

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

MANAL MOHAMMAD YOUSEF,
Plaintiff,
v.
SIXTEEN PLUS CORPORATION,
Defendant,

and
SIXTEEN PLUS CORPORATION,
Counter-Plaintiff,
v.
MANAL MOHAMMAD YOUSEF,
Counter-Defendant,

and
SIXTEEN PLUS CORPORATION,
Third-Party Plaintiff,
v.
FATHI YUSUF,
Third-Party Defendant.

SIXTEEN PLUS CORPORATION,
Plaintiff,
v.
MANAL MOHAMMAD YOUSEF,
Defendant,

and
MANAL MOHAMMAD YOUSEF,
Counter-Plaintiff,
v.
SIXTEEN PLUS CORPORATION,
Counter-Defendant.

CIVIL NO.: SX-2017-CV-00342

**ACTION FOR DEBT AND
FORECLOSURE**

**COUNTERCLAIM FOR
DAMAGES**

THIRD PARTY ACTION

JURY TRIAL DEMANDED

Consolidated With

CIVIL NO. SX-2016-CV-00065

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

COUNTERCLAIM

JURY TRIAL DEMANDED

**NOTICE TO THE COURT
(REGARDING COMPLETION OF BRIEFING OF ALL OUTSTANDING MOTIONS)**

COMES NOW, Plaintiff Hisham Hamed, through undersigned counsel, and gives NOTICE to the Court that all of the outstanding, related motions both in this action and in the companion 650 action have been fully briefed. See the attached chart, appended as Exhibit 1. The Court’s attention is particularly directed to the joint motion to enlarge the Scheduling Order, the motion to consolidate with 650, and the motions to dismiss. (The documents are HyperLinked by clicking on the “SuperSTX” column.)

I. Motions

65/342	Filed 2/14/2023	<u>SuperSTX-Brady</u>	Joint	Joint Motion for Enlargement of Scheduling Order of January 20, 2023 in 65/342
650	Filed 2/14/2023	<u>SuperSTX</u>	Joint	Joint Motion for Enlargement of Scheduling Order of January 20, 2023 in 650
650	Filed 2/6/2023	<u>SuperSTX-Brady</u>	Hamed	Hamed Rule 15(d) Motion to Supplement FAC to add new information and acts
		-		Same
65/342	Filed 1/3/2023	<u>SuperSTX-Brady</u>	16+	First Motion to Compel to Manal Yousef: For Address, Agent’s Information, Accounting and Tax Information
65/342	Filed 1/1/2023	<u>SuperSTX-Brady</u>	16+	Motion to Amend to Add Sentence re In Pari Delicto

				Same
650	Filed 12/18/2022	SuperSTX-Brady	Hamed	Hamed's Motion to Amend the FAC to Join Manal as a Defendant
				Same
650 & 65/342	Filed 12/2/2022 12/2/2022	SuperSTX-Brady	Hamed	[in 650] Hisham Hamed's Third Motion to Compel: as to Fathi Yusuf's 'Fifth Amendment' Assertions in Discovery or, in the Alternative to Preclude Testimony
		SuperSTX-Brady	16+	Sixteen Plus' First Motion to Compel Manal-- Crossfiling 650 Hisham Hamed's Third Motion To Compel: As To Fathi Yusuf's 'Fifth Amendment' Assertions In Discovery Or, In The Alternative To Preclude Testimony
650	Filed 11/23/2022	SuperSTX-Brady	Hamed	Hamed's Second Motion to Compel--as to Isam's Bank Records
650	Filed 1/2/2019	Superior	Hamed	Motion to Consolidate 650 into other 2 Manal Cases
342 PreCon	Filed 12/15/2017	Superior	Yusuf	3rd-Party Fathi Yusuf's Motion to Dismiss 3rd-Party Claim
650	Filed 1/9/2017	SuperiorSTX	Yusuf	Motion to Dismiss the Amended Complaint

Filed 6/14/2017	SuperiorSTX	Isam Jamil	Jamil and Isam Yousuf's Motion to Dismiss (with Motion for Extra Pages)
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II. Oppositions

		All	No Responses Due (Joint Motion)
		All	No Responses Due (Joint Motion)

3/6/2023	SuperiorSTX-Brady	Isam Jamil	Isam & Jamil Opposition to Hamed Motion to Supplement
2/27/2023	SuperSTX-Brady	Fathi	Fathi's Opposition to Motion to Supplement Complaint

2/3/2023	SuperSTX-Brady	Manal	Manal Opposition to the First Motion of Sixteen Plus Corporation to Compel Manal Yousef for Address, Agent's Info, Accounting and Tax Information
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2/10/2023	SuperSTX-Brady	Fathi	Fathi's Opposition to 16+ motion to Amend to clarify "In Pari Delicto"
2/21/2023	SuperSTX-Brady	Manal	Manal's Opposition re 16+ motion to Amend to Clarify In Pari Delicto

1/23/2023	SuperSTX-Brady	Fathi	Opposition to Motion to Amend to Join Manal Yousef
2/3/2023	SuperSTX-Brady	Manal	Manal Opposition to Motion to Amend FAC to add Manal Yousef [Wrong Party Filed]

