

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

YUSUF YUSUF, FATHI YUSUF, FAWZIA YUSUF, )  
NEJEH YUSUF, and ZAYED YUSUF, in their )  
individual capacities and derivatively on behalf of )  
PLESSEN ENTERPRISES, INC., )

Plaintiffs, )

vs. )

MOHAMMAD HAMED, WALEED HAMED, )  
WAHEED HAMED, MUFEED HAMED, )  
HISHAM HAMED, FIVE-H HOLDINGS, INC., and )  
KAC357, INC., )

Defendants, )

-and- )

PLESSEN ENTERPRISES, INC., )

Nominal Defendant. )

CASE NO. SX-13-CV-120

ACTION FOR DAMAGES,  
DECLARATORY AND  
INJUNCTIVE RELIEF

JURY TRIAL DEMANDED

**PLAINTIFF YUSUF YUSUF'S RESPONSE TO DEFENDANT  
MUFEED HAMED'S FIRST SET OF REQUESTS FOR ADMISSIONS**

Plaintiff, Yusuf Yusuf, through his attorneys, Dudley, Topper and Feuerzeig, LLP,  
hereby provides its Responses to Defendant Mufeed Hamed's First Set of Requests for  
Admissions:

**DUDLEY, TOPPER  
AND FEUERZEIG, LLP**

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## GENERAL OBJECTIONS

Yusuf Yusuf makes the following general objections to the First Set of Requests for Admissions. These general objections apply to all or so many of the Requests for Admissions that, for convenience, they are set forth herein and are not necessarily repeated after each objectionable Requests for Admissions. The assertion of the same, similar, or additional objections in the individual responses to the Requests for Admissions, or the failure to assert any additional objections to a discovery request does not waive any of Yusuf Yusuf's objections as set forth below:

(1) Yusuf Yusuf objects to the Requests for Admissions to the extent they may impose obligations different from or in addition to those required under the Federal Rules of Civil Procedure.

(2) Yusuf Yusuf objects to each request for admission that uses the words "any" and "all" as being overly broad, unduly burdensome, immaterial, irrelevant, and not reasonably calculated to lead to the discovery of admissible evidence.

(3) Yusuf Yusuf objects to the Requests for Admissions to the extent they seek information which is protected by the attorney-client privilege or work-product doctrine, including information prepared in anticipation of litigation, or for trial, by or on behalf of Yusuf Yusuf or relating to mental impressions, conclusions, opinions, or legal theories of its attorneys or representatives, or any other applicable privilege or doctrine under federal or state statutory,

constitutional or common law. Yusuf Yusuf's answers shall not include any information protected by such privileges or doctrine, and documents or information inadvertently produced which includes such privileged information shall not be deemed a waiver by Yusuf Yusuf of such privilege or doctrine.

(4) Yusuf Yusuf objects to the Requests for Admissions to the extent that they seek information and documents concerning any matter that is irrelevant to the claims or defenses of any party to this action, and not reasonably calculated to lead to the discovery of admissible evidence.

(5) Yusuf Yusuf objects to the Requests for Admissions to the extent that they use terms or phrases that are vague, ambiguous, or undefined. Yusuf Yusuf's response to each such request will be based upon its understanding of the request.

(6) Yusuf Yusuf objects to the Requests for Admissions to the extent they seek documents or information not in the possession, custody or control of Yusuf Yusuf, on the ground that it would subject it to undue burden, oppression and expense, and impose obligations not required by the Federal Rules of Civil Procedure.

(7) Yusuf Yusuf has not completed either its discovery or its preparation for trial of this matter. Accordingly, Yusuf Yusuf's responses to the Requests for Admissions are made without prejudice to Yusuf Yusuf's right to make any use of, or proffer at any hearing or at trial, and are based only upon information presently available. If and as additional, non-privileged,

Yusuf Yusuf, et al. (v. Mohammad Hamed, et al.)  
Case No. SX-13-CV-120  
Plaintiff Yusuf Yusuf's Response to Defendant  
Mufeed Hamed's First Set of Requests for Admissions  
Page 4 of 27

responsive documents are discovered, these Requests for Admissions will be supplemented to the extent that supplementation may be required by the Federal Rules of Civil Procedure.

