

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

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

**Plaintiff,**

**v.**

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

**Defendants,**

**and**

**PLESSEN ENTERPRISES, INC.,**

**Nominal Defendant.**

**SX-13-CV-120**

**CIVIL ACTION FOR DAMAGES  
AND INJUNCTIVE RELIEF**

**JURY TRIAL DEMANDED**

**ORDER**

**THIS MATTER** is before the Court on Plaintiff Yusuf Yusuf's motion to hold defense counsel Mark Eckard in contempt and to show cause, filed on April 9, 2015 (hereinafter, "Motion"). On April 21, 2015, Defendant Waleed Hamed, Defendant Waheed Hamed, Defendant Mufeed Hamed, Defendant Hisham Hamed (together, "Hamed Defendants") and their counsel, Attorney Mark Eckard, filed an opposition (hereinafter, "Opposition").

In his Motion, Plaintiff Yusuf Yusuf argued that Attorney Mark Eckard "willfully and in bad faith prevented Plaintiff from deposing Defendants by unilaterally instructing Defendants not to appear to Plaintiffs [sic] duly noticed April 6<sup>th</sup>, 2015, deposition" in violation of the Court's March 4, 2014 Scheduling Order. (Motion, p. 1) Without addressing the arguments raised by the Hamed Defendants and Attorney Mark Eckard in their Opposition, the Court notes that Defendants' motion to stay all discovery was pending at the time Plaintiff Yusuf Yusuf scheduled the depositions. Thus, the Court will deny Plaintiff Yusuf Yusuf's Motion at this time.

In a separate order, the Court recently denied Defendants' motion to stay as moot and ordered the parties to submit a proposed joint scheduling order. Once a new scheduling order is entered in this matter, the Court expects all counsels to abide by the dates set forth therein. Accordingly, it is hereby:

**ORDERED** that Plaintiff Yusuf Yusuf's motion to hold defense counsel Mark Eckard in contempt and to show cause, filed on April 9, 2015, is **DENIED**.

**DONE** and so **ORDERED** this 22nd day of August, 2016.

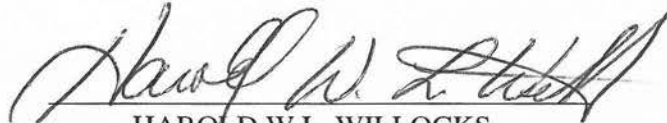
**ATTEST:**

Estrella H. George  
Acting Clerk of the Court

By: \_\_\_\_\_

Court Clerk Supervisor

Dated: \_\_\_\_\_



HAROLD W.L. WILLOCKS

Administrative Judge of the Superior Court