2/17/2023	SuperSTX-Brady	Fathi (650)	Fathi's Opposition to Third Motion to Compel re 5th Amendment
2/17/2023	SuperSTX-Brady	Fathi (65/342)	Fathi's Opposition to 650 Third Motion to Compel as to 5th Amendment
Filed 12/22/2022	SuperSTX-Brady	Isam	Isam's Opposition to Hamed's 2nd Mot to Compel - Bank Records
1/25/2019	SuperiorSTX	Yousufs	Opposition to Motion to Consolidate 3rd of the three cases 342 & 65
1/8/2018	SuperiorSTX	16+	16+'s Opposition to Counterclaim Defendant Fathi Yusuf's Motion to Dismiss
1/20/2017	SuperiorSTX	Hamed	Opposition to Motion to Dismiss
7/19/2017	SuperiorSTX	Hamed	Hamed Opposition to Jamil/Isam Motion to Dismiss
8/10/2017	SuperiorSTX	Hamed	Supplemental Declaration re Fathi Motion to Dismiss
8/7/2017	SuperiorSTX	Hamed	Supplemental Declaration in Opposition to Jamil Mot to Dismiss

III. Replies

			No Responses Due (Joint Motion)
			No Responses Due (Joint Motion)
3/7/2023	SuperST X-Brady	Hamed	Hamed's Reply to Isam & Jami's Opposition to Hamed Motion to Supplement FAC
3/3/2023	SuperST X-Ross	Hamed	Hamed's Reply re Fathi's Opposition to Motion to Supplement FAC
2/5/2023	SuperST X-Brady	16+	16+ Reply to Manal's Opposition to the First Motion of Sixteen Plus Corporation to Compel Manal Yousef for Address, Agent's Info, Accounting and Tax Information
2/12/2023	SuperST X-Brady	16+	Sixteen Plus Corp's Reply to Fathi Yusuf's Opposition Re Its Motion to Amend to Clarify the Affirmative Defense of "In Pari Delicto"
2/23/2023	SuperST X-Brady	16+	16+ Reply re its Motion to Amend re In Pari Delicto
2/6/2023	SuperST X-Brady	Hamed	Hamed Reply to Fathi Yusuf Opposition re Motion to Amend FAC to Add Manal
2/8/2023	SuperST X-Brady	Hamed	Hamed Reply to Manal Opposition to Motion to Amend FAC to add Manal Yousef

<p>2/21/20 23</p>	<p><u>SuperST X-Brady</u></p>	<p>Hamed (650 (65/342)</p>	<p>Motion for filing Excess Pages, hyperlink & sealing - with Hamed's Reply re Third Motion to Compel - Fathi 5th Amendment</p> <p>MIRROR FILING IN 65-342</p>
<p>Filed 12/26/2 022</p>	<p><u>SuperST X-Brady</u></p>	<p>Hamed</p>	<p>Hamed's Reply -- to Isam's Opposition to Hamed's 2nd Mot to Compel - Bank Records</p>
<p>1/31/20 19</p>	<p><u>Superior STX</u></p>	<p>Hamed</p>	<p>Reply re Motion to Consolidate</p>
<p>1/30/20 18</p>	<p><u>Superior STX</u></p>	<p>Yusuf</p>	<p>Yusuf Reply re Motion to Dismiss 3rd Party Complaint as to Fathi Yusuf</p>
<p>2/6/201 7</p>	<p><u>Superior STX</u></p>	<p>Yusuf</p>	<p>Yusuf Reply re Motion to Dismiss</p>
<p>8/8/201 7</p>	<p><u>Superior STX</u></p>	<p>Isam Jamil</p>	<p>Isam & Jamil Yousuf's Reply re Motion to Dismiss</p>

Counsel for Sixteen Plus Corporation

Dated: March 13, 2023

/s/ Carl J. Hartmann III

Carl J. Hartmann III, Esq.

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CERTIFICATE OF SERVICE

I hereby certify that, discounting captions, headings, signatures, quotations from authority and recitation of the opposing party's own text, this document complies with the page and word limitations set forth in Rule 6-1(e) and that on **March 13, 2023**, I served a copy of the foregoing by email and the Court's E-File system, as agreed by the parties, to:

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Courtesy copy to Kevin Rames, Esq.

/s/ Carl J. Hartmann III

Outstanding Motions in the Two "Diamond Keturah" Cases: 65/342 (Foreclosure) and 650 (CICO)

