

V I R G I N I A

IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY

CHERI SMITH,
Complainant,

v.

WESLEY SMITH,
Defendant.

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Chancery No. 53360

ORDER

THIS MATTER came before this Court on February 15, 2006 upon the several motions filed by the parties, a motion by the Guardian-ad-Litem, and motions by the Fairfax County School Board by its counsel; and

IT APPEARING TO THE COURT that the Complainant did appear, through counsel, the Defendant did appear, *pro se*; the Guardian-ad-Litem did appear, and Fairfax County appear, through counsel; that the Court proceeded to hear testimony , evidence and argument regarding the motions; and therefore, for the reasons set forth in court, it is hereby

ADJUDGED, ORDERED, and DECREED the following:

A. AS TO THE MOTIONS CONTAINED IN THE DEFENDANT’S PRAECIPE OF FEBRUARY 6, 2006:

1. The Defendant’s Motion for *Pendente Lite* Relief filed on June 18, 2004 with respect to adultery is GRANTED IN PART, without making any finding as to the allegations of adultery which issues shall be reserved for trial, the Court admonishes both parties to comply with the laws of this Commonwealth and orders that the parties are not

to have sexual relations with any person in the presence of the child. The rest of the Motion is DENIED; and

2. The Defendant's Motion for *Pendente Lite* Relief filed on June 18, 2004 with respect to travel is GRANTED IN PART, the Court orders that neither party shall take the child outside of the United States without the prior approval of the Court. The Complainant shall take the necessary steps to see to it that the child shall be made available to appear at the trial of this matter in event that either party wishes to call the child as a witness. The rest of the Motion is DENIED; and

3. The Defendant's Motion for *Pendente Lite* Relief filed on August 13, 2004 with respect to the Complainant and her attorney's alleged harassment is GRANTED IN PART, the Court finds that there has been no harassment by the motions filed herein and orders that the parties shall proceed with additional Discovery as set forth in this Order only.

The Court notes that the original Bill of Complaint was filed on June 11, 2003 and that there has already been discovery in this matter and ample opportunity to complete the same. Therefore, this Court orders that the counsel for the Complainant shall finalize discovery in the following manner::

Counsel for the Complainant shall prepare the Equitable Distribution Worksheets using the forms provided by the Clerk of this Court, or any similar forms, and shall file the same with the Clerk of this Court and with the Defendant. These Worksheets shall include

1) a complete list of the Marital Property including title, value and proposed disposition

