any what?

20           **Q.**    Knowledge, other than what these people have told  
21 you?

22           **A.**    Yes, that's all.  That's all I know, is what they  
23 told me.

24           **Q.**    Okay.  All right.  Other than those things, do you  
25 have any knowledge -- it's kind of a long answer.  Let me



**WAHEED "WILLIE" HAMED -- DIRECT**

1 break it down.

2 Do you have any knowledge relating to a  
3 compressor that you believe that Fathi -- that Nejeah Yusuf  
4 misappropriated?

5 **A.** I know there's equipment that was taken out of the  
6 store.

7 **Q.** What?

8 **A.** I can't recall in detail what it is. I know there  
9 was cameras, like a box of surveillance cameras. DVRs.

10 **Q.** Okay.

11 **A.** I'm -- I'm trying to remember the list now. A  
12 compressor. I -- I think so.

13 **Q.** Okay. Did you see those things being removed by  
14 Nejeah?

15 **A.** No, but they were in his possession --

16 **Q.** Okay.

17 **A.** -- at all times.

18 **Q.** Okay.

19 **A.** Then when we were getting with our bidding  
20 process, all of a sudden, they disappeared.

21 **Q.** Okay. Other than those items that you just  
22 mentioned, you indicated that -- here, that there were  
23 certain partnership resources that were also utilized, and  
24 you also indicated personnel were utilized by Nejeah.

25 What information do you have about that?

**WAHEED "WILLIE" HAMED -- DIRECT**

1           **A.**    That he would use Plaza Extra employees to do his  
2 personal business and his -- and his things at his house and  
3 things like that.

4           **Q.**    Who?

5           **A.**    Nejeh.

6           **Q.**    Who did he use?

7           **A.**    The employees.

8           **Q.**    Who?

9           **A.**    I don't have their names. This was back in  
10 2000 -- I mean, 2014, or I don't know if we still have the  
11 same employees.

12          **Q.**    Okay.

13          **A.**    But I know I saw it in my own eyes.

14          **Q.**    So you don't know which employees?

15          **A.**    Not right now, no.

16          **Q.**    Okay. Trucks. This says that the partnership  
17 resources such as trucks were used by Nejeh for personal  
18 business.

19                    What information do you have about that?

20          **A.**    Him using the company vehicles.

21          **Q.**    Okay. Are there trucks used? Which trucks are we  
22 talking about?

23          **A.**    I don't remember, ma'am.

24          **Q.**    Okay. You don't know?

25          **A.**    I don't remember.

**WAHEED "WILLIE" HAMED -- DIRECT**

1           **Q.**    Okay. All right. Have you ever undertaken to put  
2           a value on what you believe is the extent of Nejeh's use of  
3           partnership resources?

4           **A.**    He used -- he used Plaza Extra credit card for his  
5           personal use. He used -- because he used it for Fathi  
6           business.

7           **Q.**    Okay. What I'm really asking --

8           **A.**    Yeah, I know. I'm just -- I don't -- I don't have  
9           a figure, no.

10          **Q.**    Okay. All right. All right. One of the claims  
11          that the Hameds was making is that there was expired  
12          inventory at the Plaza Extra East store that had not been  
13          appropriately credited.

14                    Do you know anything about that?

15          **A.**    That's St. Croix.

16          **Q.**    Okay. So you don't know anything about that?

17          **A.**    No, ma'am.

18          **Q.**    Okay.

19          **A.**    But we did have a lot of expired stuff in Tutu,  
20          also.

21          **Q.**    Okay. Is the Hameds making any -- they're not  
22          making any claim related to that --

23          **A.**    No, because we purchased it.

24          **Q.**    -- because you purchased it?

25          **A.**    We purchased it outright.

**WAHEED "WILLIE" HAMED -- DIRECT**

1           **Q.**   With regard to -- do you know anything relating to  
2 rents from an entity called the Triumphant Church?