(8) Yusuf Yusuf objects to the Requests for Admissions to the extent that when all of the subparts are included they are in excess of the number permitted by Rule 33.

**RESPONSES TO REQUESTS FOR ADMISSIONS**

1. ADMIT or DENY that a Yusuf Family Member or members created the last page of Exhibit 1 attached hereto.

**RESPONSE:**

Deny. The document was provided by Scotiabank on or about February 3, 2012 (as indicated on last page 7 of 7).

2. ADMIT or DENY that a Yusuf Family Member or members gave Exhibit 1 to the VI Police Department or other VI government personnel.

**RESPONSE:**

Admit. It is Yusuf Yusuf's recollection that he obtained a physical copy directly from Scotiabank after the discovery of the check for \$460,000.00 in an effort to investigate the matter. It is also possible that Sergeant Mark A. Corneiro received a copy of it directly from Scotiabank during his investigation as well. Upon further inquiry, it is believed that the document was also later secured from Scotiabank pursuant to a subpoena issued in the Hamed v Yusuf, SX-12-CV-370 (the "370 Case").

3. ADMIT or DENY that a Yusuf attorney or attorneys gave Exhibit 1 to the VI Police Department or other VI government personnel.

**RESPONSE:**

Admit. It is Yusuf Yusuf's recollection that he obtained a physical copy directly from Scotiabank after the discovery of the check for \$460,000.00 in an effort to investigate the matter. It is also possible that Sergeant Mark A. Corneiro received a copy of it directly from Scotiabank during his investigation as well. Mike Yusuf's recollection is that Attorney DeWood was present when the information was provided to Sergeant Mark A. Corneiro.

4. ADMIT or DENY that a Yusuf Family Member or members gave Exhibit 1 to Scotiabank personnel.

**RESPONSE:**

Deny. The document was provided by Scotiabank and signed in the Sunny Isle Branch.

5. ADMIT or DENY that a Yusuf attorney or attorneys gave Exhibit 1 to Scotiabank personnel.

**RESPONSE:**

Deny.

6. ADMIT or DENY that Scotiabank personnel gave Exhibit 1 to a Yusuf Family Member or members.

**RESPONSE:**

Admit. The document was provided by Scotiabank and signed in the Sunny Isle Branch.

7. ADMIT or DENY that Scotiabank personnel gave Exhibit 1 to a Yusuf attorney or attorneys.

**RESPONSE:**

Deny except insofar as it may have been provided pursuant to a subpoena issued in the 370 case.

8. ADMIT or DENY that one or more members of the Yusuf Family created Exhibit 2 attached hereto.

**RESPONSE:**

Deny. The document was provided by Scotiabank.

9. ADMIT or DENY that a Yusuf Family Member or members gave Exhibit 2 to the VI Police Department or other VI government personnel.

**RESPONSE:**

Deny as written. As with Exhibit 1, it is Yusuf Yusuf's recollection that he obtained a physical copy directly from Scotiabank after the discovery of the check for \$460,000.00 in an effort to investigate the matter. It is also possible that Sergeant Mark A. Corneiro received a copy of it directly from Scotiabank during his investigation as well. Mike Yusuf's recollection is that Attorney DeWood was present when the information was provided to Sergeant Mark A. Corneiro.

10. ADMIT or DENY that a Yusuf attorney or attorneys gave Exhibit 2 to the VI Police Department or other VI government personnel.

**RESPONSE:**

Admit. As with Exhibit 1, it is Yusuf Yusuf's recollection that he obtained a physical copy directly from Scotiabank after the discovery of the check for \$460,000.00 in an effort to investigate the matter as part of the documents the bank provided. It is also possible that Sergeant Mark A. Corneiro received a copy of it directly from Scotiabank during his investigation as well. Mike Yusuf's recollection is that Attorney DeWood was present when the information was provided to Sergeant Mark A. Corneiro.

