

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF PRINCE WILLIAM

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

PLAINTIFF'S PROPOSED DISTRIBUTION OF MARITAL PROPERTY

The only remaining marital asset which has significant value is the \$130,053.38 which remains in the escrow account of John Whitbeck, Esq., the Defendant's former counsel. Mr. Smith's mother has already received \$50,000.00 from this account to reimburse her for monies lent to Mr. Smith. From this \$130,053.38, Ms. Smith requests that she receive the following:

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| 1. | ½ of the \$180,000.00 net proceeds from the sale of the marital home, | \$ 90,000.00 |
| 2. | ½ of the \$13,285.00 post separation mortgage payments | \$ 6,642.50 |
| 3. | The total amount of mortgage payments made after she left the home | \$ 10,352.00 |
| 4. | The total amount of utilities paid by Ms. Smith after she left the home | \$ 2,344.00 |
| 5. | Reimbursement for car insurance paid post-separation for Mr. Smith | \$ 593.00 |
| 6. | Reimbursement for the interest, Ms. Smith has paid on cash advances to pay the mortgage while Mr. Smith lived in the house but she did not | \$ 2,000.00 |
| 7. | ½ the value of the Mutual Funds which were liquidated by Mr. Smith | \$ 4,200.00 |
| 8. | ½ of the tax refunds for the 2002 Federal and State Income tax refund | \$ 2,024.50 |
| 9. | ½ of the child care credit refund for 2002 which Mr. Smith took | \$ 200.00 |
| 10. | Ms. Smith would like the return of her camcorder or the cash value | \$ <u>600.00</u> |
| | Total Cash | \$ 118,956.00 |
11. During the Court hearing on February 15, 2006, Mr. Smith stated that he had no interest in the CPC stock which he said were worthless. Ms. Smith requests that the Court award that stock to her.
 12. Ms. Smith waives any claim to the 1993 Saturn which Mr. Smith drives.
 13. As Ms. Smith has paid a total of \$7,393.00 towards the Marital Debt which was \$12,264.00 as of 6/1/2003, she requests that the remaining Marital Debt be paid from the \$11,097.38 remaining from the proceeds in the escrow account.
 14. Ms. Smith further requests that Mr. Smith be responsible for paying Mr. Fahy's fees.
 15. Ms. Smith also requests the Court to order Mr. Smith to pay attorney's fees
 16. Ms. Smith requests that any monies which the Court should award to Mr. Smith be applied towards his Child Support arrearages

Respectfully submitted by
 Cheri Smith
 By Counsel