3           **A.**   Yes, ma'am.

4           **Q.**   Okay.  What -- the claim that is being made here  
5 is for \$3,900.

6                           Do you know anything about that?

7           **A.**   Yes, ma'am.

8           **Q.**   What do you know?

9           **A.**   Well, we were collecting rent for -- actually,  
10 there were three businesses there:  The church, a body shop,  
11 Cliff's Body Shop, and a guy that sells plastic containers  
12 for like septic and cisterns.  And they were all paying  
13 rent.  I've collected the rent twice and I gave it to Nejeh.  
14 I wrote a receipt for that amount and I gave it to Nejeh.

15          **Q.**   Okay.  And so the nature of the claim is that --  
16 what is -- what is the nature of the claim?

17          **A.**   Our portion.

18          **Q.**   Okay.  And how much was that rent?

19          **A.**   I don't know, because he never documented it.  He  
20 put in what he wanted to put in.  When we took over the  
21 store, we had about maybe couple thousand dollars in -- in a  
22 pouch with receipts, but they were missing.  They were not  
23 corresponding.  And they only had the Triumphant Church.  
24 What about Cliff's rent?  What about the plastic guy's rent?  
25 Where's all that?

**WAHEED "WILLIE" HAMED -- DIRECT**

1                   When I received it both times, I gave it to  
2 him and I gave him a receipt, because I signed the receipt.  
3 So where's our portion of that?

4           **Q.**    Okay. From Cliff, do you have any idea what the  
5 amount of rent was for him on a monthly basis?

6           **A.**    I could -- no, I don't. I don't know it off the  
7 top of my head, no.

8           **Q.**    All right. And with regard to the other business,  
9 which was a cistern business, what was the rent --

10          **A.**    I don't.

11          **Q.**    -- for them?

12          **A.**    I don't know.

13          **Q.**    Okay. All right. Was there a point in time when  
14 you understood that there was no longer rents to be  
15 collected from this particular property and deposited into  
16 the Plaza Extra --

17          **A.**    It was --

18          **Q.**    -- stores?

19          **A.**    -- never deposited. It was all held in the safe.

20          **Q.**    Okay. Was there a point in time in which the  
21 rents were no longer collected on behalf of the partnership?

22          **A.**    They were still collected, even after -- after  
23 we -- after we bought the sore, they came by and they were  
24 saying, Hey, we're looking for Negeh, we need to pay the  
25 rent.

**WAHEED "WILLIE" HAMED -- DIRECT**

1           **Q.**    Okay.

2           **A.**    And I gave them Nejeh's number.

3           **Q.**    Okay.  So after you -- so that's what I'm trying  
4 to understand.  What is the nature of the claim?  Are you  
5 saying that you still should be receiving those rents, or  
6 no?

7           **A.**    Yes.

8           **Q.**    Okay.  So there was, in your mind, never a point  
9 in time in which the rents from these three entities should  
10 not still be collected by the partnership?

11          **A.**    They should still be collected by the partnership.

12                   **MS. PERRELL:**  Okay.  All right.  Just for a  
13 moment, to go into the reasons why the Yusufs believe that  
14 rents should no longer be connected -- collected, would be  
15 to go into our account, Jordanian property issues, so I'm  
16 going to reserve follow-up questions on that issue until we  
17 hit that, because otherwise, I think it's going to open up  
18 all of those other issues for now.

19                   **MR. HARTMANN:**  That's fine.

20                   **MS. PERRELL:**  Just making a note on the  
21 record.

22           **Q.**    **(Ms. Perrell)** All right.  Let me ask you, the  
23 Hameds are making a claim for United's corporate franchise  
24 taxes and annual fees.

25                                   Do you have any information relating to that?

**WAHEED "WILLIE" HAMED -- CROSS**

1           **A.**    No, ma'am.

2           **Q.**    The partnership is making a claim for partnership  
3 funds used to pay United Shopping Center's property  
4 insurance.

