## VIRGINIA: IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY

CHERI SMITH, Plaintiff v. WESLEY C. SMITH, Defendant ) Chern of the set of the set

## MOTION TO QUASH

I, Ronald Wayne Fahy, guardian ad litem for Liam Smith, the child in this divorce/custody proceeding, move the Court to quash the subpoena duces tecum served on me by Wesley C. Smith, Liam's father, and state as follows:

1. I was appointed by the Circuit Court as guardian ad litem (GAL) for Liam on the motion of Wesley Smith for a GAL.

2. The documents in my possession relevant to this case consist of (a) Court pleadings and Orders, (b) documents obtained from Wesley Smith, approximately 21 inches thick, (c) notes prepared by me for use by me as GAL in this case, and (d) the attached letter.

3. To the extent Wesley Smith is requesting items (a) and (b) above, his request is unreasonable and burdensome in that he already has the documents or can get them without a subpoena. Furthermore, to ship such items to Defendant is expensive and time-consuming.

4. Item (c) above and all other documents requested by Wesley Smith (i) constitute attorney work product, (ii) are protected by attorney-client privilege, (iii) are not relevant to the subject matter of this case, and/or (iv) the request for which is unreasonable, burdensome, overbroad and ambiguous.

Ronald Wayne Fahy VSB # 13257 9236 Mosby Street Manassas, Virginia 20110 703 369-7991

## CERTIFICATE

I hereby certify that on May 17, 2005, I mailed a true copy of the foreging Motion to Loretta Vardy, 12388 Silent Wolf Drive, Manassas, Va. 20112, and to Wesley Smith, 5347 Landrum Road, Apt. 1, Dublin, Va. 24084.

Ronald Wayne Fahy