

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF PRINCE WILLIAM

CHERI SMITH)	
Plaintiff)	
)	
v.)	Chancery No. 53360-00
)	
WESLEY C. SMITH)	
Defendant)	

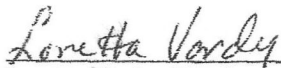
NOTICE AND MOTION

PLEASE TAKE NOTICE that on Friday, January 28, 2005, at 10:00 a.m., or as soon thereafter as this matter may be heard, the Plaintiff by Counsel will move this Court to enter the Order which is attached,

Respectfully submitted,

CHERI SMITH

By Counsel



Loretta Vardy, Esquire
Virginia State Bar No. 26225
12388 Silent Wolf Drive
Manassas, Virginia 20112
(703) 791-6078
Counsel for Ms. Smith

CERTIFICATION OF NOTICE

This is to certify that on the 18th day of January 2005, a true copy of the foregoing Notice and Motion was hand delivered to Wesley C. Smith, Defendant and Ronald Fahy, Esquire (GAL)

Loretta Vardy
Loretta Vardy

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ORDER

THIS MATTER came for hearing on November 3, 2004 upon the Complainant's Motion to Quash a Witness Subpoena issued for Complainant's Counsel; Complainant's Motion to release escrowed marital funds in the amount of fifty thousand dollars for the benefit of the Defendant's mother, Mrs. Smith; and upon the Motion of the Guardian *Ad Litem* to release monies from the escrowed marital account in order to pay the Guardian *Ad Litem*; as well as the Defendant's Petition for a Rule to Show Cause against Igor Bakhir; Petition for a Rule to Show Cause against the Complainant; Motion to Compel Answers to Discovery ; Motion to appoint a new Guardian *Ad Litem* ; Motion to Vacate the *Pendente Lite* Order entered by this Court on September 23, 2004; Motion for Sanctions against Counsel for the Complainant; Motion to Order Child Protective Services to provide copies of all documents related to the minor child, Liam Smith; Motion to prohibit the Complainant from filing any further motions until she complies with discovery; four Motions for *Pendente Lite* Relief which was originally set for June 11, 2004 (Clarification of Visitation), June 23, 2004 (Travel and Adultery) and August 17, 2004.

Upon consideration of the evidence presented and the arguments of counsel, it is hereby

ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. Complainant's Motion to quash the witness subpoena issued for the Complainant's Counsel is granted.

