

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

YUSUF YUSUF, derivatively on behalf of)		
Plessen Enterprises, Inc.,)		Case No. SX-13-CV-120
)		
Plaintiff,)		Civil Action for Damages
)		and Injunctive Relief
v.)		
)		JURY TRIAL DEMANDED
WALEED HAMED, WAHEED HAMED,)		
MUFEED HAMED, HISHAM HAMED,)		
and FIVE-H HOLDINGS, INC.,)		
)		
Defendants,)		
)		
and)		
)		
PLESSEN ENTERPRISES, INC.,)		
)		
_____)		
Nominal Defendant.)		

**DEFENDANT MUFEED HAMED'S
SECOND SET OF INTERROGATORIES**

Defendant Mufeed Hamed, by undersigned counsel, pursuant to Rule 33 of the Federal Rules of Civil Procedure, propounds this Second Set of Interrogatories to Plaintiff, Yusuf Yusuf.

If any of the following Interrogatories cannot be answered in full, please answer to the extent possible, specify the reason for your inability to answer the remainder and state whatever information or knowledge you have concerning the unanswered portion. Where your investigation is incomplete, give all information known as of the date of signing your answer. Where exact data is unavailable, supply estimated data, indicate that you have done so, and explain the basis on which the estimate was made.

If you decline to answer any interrogatory, or portion of any interrogatory, on a claim of privilege or other basis for withholding an answer, such as the work product doctrine, state each

privilege or other basis for withholding claimed and describe in detail all foundational facts upon which you base such claim of privilege or basis for withholding.

It is requested that all copies of all documents identified in response be attached to the answers to the responses to these Interrogatories as an exhibit.

Please take notice that these Interrogatories are deemed to be continuing up to and including the first day of trial of this action. If at any time you or any person acting on your behalf obtains additional information called for by these Interrogatories between the time of your response and the time set for trial, please serve supplemental sworn answers setting forth such information.

The words "**and**," as well as "or," shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the specifications all responses which might otherwise be construed to be outside its scope.

Terms in the plural include the singular and terms in the singular include the plural; the use of one gender shall include all others as appropriate in the context.

These interrogatories are continuing in nature so as to require **you, the Plaintiff**, to file supplemental answers if any additional or different information responsive to these interrogatories is discovered or obtained subsequent to the filing of answers to these interrogatories.

The parties have consented, pursuant to Fed. R. Civ. P. 5(b)(2)(E), to electronic service of all documents in this action including discovery requests and responses.

TERMS AND MEANINGS

The terms used in this Discovery have the following meaning:

As used herein, the term "**document(s)**" is used in its broadest sense to include, by way of illustration only and not by way of limitation, all originals and non-identical copies of any writing

or any other tangible thing or data compilation in the custody, possession or control of the Plaintiff - whether printed, typed, reproduced by any process, written or produced by hand, including any graphic matter however produced or reproduced, or produced by any other mechanical means and all data, either electronic, magnetic, chemical, mechanical, or other form of data storage capable of being transformed into written or oral matter, including, but not limited to, CO-ROMs, DVDs, computer disks, hard-drive computer storage mediums - including e-mails, letters, affidavits, filings, engineering studies and/or tests, reports, agreements, communications, correspondence, permits, accounting records, business records, contracts, letters of agreements, telegrams, mailgrams, memoranda, summaries and/or records of personnel or telephone conversations, diaries, calendars, forecasts, photographs, tape recordings, facsimiles, models, statistical statements, graphs, charts, plans, drawings, service and/or pump data, logs, minutes or records of meetings, minutes or records of conferences, reports and/or summaries of interviews, reports, conversations, summaries of investigations, opinions or reports of consultants, topographical or geological maps or surveys, appraisals, records, reports or summaries of negotiations, drafts of any document, revisions of drafts of any document, purchase orders, invoices, receipts, original or preliminary notes, financial statements, accounting work papers, promissory notes, film, microfilm, microfiche, punch cards, slides, pictures, videotapes, moving pictures, computer programs, laboratory results, magnetic tapes or any other matter which is capable of being read, heard or seen with or without mechanical or electronic assistance.

"Communication" means any correspondence, contact, discussion, exchange, contract, or agreement between any two or more persons. Without limiting the foregoing, "communication" includes all documents, as defined above, telephone conversations, internet communications, e-mail, facsimile transmissions, voice mail, face-to-face conversations, meetings, and conferences.

INTERROGATORIES
Numbering continued from First Set

INTERROGATORY NO. 8

Describe, with particularity as to dates and persons or documents present, all meetings, conferences or communications between any attorney for Plaintiff or for any member of the Yusuf Family and: Scotiabank, the VI Daily News, the VIPD, Attorney General's Office or any other VI Government official, regarding the alleged embezzlement from the Plessen Account.

RESPONSE:

INTERROGATORY NO. 9

Describe any privilege(s) asserted with regard to conversations and communications between any attorney for Plaintiff or for any member of the Yusuf Family and: Scotiabank, the VI Daily News, the VIPD, Attorney General's Office or any other VI Government official, regarding the alleged embezzlement from the Plessen Account. (If no such privilege(s) are asserted, state "None asserted.")

RESPONSE:

INTERROGATORY NO. 10

In the Amended Complaint, at page 5, paragraph 27. Plaintiff alleges:

27. Yusuf then reviewed Plessen's bank statements and learned that on March 27, 2013, Waleed and Mufeed, without authorization, issued check number 03 76 in the amount of \$460,000.00 from Plessen's Scotiabank account, made payable to Waleed in his personal capacity, with no business purpose.

For that date, March 27, 2017,

- a. state the officers and directors of Plessen, and when and how each had become a director.
- b. state what articles of incorporation and bylaws were in effect.
- c. state what you understand and contend were the powers and duties of the President and Vice-President.

RESPONSE:

INTERROGATORY NO. 11

Describe any privilege(s) asserted with regard to conversations and communications between any attorney for Plaintiff or for any member of the Yusuf Family and: Scotiabank, the VI Daily News, the VIPD, Attorney General's Office or any other VI Government official, regarding the alleged embezzlement from the Plessen Account. (If no such privilege(s) are asserted, state "None asserted.")

RESPONSE:

Respectfully submitted,

HAMM ECKARD, LLP

Dated: January 13, 2017

By: 

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

CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2017, I served a copy of the foregoing by email, as agreed by the parties, on:

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