5                       Do you have any information relating to that?

6           **A.**    No, ma'am.

7           **Q.**    All right. I don't think I have any further  
8 questions subject to rebuttal.

9           **A.**    May I get a break?

10                   **MR. HARTMANN:**    Sure.

11           **A.**    Restroom break?

12                   **MS. PERRELL:**    Sure.

13                   **THE VIDEOGRAPHER:**    Going off record. The  
14 time is 11:40.

15                               (Short recess taken.)

16                   **THE VIDEOGRAPHER:**    Going back on record. The  
17 time is 11:48.

18                               **CROSS-EXAMINATION**

19           **BY MR. HARTMANN:**

20           **Q.**    I'd like to ask you just a couple quick questions  
21 about things that you testified to counsel about.

22                       You said that when RGIS did the inventory  
23 with the trailer, they did all of the inventory together.  
24 They didn't treat the trailers' inventory separately from  
25 the store inventory, or other inventory; is that correct?

**WAHEED "WILLIE" HAMED -- CROSS**

1           **A.**    That's correct.

2           **Q.**    Okay.  And you also testified, I think, that prior  
3 to the sale, there was a discussion with Judge Ross?

4           **A.**    Yes, sir.

5           **Q.**    And tell me what that discussion was.

6           **A.**    Well, Yusuf brought up the fact that the trailers,  
7 the forklifts, and the car should not be a part of the bid.  
8 And Joel and myself and my brother and him argued that it  
9 is, and the judge permitted it.  So he -- the only thing  
10 that he let them have was the car, which they turned around  
11 and paid us -- paid a small amount for the vehicle.  But the  
12 forklifts and the containers were discussed at that point  
13 and the judge gave it to us.

14          **Q.**    Okay.  And if anybody at Tutu had any data sheets,  
15 spreadsheets, or similar stuff from RGIS, who would that  
16 have been?

17          **A.**    It would have been NejeH.

18          **Q.**    Okay.  And do you know where they are now?

19          **A.**    I don't know.

20          **Q.**    Okay.  You were also asked about documents.  And  
21 you said that you didn't know exactly where they are now and  
22 that some may have been thrown out.

23                    Isn't it true that those documents have been  
24 stored, and that counsel for Dudley, Topper and Feuerzeig,  
25 in fact, has -- has obtained some of those documents and has



**WAHEED "WILLIE" HAMED -- CROSS**

1 those in their possession now?

2 **A.** Yes, sir.

3 **Q.** Okay. And where -- the ones that Dudley Topper  
4 doesn't have in their possession, they have boxes of those  
5 documents; is that correct?

6 **A.** Yes.

7 **Q.** Okay. And the ones that aren't, they're in  
8 storage somewhere in the --

9 **A.** Yes.

10 **Q.** -- store?

11 Do you know where that is?

12 **A.** I have an idea. Probably in the warehouse.

13 **Q.** Okay. Did you -- were you part of arrangements  
14 for a Dudley Topper person to come over and look at or copy  
15 those documents?

16 **A.** Nejeah was.

17 **Q.** Okay. And did you allow them total access to  
18 those documents?

19 **A.** Of course.

20 **Q.** And have you destroyed any of those documents from  
21 that time forward?

22 **A.** I am not certain.

23 **Q.** Okay.

24 **A.** But, I mean, I could be wrong. I mean, I could  
25 be -- you know, I don't know. I really don't know.

**WAHEED "WILLIE" HAMED -- CROSS**

1           **Q.**    But you don't recall destroying any documents  
2 after they were placed in that cold storage, right?

3           **A.**    No.

4           **Q.**    Okay.  And did Negeh come when it was arranged for  
5 him to come?

6           **A.**    Yes.

7           **Q.**    Okay.  And did they take away -- did they have  
8 full access to all those documents?

9           **A.**    Yes.