11. ADMIT or DENY that a Yusuf Family Member or members gave Exhibit 2 to Scotiabank personnel.

**RESPONSE:**

Deny.

12. ADMIT or DENY that a Yusuf attorney or attorneys gave Exhibit 2 to Scotiabank personnel.

**RESPONSE:**

Deny.

13. ADMIT or DENY that Scotiabank personnel gave Exhibit 2 to a Yusuf Family Member or members.

**RESPONSE:**

Admit. The document was provided by Scotiabank.

14. ADMIT or DENY that Scotiabank personnel gave Exhibit 2 to a Yusuf attorney or attorneys.

**RESPONSE:**

Deny except insofar as it may have been provided pursuant to a subpoena issued in the 370 case.

15. After reviewing Exhibit 2, ADMIT or DENY that the card lists Maher Yusuf as President.

**RESPONSE:**

Admit.

16. ADMIT or DENY that Maher Yusuf is not the President of Plessen.

**RESPONSE:**

Admit.

17. ADMIT or DENY that Maher Yusuf was the President of United Corporation.

**RESPONSE:**

Admit.



18. After reviewing Exhibit 2, ADMIT or DENY that the signature card lists Waleed Hamed as General Manager.

**RESPONSE:**

Admit.

19. ADMIT or DENY that Waleed Hamed was not the General Manager of Plessen, but rather is its Vice-President.

**RESPONSE:**

Admit.

20. After reviewing Exhibit 2, ADMIT or DENY that all of the positions listed for the signators are the positions they held with United Corporation as represented on other United signature cards at Scotiabank.

**RESPONSE:**

Admitted as to everyone except Fathi Yusuf. Denied as to Fathi Yusuf.

21. After reviewing Exhibit 2, ADMIT or DENY that you (the person responding to this Request) can see, as a non-expert, that the letter "O" in the phrase "One Hamed and One Yusuf" is in a different font that the letter "O" in the words "Sion" and "St. Croix" above that on the card.

**RESPONSE:**

Denied. Responder is without sufficient knowledge or information to determine what is requested in this Request.

22. After reviewing Exhibit 2, ADMIT or DENY that you can see, as a non-expert, that the phrase "One Hamed and One Yusuf" was written by a different typewriter than that used for the words "Sion" and "St. Croix."

**RESPONSE:**

Denied.

23. ADMIT or DENY that a Yusuf Family Member or members added the phrase "One Hamed and One Yusuf" was typed on this card either originally or at some later time after the original was created.

**RESPONSE:**

Denied. It was requested that this restriction be added to the account in early 2012. Both Mike Yusuf and Waleed Hamed signed the Information Gathering Form which showed this restriction in the instructions at page 4 of 7, ¶16(B).

24. ADMIT or DENY that a Yusuf Family Member or members was present when a Scotiabank employee typed the phrase "One Hamed and One Yusuf" to this card.

**RESPONSE:**

Denied. Mike Yusuf does not recall being present when the form was prepared but rather simply going in to sign the Information Gathering Form.

25. ADMIT or DENY that a Yusuf Family Member or members has knowledge of when, by whom or under what circumstances the phrase "One Hamed and One Yusuf" was typed on this card either originally or thereafter.

**RESPONSE:**

Denied. It was requested that this restriction be added to the account in early 2012. Both Mike Yusuf and Waleed Hamed signed the Information Gathering Form which showed this restriction in the instructions at page 4 of 7, ¶16(B). Mike Yusuf has no specific recollection as to this particular card but simply knows that the request was made and the bank prepared the documents.

26. ADMIT or DENY that a Yusuf Family Member or members created Exhibit 3 as attached hereto.

**RESPONSE:**

Deny.

27. ADMIT or DENY that a Yusuf Family Member or members gave Exhibit 3 to VI government personnel.

**RESPONSE:**

Admit. As with Exhibit 1, it is Yusuf Yusuf's recollection that he obtained a physical copy directly from Scotiabank after the discovery of the check for \$460,000.00 in an effort to investigate the matter as part of the documents they provided. It is also possible that Sergeant Mark A. Corneiro received a copy of it directly from Scotiabank during his investigation as well. It is Mike Yusuf's recollection that Attorney DeWood was present when the information was provided to Sergeant Mark A. Corneiro.

