

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.

**THIRD 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 second 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 22:**

For each of the Affirmative Defenses In your Answer and Counterclaim in this case (65) listed below, state the factual basis of and describe in detail all facts and documents which support the defense.

22-1. The Complaint fails to state a cause of action against the defendant upon which the Court may grant relief.

22-2. The Court lacks personal and subject matter jurisdiction over this defendant due to insufficiency of service of process.

22-3. The Court lacks personal and subject matter jurisdiction to the extent the plaintiff is not a corporation in good standing.

22-4. The plaintiff is not entitled to the relief which it requests because it is legally estopped from denying the validity of the Promissory Note and First Priority Mortgage (particularly WHY it is estopped.)

22-5. The plaintiff is barred from recovery herein because it is equitably estopped from denying the validity of the First Priority Mortgage. (particularly WHY it is estopped.)

22-6. The plaintiff is barred from recovery herein for the reason that it authorized its secretary to swear under oath, subject to the penalties of perjury, that it was justly indebted to the defendant. (And if this occurred, all facts related thereto.)

22-7. The plaintiff is barred from recovery herein to the extent its actions are fraudulent, contrary to law, in furtherance of a criminal act, not brought in good faith for a valid purpose, and therefore not in the best interests of the corporation.

**3rd Interrogatories to Manal Yousef**  
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22-8. The plaintiff is barred from recovery herein by reason of the fact it has an irreconcilable conflict of interest since it agreed to warrant and defend the defendant's lien and the interest of the defendant against all claims and demands made against the First Priority Mortgage.

22-9. The plaintiff is barred from recovery herein pursuant to the provisions of the doctrine of unclean hands.

22-10. The plaintiff is barred from recovery herein due to the principles of laches.

22- 11. The plaintiff is barred from recovery herein due to the principles of waiver.

**Interrogatory 23:**

Describe all facts and related documents with regard to whether or not Manal Yusuf was a Bona Fide holder of the Note and Mortgage, including but not limited to whether she or her family members knew of the skimming of funds to avoid payment of taxes in the Plaza Extra Partnership, whether she knew Jamil and Isam were laundering money with regard to that tax evasion, and whether she knew of the federal indictment of Fathi, Jamil and Isam -- and the plea deal for tax evasion by United.

**Interrogatory 24:**

State all facts and related documents as to your knowledge of the US federal lien on the subject property

**Dated:** September 1, 2022

/s/ \_\_\_\_\_

**Joel H. Holt. (Bar # 6)**

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**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 Sept. 1st, 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 addresses below, on:

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/s/ Carl J. Hartmann III