

Statement

HOLTS PROCESS SERVICE

2617 KENWOOD AVE.
RICHMOND, VA 23228
(804) 833-9649 Cell
(804) 264-1733 Office/Fax
(804) 756-4941 Pager

Service For John C. Whitbeck JR

Picked Up At Fed Express

Style Of Case Cheri Smith v Wesley C Smith

SUBPOENAS FOR:

- | | | |
|---|---|--|
| <input type="checkbox"/> Warrant In Debt | <input type="checkbox"/> Witness | <input type="checkbox"/> Notice of Hearing |
| <input checked="" type="checkbox"/> Duces Tecum | <input type="checkbox"/> Subpoena In Chancery | <input type="checkbox"/> Copy Of Bill Of Complaint |
| <input type="checkbox"/> Motion For Judgment | <input type="checkbox"/> Interrogatories | <input type="checkbox"/> Unlawful Detainer |
| <input type="checkbox"/> Notice To Take Depositions | <input type="checkbox"/> Other _____ | |

Routine Service To _____

/ Same Day Service To C.T. Corp. System 4701 Cox Road Glen Allen VA.

Date Of Service 2-18-04

Time Of Service 1:20 pm

Mileage Charge If Any X

Charge For Service 35.00

Thanks again for your business, we hope we can serve you again.

Please make checks to Raymond Holt, Sr.
Net due in 15 days from time of service.

AFFIDAVIT OF PROCESS SERVER

53360
Case Number

Prince William Circuit Court
9311 Lee Avenue ..
Manassas, Virginia 20110-5555

March 3rd 2004 at 10:00 am

Hearing/Date/time

Cheri Smith
Plaintiff/Petitioner

In Re/Vs.

Wesley C. Smith
Defendant/Repsondent

Service Information: . . . CT Corporation System R.A.
SAIC Engineering, Inc..
4701 Cox Road Ste 301
Glen Allen, Va. 23060
Name and Address of person/entity being served

Document(s)Subpoena For Duecs Tecum (CIVIL)

I Raymond Holt Sr. being of sworn, declare that I am a citizen of the United States, over the age of eighteen and not a party to the action, nor otherwise interested in the subject in controversy.

Service was completed February 18 th. 2004
Date

1:20 pm
Time

MANNER OF SERVICE;

()POSTED SERVICE (Being unable to make personal service a copy was delivered in the following manner.)-By posting on front door or such other as appears to be the main entrance of the place of abode address listed above.

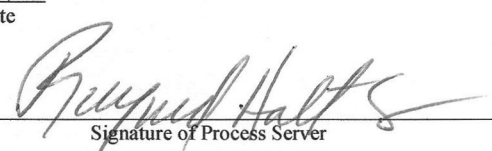
()PERSONAL SERVICE-By delivering a copy of the above described process in writing to him/her or entity in person.

() SUBSTITUE SERVICE- Being unable to make personal service and not finding the above mentioned person at his/her usual place of abode by delivering a copy of the said process and giving information of its purport at his/her usual place of residence to ___ who is a member of his/her family and is the ___ of the mentioned person, other than a temporary sojourner or guest, and is of the age of 16 years or older.

(X) OTHER--Blake Hodge-Auth.To Accept Papers.

I declare under penalty of perjury that the information contained herein is true and correct and this affidavit was executed on: Wednesday February 18th, 2004 in Richmond, Va.
Date City/State

State of Virginia
City/County of Henrico


Signature of Process Server

Subscribed and sworn before me, a notary public, this 19 day of February 2004.

Notary Public--

Holt's Process Server
2617 Kenwood Ave.
Richmond, Va. 23228

My commission Expires: 6/30/2005

COPY

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: _____

☐ **PERSONAL SERVICE**

Tel. _____
No. _____

Being unable to make personal service, a copy was delivered in the following manner:

☐ 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:

☐ 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.)

☐ 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

DELIVERY METHOD

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.

COPY

Service Authorization

CT Corporation System is registered agent for various corporations, limited liability companies and partnerships. The following persons are designated in the office of the corporation upon whom any process, notice or demand may be served as representatives of the Corporation:

Tinika Baylor

Carl Goodwyn

Blake Hodge

Heather McKinney

Lisa Poffenberger

Nanette Rider

THIS AUTHORIZATION PERTAINS TO THE AUTHORITY OF INDIVIDUALS TO RECEIVE PROCESS ON BEHALF OF CT CORPORATION SYSTEM. IT DOES NOT CERTIFY THE RECEIPT OR ACCEPTANCE OF ANY SPECIFIC PROCESS.

Nanette L. Rider
Nanette L. Rider
Virginia Fulfillment Center Manager
CT Corporation System
A WoltersKluwer Company

STATE OF VIRGINIA

COUNTY OF HENRICO

This day personally appeared before me Nanette L. Rider whose name is signed above and who, being first duly sworn, upon her/his oath, states that the foregoing Affidavit is true to the best of her/his knowledge and belief.

Subscribed and sworn before me this 31st December day of October, 2003.

Lisa R. V. [Signature]
Notary Public

My Commission Expires 11/30/05.