28. ADMIT or DENY that a Yusuf Yusuf attorney or attorneys gave Exhibit 3 to VI government personnel.

**RESPONSE:**

Admit. As with Exhibit 1, it is Yusuf Yusuf's recollection that he obtained a physical copy directly from Scotiabank after the discovery of the check for \$460,000.00 in an effort to investigate the matter as part of the documents they provided. It is also possible that Sergeant Mark A. Corneiro received a copy of it directly from Scotiabank during his investigation as well. It is Mike Yusuf's recollection that Attorney DeWood was present when the information was provided to Sergeant Mark A. Corneiro.

29. ADMIT or DENY that a Yusuf Family Member or members gave Exhibit 3 to Scotiabank personnel.

**RESPONSE:**

Deny.

30. ADMIT or DENY that a Yusuf attorney or attorneys gave Exhibit 3 to Scotiabank personnel.

**RESPONSE:**

Deny.

31. ADMIT or DENY that Scotiabank personnel gave Exhibit 3 to a Yusuf Family Member or members.

**RESPONSE:**

Admit. It was requested that this restriction be added to the account in early 2012. Both Mike Yusuf and Waleed Hamed signed the Information Gathering Form which showed this restriction in the instructions at page 4 of 7, ¶16(B). Mike Yusuf has no specific recollection as to this particular card but simply knows that the request was made and the bank prepared the documents.

32. ADMIT or DENY that Scotiabank personnel gave Exhibit 3 to a Yusuf attorney or attorneys.

**RESPONSE:**

Deny except insofar as it may have been provided pursuant to a subpoena issued in the 370 case.

33. After reviewing Exhibit 4, ADMIT or DENY that "on May 17, 2013, Mr. Maher Yusuf, Director of Plessen Enterprises, Inc. filed a report with the Virgin Islands Police Department of "Embezzlement by Fiduciaries."

**RESPONSE:**

Admit. Mike Yusuf was also a shareholder of Plessen at the time that he filed the report.

34. ADMIT or DENY that on April 21, 2016, the Court in this Action entered a Memorandum Order.

**RESPONSE:**

Admitted, to the extent that an Order was entered in this matter on April 21, 2016 which the docket and record would otherwise reflect.

35. ADMIT or DENY that in the Memorandum Order entered April 21, 2016, the Court stated:

*According to Waleed's Declaration: there have been no resolutions of the Board or votes by the shareholders of Plessen Enterprises, Inc. that have ever changed these three Directors as provided for in the articles of incorporation over the last 26 years." Defendants' Opp. (Exhibit 2). Fathi's Declaration concurs: "Until the Special Meeting of the Board of Directors of Plessen was held on April 30, 2014, there had been no meeting of the directors or shareholders of Plessen since its formation in 1988.*

**RESPONSE:**

Admit that the excerpt is a correct quotation from the April 21, 2016 Order.

36. ADMIT or DENY that in this Action, Fathi Yusuf filed a sworn declaration, upon his oath and under penalty of perjury that: "Until the Special Meeting of the Board of Directors of Plessen was held on April 30, 2014, there had been no meeting of the directors or shareholders of Plessen since its formation in 1988."

**RESPONSE:**

Admitted that the above excerpt is an accurate quotation from a declaration filed by Fathi Yusuf.

37. ADMIT or DENY that as of May 17, 2013, no meeting of the directors or shareholders of Plessen had voted Maher Yusuf in as a director of Plessen.

**RESPONSE:**

Deny. Mike Yusuf was listed on the Business License as a Director of Plessen in a filing that appears to have been made by Waleed Hamed.

38. ADMIT or DENY that as of May 17, 2013, Maher Yusuf did not have in his possession a consent of Directors increasing the size of the board of directors for Plessen above three.

