

**VIRGINIA:**

**IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY**

<b>WHITBECK &amp; ASSOCIATES, P.C.,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Case No. CL71003</b>
	)	
<b>v.</b>	)	
	)	
<b>WESLEY C. SMITH,</b>	)	
	)	
<b>and</b>	)	
	)	
<b>CHERI SMITH,</b>	)	
	)	
<b>Defendants.</b>	)	

**AMENDED COMPLAINT FOR INTERPLEADER**

**COMES NOW** the Plaintiff, Whitbeck & Associates, P.C., by counsel, and requests this Honorable Court enter an Order grant such relief as set forth below, and states as follows:

1. The Plaintiff, Whitbeck & Associates, P.C. (“the Firm”) is a Virginia Professional Corporation, in good standing, organized in and licensed to conduct business in the Commonwealth of Virginia.
2. The Defendants, Wesley C. Smith and Cheri Smith (“the Defendants”) are natural persons who reside in the Commonwealth of Virginia.
3. The Firm is a law office engaged in the business of providing professional legal services, and the undersigned is formerly counsel for the Defendant, Wesley C. Smith in his divorce case currently pending in this Court.
4. Pursuant to the written Escrow Agreement of the Defendants dated December 12, 2003 and in accordance with subsequent Court Orders, the Firm has maintained the proceeds from the sale of the Defendants’ residence.