10          **Q.**    And did Negeh take away any documents he wanted?

11          **A.**    Well, it wasn't really Negeh taking the documents.

12          The documents would be taken from -- with Gaffney and  
13 Humphrey --

14          **Q.**    Okay.

15          **A.**    -- with Negeh.

16          **Q.**    Okay.  And -- and any documents that Gaffney or  
17 Humphrey or Negeh wanted were made accessible?

18          **A.**    Yes, sir.

19          **Q.**    And did they come and take documents?

20          **A.**    Yes, sir.

21          **Q.**    And have those documents been returned to you?

22          **A.**    No, sir.

23          **Q.**    So they're still in the possession of Dudley,  
24 Topper, Feuerzeig?

25          **A.**    Yes, sir.

**WAHEED "WILLIE" HAMED -- CROSS**

1           **Q.**    Okay.  You said that with regard to the  
2 handwritten document that Mr. Yusuf gave you with regard to  
3 Dortehea, that you didn't recall the date that -- that that  
4 document, that conversation took place or that document was  
5 given to you, but you did say that you remembered having  
6 sent it to Shawn and Wally?

7           **A.**    Yes.

8           **Q.**    Okay.  Was -- when you sent it to them, was that  
9 around the time that Shawn was talking about this document  
10 he had to give to Fathi?

11          **A.**    I don't -- I don't recall.

12          **Q.**    So -- so you have no way of fixing a time when  
13 that was?

14          **A.**    No.

15          **Q.**    Okay.  If Shawn testified that he got that  
16 document from you at the same time that he -- he was sending  
17 that release for the stock, giving that release for the  
18 stock to Mr. Yusuf, and Mr. Yusuf, in turn, gave it to  
19 Attorney King, you couldn't contradict that, could you?

20          **A.**    No, I couldn't.

21          **Q.**    All right.  Okay.  Have you ever discussed Fadi  
22 Mansour with -- how do you spell his name?

23          **A.**    Mansour.

24          **Q.**    Yeah, how do you spell that name?

25          **A.**    M-A-N-S-O-U-R, I guess.

**WAHEED "WILLIE" HAMED -- CROSS**

1           **Q.**    Okay.  And have you ever discussed what you just  
2 told counsel about Fadi Mansour with your counsel?

3           **A.**    No, but I think I mentioned it once.

4           **Q.**    You mentioned his name?

5           **A.**    No, not his name.

6           **Q.**    Oh, okay.

7           **A.**    No, I never mentioned his name, because I guess I  
8 never got him to say yes, I will speak.

9           **Q.**    And -- and it wasn't clear to me when you had  
10 these discussions with Mr. Mansour.  Is that something  
11 recent?

12          **A.**    Yes.

13          **Q.**    Oh, so this is how recent?

14          **A.**    Couple months.

15          **Q.**    Oh, since -- okay.  Since Christmas?

16          **A.**    Before Christmas.

17          **Q.**    Just before?

18          **A.**    Yeah.

19          **Q.**    A lot before Christmas?

20          **A.**    Fourth quarter.  I mean, between September and  
21 Christmas.

22          **Q.**    Okay.  So tell me about that conversation.  I  
23 mean, tell me everything you remember about it.  Where?  
24 What, when, where, how?  How did it come about?  Who said  
25 what?

**WAHEED "WILLIE" HAMED -- CROSS**

1           **A.**    Well, I mean, he came. He came to the store and  
2 he paid his respects. And I said, How you doing? How you  
3 doing? He's like, Yeah, man. Do you need any help? He's  
4 like, No, everything's cool, but I just -- I just wanted you  
5 to know, you know, Negeh is really -- I mean, if I may say  
6 it word for verbatim what he said, is that okay?

7           **Q.**    You can say anything you want.