**RESPONSE:**

Deny as Mike Yusuf was listed as a Director on the Business License for Plessen in a filing that appears to have been made by Waleed Hamed and as the business was set up to have equal governance by the two families. Furthermore, the Bylaws for Plessen provide as to signatories on checks and bank drafts that: "If the Board of Directors fails to designate persons by whom checks...may be signed...all checks...for payment of money shall be signed by the President or a Vice President and countersigned by the Secretary or Treasurer..." See Bylaws, Article V, Section 5.1(C).

39. ADMIT or DENY that as of May 17, 2013, Maher Yusuf did know of any person or entity which had in its possession a consent of Directors increasing the size of the board of directors for Plessen above three.

**RESPONSE:**

Deny as Mike Yusuf was listed as a Director on the Business License for Plessen and as the business was set up to have equal governance by the two families. *See also*, Response to Request to Admit #38.

40. ADMIT or DENY that as of May 17, 2013, Maher Yusuf did not have in his possession a consent of Directors making him a director of Plessen.

**RESPONSE:**

Deny as Mike Yusuf was listed as a Director on the Business License for Plessen and as the business was set up to have equal governance by the two families. *See also*, Response to Request to Admit #38.

41. ADMIT or DENY that as of May 17, 2013, Maher Yusuf did know of any person or entity which had in its possession a consent of Directors a consent of Directors making him a director of Plessen.

**RESPONSE:**

Deny as Mike Yusuf was listed as a Director on the Business License for Plessen and as the business was set up to have equal governance by the two families. *See also*, Response to Request to Admit #38.

42. ADMIT or DENY that as of the date of the answers to these requests, Maher Yusuf does not have in his possession a consent of Directors increasing the size of the board of directors for Plessen above three.

**RESPONSE:**

Deny as Mike Yusuf was listed as a Director on the Business License for Plessen and as the business was set up to have equal governance by the two families. *See also*, Response to Request to Admit #38.

43. ADMIT or DENY that as of the date of the answers to these requests, Maher Yusuf does not know of any person or entity which had in its possession a consent of Directors increasing the size of the board of directors for Plessen above three.

**RESPONSE:**

Deny as Mike Yusuf was listed as a Director on the Business License for Plessen and as the business was set up to have equal governance by the two families. *See also*, Response to Request to Admit #38.

44. ADMIT or DENY that as of the date of the answers to these requests, Maher Yusuf does not have in his possession a consent of Directors making him a director of Plessen.

**RESPONSE:**

Deny as Mike Yusuf was listed as a Director on the Business License for Plessen and as the business was set up to have equal governance by the two families. *See also*, Response to Request to Admit #38.

45. ADMIT or DENY that as of the date of the answers to these requests, Maher Yusuf does not know of any person or entity which had in its possession a consent of Directors a consent of Directors making him a director of Plessen.

**RESPONSE:**

Deny as Mike Yusuf was listed as a Director on the Business License for Plessen and as the business was set up to have equal governance by the two families. *See also*, Response to Request to Admit #38. *See also*, Response to Request to Admit #38.

46. ADMIT or DENY that Maher Yusuf's representation, to the VI Police Department, of himself as a director of Plessen on May 17, 2013, was false.

**RESPONSE:**

Deny as Mike Yusuf was listed as a Director on the Business License for Plessen and as the business was set up to have equal governance by the two families.



47. After reviewing Exhibit 4, ADMIT or DENY that "Attorney Nizar DeWood, representing the Yusuf Family, provided the following documents" to the police investigator: (1) Department of Consumer Affairs print-out with a list of corporate officers and (2) Copy of Signature card for Plessen Enterprises, Inc. as of August 17, 2009.

**RESPONSE:**

Admitted in so far, as with Exhibit 1, it is Yusuf Yusuf's recollection that he obtained a physical copy directly from Scotiabank after the discovery of the check for \$460,000.00 in an effort to investigate the matter as part of the documents they provided. It is also possible that Sergeant Mark A. Corneiro received a copy of it directly from Scotiabank during his investigation as well. It is Mike Yusuf's recollection that Attorney DeWood was present when the information was provided to Sergeant Mark A. Corneiro. Denied as to the reference to the date August 17, 2009.