Green Shading = Briefing Complete



65/342	Filed 2/14/2023	Super	Joint	Joint Motion for Enlargement of Scheduling Order of January 20, 2023 in 65/342		All	No Responses Due (Joint Motion)				No Responses Due (Joint Motion)	
650	Filed 2/14/2023	Super	Joint	Joint Motion for Enlargement of Scheduling Order of January 20, 2023 in 650		All	No Responses Due (Joint Motion)				No Responses Due (Joint Motion)	
650	Filed 2/6/2023	Super	Hamed	Hamed Rule 15(d) Motion to Supplement FAC to add new information and acts	3/6/2023	Super	Isam Jamil	Isam & Jamil Opposition to Hamed Motion to Supplement	3/7/2023	Super	Hamed	Hamed's Reply to Isam & Jami's Opposition to Hamed Motion to Supplement FAC
				Same	2/27/2023	Super	Fathi	Fathi's Opposition to Motion to Supplement Complaint	3/3/2023	Super	Hamed	Hamed's Reply re Fathi's Opposition to Motion to Supplement FAC
65/342	Filed 1/3/2023	Super	16+	First Motion to Compel to Manal Yousef: For Address, Agent's Information, Accounting and Tax Information	2/3/2023	Super	Manal	Manal Opposition to the First Motion of Sixteen Plus Corporation to Compel Manal Yousef for Address, Agent's Info, Accounting and Tax Information	2/5/2023	Super	16+	16+ Reply to Manal's Opposition to the First Motion of Sixteen Plus Corporation to Compel Manal Yousef for Address, Agent's Info, Accounting and Tax Information
65/342	Filed 1/1/2023	Super	16+	Motion to Amend to Add Sentence re In Pari Delicto	2/10/2023	Super	Fathi	Fathi's Opposition to 16+ motion to Amend to clarify "In Pari Delicto"	2/12/2023	Super	16+	Sixteen Plus Corp's Reply to Fathi Yusuf's Opposition Re Its Motion to Amend to Clarify the Affirmative Defense of "In Pari Delicto"
				Same	2/21/2023	Super	Manal	Manal's Opposition re 16+ motion to Amend to Clarify In Pari Delicto	2/23/2023	Super	16+	16+ Reply re its Motion to Amend re In Pari Delicto
650	Filed 12/18/2022	Super	Hamed	Hamed's Motion to Amend the FAC to Join Manal as a Defendant	1/23/2023	Super	Fathi	Opposition to Motion to Amend to Join Manal Yousef	2/6/2023	Super	Hamed	Hamed Reply to Fathi Yusuf Opposition re Motion to Amend FAC to Add Manal
				Same	2/3/2023	Super	Manal	Manal Opposition to Motion to Amend FAC to add Manal Yousef [Wrong Party Filed]	2/8/2023	Super	Hamed	Hamed Reply to Manal Opposition to Motion to Amend FAC to add Manal Yousef
650 & 65/342	Filed 12/2/2022	Super	Hamed	[in 650] Hisham Hamed's Third Motion to Compel: as to Fathi Yusuf's 'Fifth Amendment' Assertions in Discovery or, in the Alternative to Preclude Testimony	2/17/2023	Super	Fathi (650)	Fathi's Opposition to Third Motion to Compel re 5th Amendment	2/21/2023	Super	Hamed (650)	Motion for filing Excess Pages, hyperlink & sealing - with Hamed's Reply re Third Motion to Compel - Fathi 5th Amendment
		12/2/2022	Super	16+	Sixteen Plus' First Motion to Compel Manal-- Crossfiling 650 Hisham Hamed's Third Motion To Compel: As To Fathi Yusuf's 'Fifth Amendment' Assertions In Discovery Or, In The Alternative To Preclude Testimony	2/17/2023	Super	Fathi (65/342)				
650	Filed 11/23/2022	Super	Hamed	Hamed's Second Motion to Compel--as to Isam's Bank Records	Filed 12/22/2022	Super	Isam	Isam's Opposition to Hamed's 2nd Mot to Compel - Bank Records	Filed 12/26/2022	Super	Hamed	Hamed's Reply -- to Isam's Opposition to Hamed's 2nd Mot to Compel - Bank Records
650	Filed 1/2/2019	Super	Hamed	Motion to Consolidate 650 into other 2 Manal Cases	1/25/2019	Super	Yousufs	Opposition to Motion to Consolidate 3rd of the three cases 342 & 65	1/31/2019	Super	Hamed	Reply re Motion to Consolidate
342 PreCon	Filed 12/15/2017	Super	Yusuf	3rd-Party Fathi Yusuf's Motion to Dismiss 3rd-Party Claim	1/8/2018	Super	16+	16+'s Opposition to Counterclaim Defendant Fathi Yusuf's Motion to Dismiss	1/30/2018	Super	Yusuf	Yusuf Reply re Motion to Dismiss 3rd Party Complaint as to Fathi Yusuf
650	Filed 1/9/2017	Super	Yusuf	Motion to Dismiss the Amended Complaint	1/20/2017	Super	Hamed	Opposition to Motion to Dismiss	2/6/2017	Super	Yusuf	Yusuf Reply re Motion to Dismiss
	Filed 6/14/2017	Super	Isam Jamil	Jamil and Isam Yousuf's Motion to Dismiss (with Motion for Extra Pages)	7/19/2017	Super	Hamed	Hamed Opposition to Jamil/Isam Motion to Dismiss	8/8/2017	Super	Isam Jamil	Isam & Jamil Yousuf's Reply re Motion to Dismiss
					8/10/2017	Super	Hamed	Supplemental Declaration re Fathi Motion to Dismiss				
					8/7/2017	Super	Hamed	Supplemental Declaration in Opposition to Jamil Mot to Dismiss				