

VIRGINIA:

IN THE CIRCUIT COURT FOR THE COUNTY OF PRINCE WILLIAM

CHERI SMITH
Plaintiff

v.

WESLEY C. SMITH
Defendant

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Chancery No. 53360

PENDENTE LITE ORDER

THIS MATTER came for hearing on March 3, 2004, upon the Defendant's Motion To Amend his Cross-Bill of Complaint, Motion To Appoint a Guardian *Ad Litem* for the parties' minor child and his Rule to Show Cause as well as Plaintiff's Motion to Quash Defendant's Subpoena *Duces Tecum*

UPON CONSIDERATION thereof, the evidence, pleadings and documents filed herein as well as the testimony of witnesses and the argument of counsel it is hereby **ORDERED, ADJUDGED AND DECREED** as follows:

1. The Defendant's Motion to Amend his Cross-Bill of Complaint is granted.
2. The Defendant's Motion to Appoint a Guardian *Ad Litem* for the Parties' minor child is granted.
3. The Court appoints Ronald Fahy as the Guardian *Ad Litem*.
4. The Defendant shall pay for the Guardian *Ad Litem*.
5. The Defendant's Rule to Show Cause is dismissed.
6. The Plaintiff is not found in contempt of Court.
7. As clarification of the language contained in the *Pendente Lite* Order entered by this Court on October 2, 2003, the language contained in Paragraph 3, Sub-paragraph 13 B. i., concerning the educational information which must be provided to the Defendant by the Plaintiff. The Plaintiff must supply:

BK 0254 PG 1282

1. copies of report cards; 2. copies of interim reports; 3. copies of newsletters; 4. notice of IEP meeting notices; 5. notice of Special Events.
8. As clarification of the language contained in the *Pendente Lite* Order entered by this Court on October 2, 2003, the language contained in Paragraph 3, Subparagraph 13 B. ii., the word "medications" refers to prescription medications.
9. The Plaintiff is ordered to comply with the pick-up and return times as set in the *Pendente Lite* Order entered by October 2, 2003.
10. The Plaintiff's Motion to Quash Defendant's Subpoena *Duces Tecum* is granted with the exception of the following: information about the Plaintiff's income, terms of employment and sick/vacation leave..

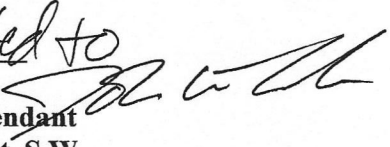
ENTERED THIS 19th Day of March 2004,


Judge

Seen and Agreed:


Loretta Vardy
Counsel for Plaintiff
12388 Silent Wolf Drive
Manassas, VA 20112
Tel: 703-791-6078
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VSb: 26225

A COPY-TESTE
DAVID O. MARIE, CLERK
BY 
Deputy Clerk

Seen and deposited to
John Whitbeck, Jr. 
Counsel for the Defendant
15-D Loudoun Street, S.W.
Leesburg, VA 20175
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