48. ADMIT or DENY that the document provided by DeWood to the police, the "Department of Consumer Affairs print-out with a list of corporate officers" was created by filling out a form in a password protected, online DLCA website.

**RESPONSE:**

Denied. The document provided by Attorney DeWood was secured by Mike Yusuf who requested and received a physical copy from the Department of Licensing and Consumer Affairs.

49. ADMIT or DENY that a Yusuf Family Member or someone acting at the direction of a Yusuf Family Member supplied the information to the DLCA that Maher Yusuf was a director of Plessen.

**RESPONSE:**

Denied. The printout appears to indicate that Waleed Hamed undertook to file the information as the last page indicates: Payment Information, Billing Information, First Name: Waleed, Last Name: Hamed, Card Type: VISA, Credit Card Number ...BIR Information: First Name: Waleed, Last Name: Hamed, Relationship: Vice President. It further reflects a payment of \$130.00 for the period of 01/01/2013-01/31/2014. The bottom of the page indicates that it was printed on or about 2/14/2013. That date was before any issues had arisen relating to the \$460,000.00 or the Yusuf's learning of the check reported in May of 2014.

50. ADMIT or DENY that copy of the document referred to a being a "Copy of Signature card for Plessen Enterprises, Inc. as of August 17, 2009" was actually an undated document from Scotiabank titled "Information Gathering Form."

**RESPONSE:**

Unable to admit or deny as to information that Sergeant Mark A. Corneiro may have secured independently in his investigation. The Information Gathering Form appears on its face to be dated 2/3/12.

51. ADMIT or DENY that before May 17, 2016, Maher Yusuf went to Scotiabank and asked that a bank employee review the signature card on file for Plessen's account.

**RESPONSE:**

Denied.

52. ADMIT or DENY that before May 17, 2016, when Maher Yusuf went to Scotiabank and asked that a bank employee review the signature card on file for Plessen's account, he was told that the account signature card had three signatures.

**RESPONSE:**

Denied.

53. ADMIT or DENY that on Friday, May 10, 2013, Maher Yusuf went to Scotiabank and asked that a bank employee review the signature card on file for Plessen's account.

**RESPONSE:**

Denied as set forth. Yusuf Yusuf did request information from Scotiabank regarding the \$460,000 check and the signature instructions on file with the bank.

54. ADMIT or DENY that on Friday, May 10, 2013, when Maher Yusuf went to Scotiabank and asked that a bank employee review the signature card on file for Plessen's account, he was told that the account signature card had three signatures.

**RESPONSE:**

Denied regarding the contention as to what Mike Yusuf was told. Rather, Yusuf Yusuf did request information from Scotiabank regarding the \$460,000 check and the signature instructions on file with the bank.

55. After reviewing Exhibit 4, ADMIT or DENY that neither Maher Yusuf nor Nizar DeWood supplied the VIPD with a copy of a three-signature Scotiabank account signature card for Plessen.

**RESPONSE:**

Admit as Mike Yusuf was not provided any three signature card by Scotiabank when he inquired. Further responding, the Bylaws for Plessen provide as to signatories on checks and bank drafts that: "If the Board of Directors fails to designate persons by whom checks...may be signed...all checks...for payment of money shall be signed by the President or a Vice President and countersigned by the Secretary or Treasurer..." See Bylaws, Article V, Section 5.1(C). As two Hameds occupied the positions for President and Vice President and Fathi Yusuf occupied the position of Secretary and Treasure, this provision would have required one Hamed and one Yusuf.

56. ADMIT or DENY that the claims of criminal acts by Maher Yusuf, raised on May 17, 2014, resulted in criminal charges being brought against Waleed and Mufeed Hamed in Superior Court Case Nos. SX-15-CR-353 and SX-15-CR-352.

**RESPONSE:**

Admit.

57. ADMIT or DENY that both SX-15-CR-353 and SX-15-CR-352 were dismissed.

**RESPONSE:**

Admit.

