

Serve

VIRGINIA:

IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY

WHITBECK & ASSOCIATES, P.C.,

Plaintiff,

v.

WESLEY C. SMITH,

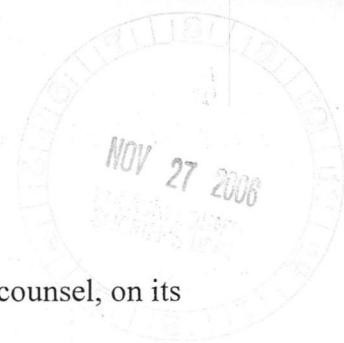
and

CHERI SMITH,

Defendants.

Case No. CL71003

ORDER



THIS DAY came the Plaintiff, Whitbeck & Associates, P.C., by counsel, on its Complaint for Interpleader; and

IT APPEARING TO THE COURT that the Plaintiff has moved this Court for leave to deposit the sum of \$128,733.88 with the Clerk of the Court, the sum representing the Plaintiff's entire liability under and by virtue of the Escrow Agreement of the Defendants dated December 12, 2003 and subsequent Orders of this Court; it is therefore

ADJUDGED, ORDERED and DECREED that:

1. The Plaintiff is granted leave to deposit the sum of \$128,733.88 with the Clerk of the Court;
2. Whitbeck & Associates, P.C. is forever discharged from any and all liability to Wesley C. Smith and Cheri Smith, or to any of them or to any person or persons claiming by, through or under them, upon, on or by virtue of that certain Escrow Agreement of the Defendants dated December 12, 2003 and subsequent Orders of this Court;

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3. The Defendants, Wesley C. Smith and Cheri Smith are perpetually restrained and enjoined from instituting any suit, action or proceeding whatsoever against Whitbeck & Associates, P.C. by arising out of or relating to the Escrow Agreement of the Defendants dated December 12, 2003 and subsequent Orders of this Court;

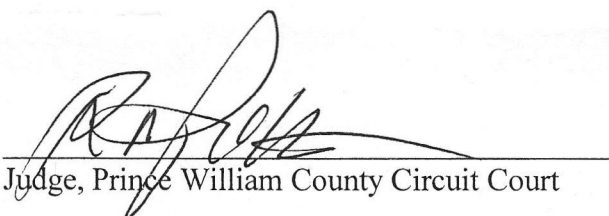
4. Whitbeck & Associates, P.C. is dismissed from this suit, and counsel for the Plaintiff is granted leave to withdraw as counsel of record in this matter;

5. The claims of the Defendants shall be now transferred to the fund on deposit to the credit of this Court and that the Defendants shall file with this Court a written statement as to their position on the disposition of the aforesaid funds;

6. The Prince William County Sherriff's Office shall serve the Defendant, Wesley C. Smith at his address: 5347 Landrum Road, Apartment 1, Dublin, Virginia 24084, and the Defendant, Cheri Smith at her address: 8350 Greensboro Drive, #111, McLean, Virginia 22102 with an attested copy of this Order.

This cause is continued.

ENTERED: 11/17/06



Judge, Prince William County Circuit Court

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