

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

WESLEY C. SMITH,)
)
Plaintiff,)
)
v.)
)
ROGER D. VANDERHYE,)
)
Defendant.)
_____)

Case No. CL 2006-0007859

DEFENDANT ROGER D. VANDERHYE'S
DEMURRER TO AMENDED COMPLAINT

Defendant Roger D. Vanderhye ("Mr. Vanderhye"), by counsel, and pursuant to Rule 3:8 of the Rules of the Supreme Court of Virginia, respectfully demurs to the Amended Complaint filed by Plaintiff Wesley C. Smith ("Mr. Smith"). The grounds for this Demurrer are fully set forth in the accompanying Memorandum of law.

Respectfully submitted,

ROGER D. VANDERHYE

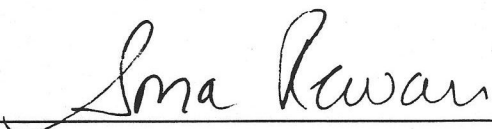
By: Sona Rewari
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CERTIFICATE OF SERVICE

I hereby certify that, on October 26, 2006, a true and correct copy of Defendant Roger D. Vanderhye's Demurrer to Amended Complaint was sent by electronic mail and by first-class U.S. mail, postage prepaid to:

Wesley C. Smith
5347 Landrum Road
Apartment 1
Dublin, Virginia 24084-5603
liamsdad@liamsdad.org



Counsel

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DEFENDANT ROGER D. VANDERHYE'S
MEMORANDUM IN SUPPORT OF DEMURRER TO AMENDED COMPLAINT

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