58. ADMIT or DENY that the reason the Territory of the U.S. Virgin Islands gave in its May 25, 2016, motion to dismiss the criminal charges against Waleed and Mufeed Hamed was: "the People submit that, at this time, the people will be unable to sustain its burden of proving the charges against the Defendants to a reasonable doubt."

**RESPONSE:**

Admit that the criminal charges were dismissed. Declarant is without information to admit or deny whether the statement is an accurate quote of a statement made in a pleading.

59. ADMIT or DENY that Maher Yusuf falsified a version of Scotiabank's Information Gathering Form submitted to that bank by typing in a date on an undated document.

**RESPONSE:**

Denied.

60. ADMIT or DENY that Maher Yusuf sent one or more emails to grocery vendors (suppliers) alleging that Wally and Mafi Hamed had been charged with a crime.

**RESPONSE:**

Denied.

61. ADMIT or DENY that other members of the Yusuf Family sent one or more emails to grocery vendors (suppliers) alleging that Wally and Mafi Hamed had been charged with a crime.

**RESPONSE:**

Denied.

62. ADMIT or DENY that Maher Yusuf met with one or more employees of the *VI Daily News* to supply information for an article stating that Wally and Mafi Hamed had been charged with a crime.

**RESPONSE:**

Denied. Mike Yusuf received a call from the *Daily News* but did not answer questions and simply referred to the V.I.P.D.

63. ADMIT or DENY that members of the Yusuf Family other than Maher Yusuf met with one or more employees of the VI Daily News to supply information for an article stating that Wally and Mafi Hamed had been charged with a crime.

**RESPONSE:**

Denied. *See also*, Response to Request to Admit #62.

64. ADMIT or DENY that counsel for the Yusufs met with one or more employees of the VI Daily News to supply information for an article stating that Wally and Mafi Hamed had been charged with a crime.

**RESPONSE:**

Denied. *See also*, Response to Request to Admit #62.

65. ADMIT or DENY that Fathi Yusuf has been convicted of a federal misdemeanor.

**RESPONSE:**

Admit.

66. ADMIT or DENY that United Corporation has been convicted of a felony at a time when Maher Yusuf was its President.

**RESPONSE:**

Deny.

67. ADMIT or DENY that United Corporation has been convicted of a felony at a time when Fathi Yusuf was a director.

**RESPONSE:**

Deny.

68. ADMIT or DENY that Maher Yusuf has falsified documents that he submitted to the VIPD.

**RESPONSE:**

Deny.

69. ADMIT or DENY that Maher Yusuf has submitted falsified documents to the VIPD.

**RESPONSE:**

Deny.

70. ADMIT or DENY that Maher Yusuf has falsified documents that he submitted to Scotiabank.

**RESPONSE:**

Deny.

71. ADMIT or DENY that Maher Yusuf has submitted falsified documents to Scotiabank.

**RESPONSE:**

Deny.

72. ADMIT or DENY that Maher Yusuf has acted with the cooperation of a Scotiabank employee to insert or alter documents in Scotiabank's Plessen account records.

**RESPONSE:**

Deny.

73. ADMIT or DENY that A Yusuf Family Member other than Maher Yusuf has falsified documents that he submitted to the VIPD.

**RESPONSE:**

Deny.

74. ADMIT or DENY that A Yusuf Family Member other than Maher Yusuf has submitted falsified documents to the VIPD.

**RESPONSE:**

Deny.

75. ADMIT or DENY that A Yusuf Family Member other than Maher Yusuf has falsified documents that he submitted to Scotiabank.

**RESPONSE:**

Deny.

76. ADMIT or DENY that A Yusuf Family Member other than Maher Yusuf has submitted falsified documents to Scotiabank.

**RESPONSE:**

Deny.

77. ADMIT or DENY that a Yusuf Family Member other than Maher Yusuf has acted with the cooperation of a Scotiabank employee to insert or alter documents or information in Scotiabank's Plessen account records.

**RESPONSE:**

Deny.