8           **A.**    Okay. He said, Negeh's a piece of shit. And I  
9 tried calling his father to settle his claim and his father  
10 even start threatening me, so, you know, now we have to go  
11 get a lawsuit, you know, file a lawsuit. I said, So what  
12 happened? He's like, Well, you know, we were in partners  
13 together. Negeh was stealing stuff out of your store and  
14 selling it in our store. And he was, you know, the camera  
15 system that he took from you, he sold over there. He -- he  
16 was using all of thing and he was talking, bragging about  
17 what he's doing -- he's going to do to us and how he's going  
18 to hurt us. How he had a camera in your office, camera in  
19 the remaining office. How the money, the seven-plus  
20 thousand that he had owed us, he never paid it because Yusuf  
21 and Negeh told him not to pay it. And I said, Wow, all this  
22 information. He's like, Yep. And if you need me to  
23 testify, I will.

24           **Q.**    And where did that take place?

25           **A.**    At Plaza Extra Tutu.

**WAHEED "WILLIE" HAMED -- CROSS**

1           **Q.**    That he approached you about this?

2           **A.**    Yes.

3           **Q.**    And do you know why he approached you? Did he  
4 say?

5           **A.**    No. He came in and I was just saying hello.

6           **Q.**    Was he trying to get anything from you?

7           **A.**    He was trying to see if I could help him get an  
8 attorney.

9           **Q.**    Oh, I see.

10                         Did you believe what he said?

11           **A.**    Yeah, that put the puzzle together, because the  
12 camera systems are not there anymore, and Nejeah had a store  
13 in the mall. Nejeah had the ice plant. Nejeah had a water  
14 company. Nejeah have this, Nejeah have this. And the problem  
15 is, Nejeah brags too much. So when he brags, everybody  
16 talks. And when they talk, words gets around.

17           **Q.**    Okay. And going back to the -- the other stuff  
18 that you said that you believed that Nejeah was taking out of  
19 the store, counsel asked you, Did you physically see Nejeah  
20 walk out of the store with a computer or with a compressor,  
21 and you said you didn't physically see him take it, right?

22           **A.**    Right.

23           **Q.**    Okay.

24           **A.**    But --

25           **Q.**    No, no. Let me ask questions.

**WAHEED "WILLIE" HAMED -- CROSS**

1           **A.**    Okay.

2           **Q.**    If you didn't see him take the, let's take the box  
3 of cameras, how do you know it was him that took the box of  
4 cameras?

5           **A.**    Because Fadi confirmed it.

6           **Q.**    Fathi confirmed?

7           **A.**    Fadi. Fadi.

8           **Q.**    Oh, Fadi.

9           **A.**    Mansour confirmed it.

10          **Q.**    Okay. But -- but I don't think Fadi went through  
11 the list of all the things that --

12          **A.**    No.

13          **Q.**    -- you think he took.

14                    If you didn't see, actually physically see  
15 Nejah take that stuff, how do you know it was him that took  
16 it, as opposed to Bob Smith, the guy who works in the  
17 bakery?

18          **A.**    Because Bob Smith does not have access.

19          **Q.**    Okay.

20          **A.**    The only people who have access is myself and him.

21          **Q.**    Okay. So what you're saying is, one day the stuff  
22 was there, the next day the stuff was gone, and you inferred  
23 from that, that Nejah took it?

24          **A.**    I actually mentioned it in front of Joel, my  
25 brother, and Judge Ross, the day that we made the bid, and

**WAHEED "WILLIE" HAMED -- CROSS**

1 in front of Yusuf, saying, Hey, some of the stuff was in his  
2 office and it's now gone. That was Plaza Extra property.

3 Q. Okay.

4 A. And then -- I'm sorry. Then the judge stated, All  
5 right. Just put in a claim for it.

6 Q. Okay. You said that --

7 A. He -- he -- can you please stop staring at me?  
8 Giving me like -- no, I'm serious, because this guy pulled a  
9 gun on me, and I'm not going to tolerate this.

