

**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

March 3, 2004 at 10:00 a.m.

HEARING DATE AND TIME

Prince William County Circuit

Court

9311 Lee Avenue, Manassas, Virginia 20110-5555

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

Custodian of Records, SAIC Engineering, Inc. by CT Corporation System, Registered Agent

NAME

4701 Cox Road, Suite 301

STREET ADDRESS

Glen Allen

Virginia

23060

CITY

STATE

ZIP

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

See attached

at SAIC, 11251 Roger Bacon Drive, Reston, Virginia at March 17, 2004 at 1:00 p.m.

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

15-D Loudoun Street, SW

OFFICE ADDRESS

Leesburg, Virginia 20175

OFFICE ADDRESS

February 13, 2004

DATE ISSUED

47525

VIRGINIA STATE BAR NUMBER

(703) 777-1795

TELEPHONE NUMBER OF ATTORNEY

(703) 777-9079

FACSIMILE NUMBER OF ATTORNEY

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.

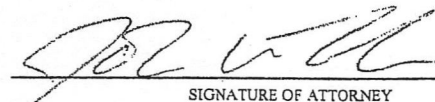
☒ This SUBPOENA DUCES TECUM is being served by a private process server who must provide proof of service in accordance with Va. Code § 8.01-325.

**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
_____ by _____, Deputy Sheriff	
DATE _____	

**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 \_\_\_\_\_  
to Loretta Vardy, Esquire, counsel of record for Cheri Smith,  
on the 13 day of February, 2004.

  
SIGNATURE OF ATTORNEY

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

1. All correspondence, electronic or otherwise, sent by your employee Igor Bakhir to your employee Cheri Smith, and/or received by Mr. Bakhir from Mrs. Smith since the commencement of Igor Bakhir's employment at your company, and all correspondence, electronic or otherwise, sent by Cheri Smith to Igor Bakhir and/or received by Mrs. Smith from Mr. Bakhir since the commencement of Cheri Smith's employment at your company that reference any of the following: Cheri Smith, Igor Bakhir, Liam Smith, Wesley Smith, either Cheri Smith's or Igor Bakhir's previous or pending divorce proceedings, custody proceedings, support proceedings, lunch excursions in which Igor Bakhir and/or Cheri Smith have attended or will be attending either together as the two of them or with other employees of your company, friends, and/or family, company parties and/or events in which Igor Bakhir and/or Cheri Smith have attended or will be attending, Cheri Smith's or Igor Bakhir's education, Igor Bakhir's immigration status, or any member of Cheri Smith's or Igor Bakhir's family.
2. For Igor Bakhir, all documents of any nature whatsoever pertaining to dates and times Mr. Bakhir entered or exited the Reston, Virginia or McLean, Virginia locations of your company, its parking lot, or any other facility thereof, all documents pertaining to logon and logoff records of Igor Bakhir's workplace computer, and all timesheets, vacation requests, and/or sick days taken.
3. For Cheri Smith, all documents of any nature whatsoever pertaining to dates and times Mrs. Smith entered or exited the Reston, Virginia or McLean, Virginia locations of your company, its parking lot, or any other facility thereof, all documents pertaining to logon and logoff records of Cheri Smith's workplace computer, and all timesheets, vacation requests, and/or sick days taken.
4. All records in your company's Human Resources department pertaining to Igor Bakhir including, but not limited to, performance evaluations, transfers, disciplinary actions, and security clearances obtained by Igor Bakhir.
5. All records in your company's Human Resources department pertaining to Cheri Smith including, but not limited to, performance evaluations, transfers, disciplinary actions, and security clearances obtained by Cheri Smith.
6. All documents pertaining to your company's policies on dating, romantic relationships, and/or socializing outside the workplace between employees of your company.