

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

**HISHAM HAMED, individually,
and derivatively for
SIXTEEN PLUS CORPORATION,**

Plaintiffs/Counterclaim Defendant,

v.

MANAL MOHAMMAD YOUSEF,

Defendant/Counterclaim Plaintiff.

CIVIL NO. SX-16-CV-00065

**ACTION FOR
DECLARATORY JUDGMENT
CICO and FIDUCIARY DUTY**

JURY TRIAL DEMANDED

**MANAL MOHAMMAD YOUSEF a/k/a
MANAL MOHAMAD YOUSEF, *Plaintiff***

v.

SIXTEEN PLUS CORPORATION,

Defendant.

CIVIL NO. SX-17-CV- 00342

**ACTION FOR DEBT AND
FORECLOSURE**

**COUNTERCLAIM FOR
DAMAGES**

JURY TRIAL DEMANDED

SIXTEEN PLUS CORPORATION,

Counterclaim Plaintiff,

v.

**MANAL MOHAMMAD YOUSEF a/k/a
MANAL MOHAMAD,**

Counterclaim Defendants, and

FATHI YUSUF,

Third Party Defendant.

**SECOND INTERROGATORIES TO
MANAL YOUSEF**

COMES NOW Joel H. Holt, counsel for Sixteen Plus, and propounds the following interrogatories on Manal Yousef. They are numbered consecutively following the First set of interrogatories.

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 Defendant**, 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.

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 Defendant - 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, CD-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.

"Relevant time period" means 1995 to present.

"Manal Mohammad Yousef" or **"Manal"** shall mean you..

Interrogatory 17:

In Interrogatory #9 in the First Interrogatories to you, you were asked the following and provided the following Response:

Interrogatory 9:

Please list all financial accounts you have, that are fully or partially in your name or as to which you are a beneficiary from January 1, 1995 through December 31, 2000, including but not be limited to all: bank accounts, stock brokerage accounts, negotiable instrument accounts, retirement accounts, trading or options accounts, and funds transfer accounts. For each identify the name and address of the institution, the title holder(s), the beneficiaries or trust beneficiaries as well as the last four digits of the account number(s).

Response:

I object to providing any identifying bank or financial institution account numbers on the grounds they need to be kept out of the public domain for safety reasons. Without waiving this objection, the money which was given to me by my father was managed for me by my brother in an account over which he had management control.

In a Rule 37 conference, your counsel, Attorney Hymes agreed to the following:

Re: Sixteen Plus v Manal Yousef et al., SX-16-CV-65

Dear Attorney Hymes:

In follow up to our Rule 37 conference, I want to memorialize what I understand we agreed on:

- 1) You will produce (1) the power of attorney from Manal Yousef to Jamil Yousuf as well as (2) the notarized signature page of the interrogatory answers now.
- 2) You will confirm in writing that your only communications have been with Jamil Yousuf, not Manal Yousef. In exchange, I will withdraw the request to produce a privilege log.
- 3) Regarding Manal's passports, you are obtaining copies as promptly as you can, which you will then file under seal with the Court, notifying me when you do.
- 4) As for Interrogatory 9, you will amend to say that Manal has no documents that have any of the requested information.

Please confirm that I have accurately summarized our discussion. If not, please let me know what you recall differently. Thanks.

2nd Interrogatories to Manal Yousef
Page 6

Describe in detail the full response to Interrogatory #9, unless you had no such accounts, none were in your name or no such accounts existed where you were a beneficiary -- for the stated time period. If there were no such accounts, state, as agreed "I had, had in my name or was the beneficiary of no such accounts for that time period."

Interrogatory 18:

In that same Rule 37 conference, your counsel agreed to produce a power of attorney from you to Jamil. Have you produced it, and if not, why not?

Interrogatory 19:

You state in response to Interrogatory #11:

Response:

In the years 1998, 1999, and 2000, payments were made to me by the Sixteen Plus Corporation in the amount of \$360,000.00 in each of those years. In 1998, the payment was made by Waleed Hamed in cash. I do not know the form of the payment of \$360,000.00 in 1999, or in 2000. I have not made a calculation of the accrued interest due through July 1, 2017, or the daily accrual of interest after July 1, 2017. These are simple mathematical calculations that an economist, bookkeeper, or CPA can make based on the terms and conditions of the note given to me by the Sixteen Plus Corporation. At such time as these calculations are made, this response will be supplemented.

Please describe all of the following with a full description of the documents, dates and persons involved:

- A. All taxes paid to the US Virgin Islands Government for the three payments of \$360.000 from the Virgin Islands Corporation, Sixteen Plus. (I.e. all VI sourced income.)
- B. All taxes paid to the US Government for the three payments of \$360.000 from the Virgin Islands Corporation, Sixteen Plus. (I.e. all US source income.)
- C. All taxes paid to the governments of your residence and citizenship for the three payments of \$360.000 from the Virgin Islands Corporation, Sixteen Plus.
- D. All transfers of funds to you or for your benefit for those three payments.

Interrogatory 20:

With regard to the three payments to you of \$360,000 each, in the years 1998, 1999, and 2000, please describe in detail:

- A. In what form the payments were made
- B. Where those funds were initially deposited.
- C. If you have by the date of your response here, received some or all of those funds, where they are or if spent or otherwise devised, what you spent them on or where they went.
- D. If you have not yet received those funds, where they are now.

Interrogatory 21:

Give the dates and identify the person with regard to all communications with any person, including any attorney with who you have had any in person, email, telephone, or computer conversation or communication regarding your upcoming deposition or the answers to discovery from July 1, 2022 to the date of your response here. If you do not respond to this under claim of privilege, supply a privilege log.

Dated: August 21, 2022

/s/ _____

Joel H. Holt. (Bar # 6)
Law Offices of Joel H. Holt
2132 Company Street,
Christiansted, VI 00820 Email:
holtvi@aol.com
Tele: (340) 773-8709
Fax: (340) 773-8677

Carl J. Hartmann III, Esq.
Co-Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that this document complies with the page or word limitation set forth in Rule 6-1(e) and that on August 21, 2022, I served a copy of the foregoing by email, as agreed by the parties, as well as a copy mailed to James Hymes at the address below, on:

Charlotte Perrell
Stefan Herpel, Esq.
Law House, 10000 Frederiksberg Gade
P.O. Box 756
St. Thomas, VI 00804-0756
Tel: (340) 774-4422
sherpel@dtflaw.com

James L. Hymes, III, Esq.
P.O. Box 990
St. Thomas, VI 00804-0990
Tel: (340) 776-3470
jim@hymeslawvi.com

/s/ Carl J. Hartmann III