10 Q. I understand.

11 A. Okay.

12 Q. Look -- just look at me. Don't look around the  
13 room. We've got five more questions.

14 A. Sure.

15 Q. Just let me ask my five questions.

16 A. No problem.

17 Q. Okay. You said that you worked in the trailers at  
18 the Plaza Extra store around the period when it was sold,  
19 right?

20 A. Yes, sir.

21 Q. You said that neither Mr. Yusuf nor Nejeh ever  
22 worked in those trailers?

23 A. Yes, sir.

24 Q. Okay. And -- and based on your knowledge --  
25 yesterday in his deposition, Mr. Yusuf said that the



**WAHEED "WILLIE" HAMED -- CROSS**

1 persons -- person or persons who would have knowledge about  
2 what was actually in those trailers, he said would be the  
3 managers.

4                   Would that be you?

5           **A.**    Yes.

6           **Q.**    Okay.  And based on your knowledge of -- of what  
7 was in those trailers at the time that store transferred in  
8 April, approximately what would you say was the value of the  
9 material in those trailers?

10          **A.**    Between 10 to \$20,000.

11          **Q.**    Thank you.

12                   And why didn't they ever go in those  
13 trailers?

14          **A.**    They're too good to go in there, that's why.

15          **Q.**    Okay.  Okay.  Counsel also asked you about what  
16 monies you knew you had paid, and you said that you paid a  
17 credit card for Nejeh?

18          **A.**    Nejeh ordered a credit card through Plaza Extra,  
19 under Plaza Extra name, and he was using it to purchase  
20 stuff for his private business.

21          **Q.**    Okay.  And the final amount on that credit card,  
22 did Nejeh pay for his personal stuff?

23          **A.**    I really don't know.

24          **Q.**    Okay.

25          **A.**    I didn't have access to that account.  I called.

**WAHEED "WILLIE" HAMED -- REDIRECT**

1 When we made the purchase of the store, I called the company  
2 and I told the bank that he is no longer working for us and  
3 his card should be, you know, he has nothing to do with us  
4 anymore.

5 Q. Okay.

6 A. Okay. So apparently he called and told him, No,  
7 he's still Plaza Extra, but Plaza Extra East instead of  
8 Tutu.

9 Q. And who paid that bill?

10 A. I don't know. I really don't know.

11 Q. Okay.

12 A. I don't know if it was -- there was a sum on it.

13 MR. HARTMANN: Okay. All right. I have no  
14 further questions.

15 (Respite.)

16 **REDIRECT EXAMINATION**

17 **BY MS. PERRELL:**

18 Q. All right. Just a follow-up question.

19 The -- the containers that you had, the  
20 additional containers outside that were for the storage, --

21 A. Yes, ma'am.

22 Q. -- your statements were, is that you estimate  
23 there was only -- what did you say, 10 to \$20,000 worth of  
24 product in there?

25 A. Yes, ma'am.

**WAHEED "WILLIE" HAMED -- REDIRECT**

1           **Q.** All right. Is it your testimony that at any given  
2 time, that's the -- and you say 10 to 20,000 per container?

3           **A.** No, ma'am, total.

4           **Q.** Total. All right.

5                         And is it your estimation that that was the  
6 average amount that was ever in those containers?

7                         **MR. HARTMANN:** Object. Misstates. He  
8 testified what was in there. I asked him what was in there  
9 in April. That's what he testified about.

10           **Q.** (Ms. Perrell) Okay. What I'm asking is, is that  
11 amount a typical amount that would have been the value of  
12 what was stored in those containers?

13           **A.** Yes.

14           **Q.** Okay. I just want to ask you about -- you had  
15 indicated that Mr. Gaffney and the other gentleman, who's  
16 named -- Humphrey, came back to the store after the transfer  
17 and pulled documents out of the store?

18           **A.** Yes.

19           **Q.** Do you recall when that was?

20           **A.** No, ma'am.

21           **Q.** Okay. Did you meet them there?

