

## CIVIL WORKSHEET

DATE: 5/22/2006

CH53360

JUDGE: RBP

COURT REPORTER:  
Andrea Blakley-MAR Reporting

ATTORNEY(S):

PLAINTIFF: **CHERI SMITH**  
present

**LORETTA VARDY**  
present

DEFENDANT: **WESLEY C SMITH**  
present

pro se

**RONALD FAHY, guardian ad litem**  
for child - present

Court in session: 10:00 am

Rule on witnesses

Parties are sworn and background in

**CHERI SMITH:**

Born 2/4/69, 37 years old, Master's Degree, employed at Science Application International, as Project Manager, Project Manager for 5 years, annual income \$75,900, monthly income \$6,325, no other income, good physical and mental health, takes orthotricyclene, birth control, health insurance through employer – Aetna, covers family self, child and husband, insurance for Liam \$35 bi-weekly, dental plan included, lives at 1533 Lincoln Circle, apt. #104, Mclean, VA, since July 2004, 2 bedroom apartment, lives with Liam, Liam has own bedroom, married on 11/23/88 in South Jordan, Utah, first marriage, no other children, Liam born 7/22/1997, 8 years old, attends Spring Hill Elementary, 2<sup>nd</sup> grade, below average student, Downs Syndrome, in special ed. has IEP, elementary school is in Fairfax County, is mainstreamed in school, goes to after-school program with Fairfax County, office is in Mclean, Spring Hill Elementary is also in Mclean, separated 9/17/02, she moved out, came back into home, parties alternated living days in the home, moved out into apartment on Manassas Mill Road, in June 2003, parties have lived separate and apart since June 2003, took Liam with her when she moved out, Liam on Merelax (maintenance laxative) and takes allergy medication during spring, sees physician on regular basis and sees a geneticist, had a regular visitation schedule with father until December 2004, father moved to Michigan, no established visitation plan was ever set, defendant moved to Dublin, VA, in spring of 2005, no schedule for visitation at this time, position of custody – sole legal physical custody, opposes joint custody, visitation – minimize contact of parties in front of child, wants to know where Liam is, PSA – none, owns no real estate, jointly owned marital residence at 11411 Huntsman Drive, Manassas, VA, single family home 4 bed, purchased in January 1997 for \$207,000, sold December 2003, proceeds from sale have not been distributed, \$50,000 was released to defendant to satisfy a debt to his mother, funds were deducted to pay GAL, \$130,053 is held in escrow, furnishings were distributed, auto – 2002 Mazda 626, lien, title in name alone, bears costs, no other vehicles, grounds – 1 year separation, ore tenus, spousal support, none, monthly child care costs \$256 per month for 9 month, 3 months in summer \$600, \$4,104 divide by 12 = \$342 per month, speech therapist and physical therapy not covered by insurance. No issues of real estate other than distribution of proceeds, household furnishing – none, personal property – seek to retain interest in own auto, none for him, retirement account – seeking none from def, life insurance – has one defendant is beneficiary, but will change to Liam, adult to serve as trustee, joint stock in defendant's former employer, 2000 shares, in name only, seeking sole interest in stocks, no IRAs, no CDs, tax deduction – files head of household since 2003, plaintiff seeking all proceeds held

