

VIRGINIA:

IN THE CIRCUIT COURT THE COUNTY OF PRINCE WILLIAM

Cheri Smith
Complainant

v.
Wesley Smith
Defendant

)
)
) Chancery No. 53360
)
)

NOTICE

PLEASE TAKE NOTICE that on Wednesday March 3, 2004 at 10:00 A.M. in the above captioned court I will make an appearance and make the following motion:

MOTION

Comes now the Complainant, Cheri Smith, who by counsel moves this Court to quash the Defendant's *Subpoena Duces Tecum* issued by Defendant's counsel and served upon the Custodian of Records, SAIC Engineering, Inc., copy attach hereto. In support of this Motion, Complainant states:

FILED

2004 FEB 23 AM 10:50

CIRCUIT CLERK'S OFFICE
PRINCE WILLIAM COUNTY VA.
DAVID C. MARIE
BY DEPUTY

1. That the information requested Subpoena Duces Tecum is beyond the proper scope of discovery;
2. That the information requested by the Subpoena Duces Tecum is sought to prove facts not pled in the Defendant's Cross-Bill of Complaint;

WHEREFORE, the Complainant respectfully requests that the Defendant's *Subpoena Duces Tecum* be quashed

Respectfully submitted,
Cheri Smith
By Counsel

By: _____

Loretta Vardy, Esquire-
VSB No. 26225

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Phone: 703-791-6078
Fax: 703-791-7957
Counsel for Cheri Smith

CERTIFICATE OF SERVICE

This is to certify that on the 25 day of February 2004, a true copy of the foregoing Motion to Quash was hand delivered to John C. Whitbeck, Jr. Esq. Counsel for the Defendant:

Loretta Vardy, Esquire