22           **A.** Yes.

23           **Q.** Okay. Was it one occasion or more than one  
24 occasion?

25           **A.** I can't recall, but I do recall the one occasion.

**WAHEED "WILLIE" HAMED -- REDIRECT**

1           **Q.**    Okay.  And how long was both Mr. Gaffney and  
2 Mr. Humphries there?

3           **A.**    Couple hours.

4           **Q.**    Okay.  Did you direct them to any particular  
5 documents?

6           **A.**    No, because apparently they know where everything  
7 was.

8           **Q.**    Okay.  You indicated, however, that when you guys  
9 got into the store, that you moved a bunch of documents, got  
10 rid of it, is what you originally testified, correct?

11          **A.**    Yes.

12          **Q.**    All right.  So when Humphries and Gaffney came,  
13 they wouldn't have known where you would have moved  
14 everything, correct?

15          **A.**    Correct.

16          **Q.**    Okay.  So any documents that they were looking  
17 for, would have been documents that they already knew  
18 existed and had already had access to and knew where they  
19 were positioned, correct?

20          **A.**    Yes.  Remember, we were a running company.  We  
21 didn't close to do this transaction.

22          **Q.**    I understand.

23          **A.**    So whatever files that were there were there until  
24 we brought in our team to redo everything.

25          **Q.**    Okay.

**WAHEED "WILLIE" HAMED -- REDIRECT**

1           **A.**   And that didn't happen for another couple of  
2 weeks.

3           **Q.**   Okay.  So that's what I was trying to understand.  
4                        So had everything been redone before Gaffney  
5 and Humphries came back?

6           **A.**   No.

7           **Q.**   Okay.  So what you're saying is, is that in some  
8 short period of time after the transfer, Gaffney and  
9 Humphries came back, which would have been sometime in the  
10 weeks after April 30th, 2015?

11          **A.**   Yes.

12          **Q.**   Okay.  And so that would have been a period of  
13 time.  Do you know when the claims were actually made in  
14 this case?

15          **A.**   No, ma'am.

16          **Q.**   Okay.  The claims weren't actually made in this  
17 case until September of 2016.

18                        Do you know whether or not Humphries or  
19 Gaffney came back at any point after September,  
20 September 30th of 2016?

21          **A.**   I don't recall.  I know they came back more than  
22 once.

23          **Q.**   Okay.  So now they came back more than once?

24          **A.**   I said that in the beginning, they came back more  
25 than once.

**WAHEED "WILLIE" HAMED -- REDIRECT**

1           **Q.**    Okay.  So they came back.  We know one time was  
2           within the weeks or so before you guys changed everything?

3           **A.**    Yes.

4           **Q.**    And they knew where to go?

5           **A.**    Yes.

6           **Q.**    Because it was the same as before?

7           **A.**    Yes.

8           **Q.**    All right.  They've come -- are you sure that they  
9           came back after September 30th of 2016?

10          **A.**    Ma'am, Humphrey stayed on board with us for about  
11          a week or two.

12          **Q.**    Okay.

13          **A.**    Employed by us.  Then he put in his resignation  
14          and left.  When he left, he went to work for them.

15          **Q.**    Okay.  But that doesn't tell me -- you'd said that  
16          there was a second time that they came -- or an additional  
17          time they came back --

18          **A.**    Um-hum.

19          **Q.**    -- after that initial first couple of weeks.

20          **A.**    Right.

21          **Q.**    Okay.  After the first couple of weeks, then you  
22          guys came in and you reorganized or moved things or got rid  
23          of certain things as you felt appropriate, since you guys  
24          were now in charge, correct?

25          **A.**    Yes.

**WAHEED "WILLIE" HAMED -- REDIRECT**

1           **Q.**    Okay.  After September of 2016 -- the reason I'm  
2    using that date, is that was the date that everybody listed  
3    out their claims -- after September of 2016, so it's over a  
4    year after the transfer took place, do you have any  
5    recollection of whether or not John Gaffney and Humphries  
6    ever came to review documents at the Tutu Park store?

