

VIRGINIA:

IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY

CHERI SMITH,

Complainant,

v.

WESLEY C. SMITH,

Defendant.

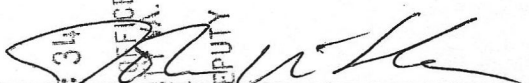
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Chancery No. 53360

PRAECIPE

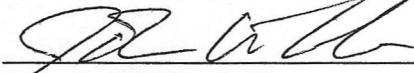
PLEASE TAKE NOTICE, that the Defendant, pursuant to Rule 4:5 of the Rules of the Supreme Court of Virginia, will take the oral deposition of Igor Bakhir, at the Law offices of Kazem, Whitbeck, Seck & Kazem, PLC located at 15-D Loudoun Street, SW, Leesburg, Virginia 20175, before a Notary Public or some other officer authorized to administer oaths on Wednesday, January 28, 2004 at 10:00 a.m.

Respectfully submitted,
WESLEY C. SMITH
by Counsel


John C. Whitbeck, Jr., Esquire
Kazem, Whitbeck, Seck & Kazem, PLC
15-D Loudoun Street, SW
Leesburg, VA 20175
(703) 777-1795
(703) 777-9079 facsimile
Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of this pleading was sent via hand facsimile and first-class mail, this 9 day of January, 2003, to the Loretta Vardy, Esquire, 12388 Silent Wolf Drive, Manassas, Virginia 20108, Counsel for Complainant.


John C. Whitbeck, Jr.

SUBPOENA DUCES TECUM (CIVIL) -
ATTORNEY ISSUED VA. CODE §§ 8.01-413, 16.1-89, 16.1-265;
Commonwealth of Virginia Supreme Court Rules 1:4,4:9

Case No.: 53360
Wednesday, January 28, 2004 at 10:00 am
HEARING DATE AND TIME

Prince William County Circuit Court

9311 Lee Avenue
COURT ADDRESS

Cheri Smith *v./In re:* Wesley C. Smith

TO THE PERSON AUTHORIZED BY LAW TO SERVE THIS PROCESS:

You are commanded to summon

Igor Bakhir

NAME

c/o SAIC, 11251 Roger Bacon Drive

STREET ADDRESS

Reston

Virginia

20190

CITY STATE ZIP

TO the person summoned: You are commanded to make available the documents and tangible things designated and described below:

All telephone bills reflecting calls made to or received from any past or present residence, office, or cellular phone of Cheri Smith; all credit card statements referencing purchases made for, with or on behalf of Cheri Smith; all bank statements showing debits for monies spent for, with or on behalf of Cheri Smith; all work or personal e-mail sent to or received from Cheri Smith; all e-mails from or to any individual referencing Cheri Smith, Liam Smith or Wesley Smith; all written letters, notes, or cards given to or received from Cheri Smith; all photographs taken showing Cheri Smith or Liam Smith; all pleadings, transcripts, notes or other documents relating to Igor Bakhir's divorce or any other lawsuit in which Igor Bakhir was a party; all documents referencing the time of day or night worked by Igor Bakhir at SAIC; all documents related Igor Bakhir's immigration status; all documents that relate in any manner to Cheri Smith, Wesley Smith or Liam Smith.

at 15-D Loudoun Street, SW, Leesburg, Virginia 20175 at Wednesday, January 28, 2004 at 10:00 am

LOCATION

DATE AND TIME

to permit such party or someone acting in his or her behalf to inspect and copy, test or sample such tangible things in your possession, custody or control.

This Subpoena Duces Tecum is issued by the attorney for and on behalf of

Wesley C. Smith

PARTY NAME

John C. Whitbeck, Jr.

NAME OF ATTORNEY

47525

VIRGINIA STATE BAR NUMBER

15-D Loudoun Street, SW

(703) 777-1795

OFFICE ADDRESS

TELEPHONE NUMBER OF ATTORNEY

Leesburg, Virginia 20175


(703) 777-9079

OFFICE ADDRESS

FACSIMILE NUMBER OF ATTORNEY

January 9, 2004

DATE ISSUED


SIGNATURE OF ATTORNEY

Notice to Recipient: See page two for further information.

RETURN OF SERVICE (see page two of this form)

TO the person summoned:

If you are served with this subpoena less than 14 days prior to the date that compliance with this subpoena is required, you may object by notifying the party who issued the subpoena of your objection in writing and describing the basis of your objection in that writing.

This SUBPOENA DUCES TECUM is being served by a private process server who must provide proof of service in accordance with Va. Code § 8.01-325.

TO the person authorized to serve this process: Upon execution, the return of this process shall be made to the clerk of court.

NAME: _____	
ADDRESS: _____	

<input type="checkbox"/> PERSONAL SERVICE	Tel. No. _____
Being unable to make personal service, a copy was delivered in the following manner:	
<input type="checkbox"/> Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above: _____	
<input type="checkbox"/> Posted on front door or such other door as appear to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)	
<input type="checkbox"/> not found	_____, Sheriff
_____ DATE	by _____, Deputy Sheriff

CERTIFICATE OF COUNSEL

I, John C. Whitbeck, Jr., counsel for Wesley C. Smith, hereby certify that a copy of the foregoing subpoena duces tecum was _____ mailed, via first class mail _____
DELIVERY METHOD
to Loretta Vardy, Esquire, counsel of record for Cheri Smith,
on the 9 day of January, 2004.



SIGNATURE OF ATTORNEY