78. ADMIT or DENY that Maher Yusuf has been charged with a criminal felony.

**RESPONSE:**

Deny.

79. ADMIT or DENY that Maher Yusuf has been charged with a criminal act in a jurisdiction other than the U.S. Virgin Islands.

**RESPONSE:**

Deny.

80. ADMIT or DENY that a Yusuf Family Member other than Maher Yusuf has been charged with a criminal act in a jurisdiction other than the U.S. Virgin Islands.

**RESPONSE:**

Deny.

81. ADMIT or DENY that on April 25, 2013, Superior Court Judge Douglas Brady found the following with regard to the testimony of Maher Yusuf under oath in CIVIL NO. SX-12-CV-370:

In the first hearing day, Maher Yusuf, President of United Corporation testified under oath that he used the \$2,784,706.25 withdrawn from the Plaza Extra operating account to buy three properties on St. Croix in the name of United. On the second hearing day, Maher Yusuf contradicted his



prior testimony and admitted that those withdrawn funds had actually been used to invest in businesses not owned by United. . . .”

**RESPONSE:**

Admit that the above statement is a quotation from an April 25, 2013 decision of the Court in CIVIL NO. SX-12-CV-370.

82. ADMIT or DENY that with regard to the testimony of Maher Yusuf under oath in CIVIL NO. SX-12-CV-370 “In the first hearing day, Maher Yusuf, President of United Corporation testified under oath that he used the \$2,784,706.25 withdrawn from the Plaza Extra operating account to buy three properties on St. Croix in the name of United.”

**RESPONSE:**

Admit that a portion of Mike Yusuf's testimony related to the \$2,784,706.25 withdrawn from the Plaza Extra operating account. This excerpt is the Court's paraphrase of Mike Yusuf's testimony and is not a direct quote of his testimony. Denied to the extent that it is inaccurate or incomplete as to Mike Yusuf's testimony on the subject.

83. ADMIT or DENY that with regard to the testimony of Maher Yusuf under oath in CIVIL NO. SX-12-CV-370 “In the first hearing day, Maher Yusuf, President of United Corporation testified under oath that he used the \$2,784,706.25 withdrawn from the Plaza Extra operating account to buy three properties on St.. Croix in the name of United.”

**RESPONSE:**

Admit that a portion of Mike Yusuf's testimony related to the \$2,784,706.25 withdrawn from the Plaza Extra operating account. This excerpt is the Court's paraphrase of Mike Yusuf's testimony and is not a direct quote of his testimony. Denied to the extent that it is inaccurate or incomplete as to Mike Yusuf's testimony on the subject.

84. ADMIT or DENY that is was not true as stated by Maher Yusuf, on January 25, 2013, that United's President, Maher Yusuf, "used the \$2,784,706.25 withdrawn from the Plaza Extra operating account to buy three properties on St. Croix in the name of United."

**RESPONSE:**

Denied as written. The funds were deposited and properties were thereafter purchased using funds from the same account in which these funds were placed.

85. ADMIT or DENY that on January 25, 2013, Maher Yusuf made a statement that was not correct under oath.

**RESPONSE:**

Deny.

Yusuf Yusuf, et al. (v. Mohammad Hamed, et al.)  
Case No. SX-13-CV-120  
Plaintiff Yusuf Yusuf's Response to Defendant  
Mufeed Hamed's First Set of Requests for Admissions  
Page 27 of 27

**DATED:** December 19<sup>th</sup>, 2016

By: 

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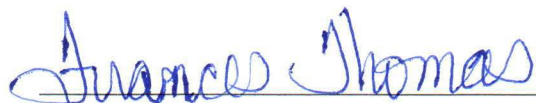
Attorneys for Plaintiffs

**CERTIFICATE OF SERVICE**

It is hereby certified that on this 19<sup>th</sup> day of December, 2016, I caused a true and exact copy of the foregoing **PLAINTIFF YUSUF YUSUF'S RESPONSE TO DEFENDANT MUFEEED HAMED'S FIRST SET OF REQUESTS FOR ADMISSIONS** to be served upon the following via e-mail:

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