7           **A.**    I don't remember.

8           **Q.**    You don't know?

9           **A.**    I don't remember.

10          **Q.**    Okay.  You don't remember?

11          **A.**    Right.

12          **Q.**    Okay.  All right.  When they initially came in  
13    that couple of week period, did they remove boxes of  
14    documents?

15          **A.**    Yes.

16          **Q.**    Or any documents?

17          **A.**    Yes.

18          **Q.**    Okay.  Boxes of documents?

19          **A.**    Yes.

20          **Q.**    Okay.  And you have no recollection of any other  
21    time that they came; is that correct?  Or have I gotten that  
22    confused now?

23          **A.**    I don't remember when.

24          **Q.**    Okay.  But did they come another time, other than  
25    that early time?

**WAHEED "WILLIE" HAMED -- REDIRECT**

1           **A.**    Yes.

2           **Q.**    Okay.  And in this other time that they came, did  
3 you -- did they remove any documents?

4           **A.**    I know they were there once or twice or maybe  
5 three times, and they pulled the boxes, because we got a  
6 call from our attorney saying, Hey, they're coming over to  
7 do this and do this.

8                         Humphrey, at the time, I think the first  
9 couple of weeks or first month, he was still on board with  
10 us, then he left.  So he was assisting Humphrey -- I mean,  
11 Gaffney in getting the stuff.  Well, Gaffney would be  
12 calling him and telling him what documents he needed.

13           **Q.**    Okay.  All right.  And you don't know when those  
14 subsequent --

15           **A.**    No.

16           **Q.**    -- took place?

17                         **THE VIDEOGRAPHER:**  Going off record.  The  
18 time is 12:07.

19                                 (Short recess taken.)

20                         **THE VIDEOGRAPHER:**  Going on record.  The time  
21 is 12:08.

22           **Q.**    **(Ms. Perrell)** All right.  Are the Hameds at all  
23 making a claim for any alleged credit cards that have been  
24 utilized by Nejah?

25           **A.**    I will have to check with my attorney.



**WAHEED "WILLIE" HAMED -- REDIRECT**

1                   **MS. PERRELL:** Okay. All right. I don't have  
2 any further questions.

3                   **MR. HARTMANN:** Okay. You can take them off.

4                   Oh, this deposition is only partial because  
5 counsel has stipulated, and the Court had ordered, that  
6 these depositions be continued to a later date for the  
7 completion of other issues. So today's deposition will be  
8 adjourned, not completed.

9                   **THE VIDEOGRAPHER:** We are adjourning today's  
10 deposition. The time is 12:09.

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15                   (Whereupon the deposition adjourned

16   at 12:09 p.m.)

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**C-E-R-T-I-F-I-C-A-T-E**

I, SUSAN C. NISSMAN, a Registered Merit Reporter and Notary Public for the U.S. Virgin Islands, Christiansted, St. Croix, do hereby certify that the above and named witness, **WAHEED "WILLIE" HAMED**, was first duly sworn to testify the truth; that said witness did thereupon testify as is set forth; that the answers of said witness to the oral interrogatories propounded by counsel were taken by me in stenotype and thereafter reduced to typewriting under my personal direction and supervision.

I further certify that the facts stated in the caption hereto are true; and that all of the proceedings in the course of the hearing of said deposition are correctly and accurately set forth herein.

I further certify that I am not counsel, attorney or relative of either party, nor financially or otherwise interested in the event of this suit.

IN WITNESS WHEREOF, I have hereunto set my hand as such Registered Merit Reporter on this the 5th day of February, 2019, at Christiansted, St. Croix, United States Virgin Islands.

My Commission Expires:  
July 18, 2019

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Susan C. Nissman, RPR-RMR  
NP-70-15