

**VIRGINIA:**

IN THE CIRCUIT COURT OF PULASKI COUNTY

WESLEY C. SMITH,

Plaintiff,

v.

ROGER D. VANDERHYE

Defendant.

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ORDER

Case No. CL 06-267

THIS DAY came the defendant, Roger D. Vanderhye, by counsel, and pursuant to Virginia Code Sections 8.01-264 and 8.01-266, and also came the plaintiff, Wesley C. Smith, in person, pro se, upon Defendant's Objection to Venue and Motion to Transfer Venue and for Costs, and the matter was argued.

It appearing to the Court that venue in this action is established by Section 8.01-261(15)(c) and 8.01-262(1), (3), and (4), and upon consideration of the oral argument presented to the court, and it appearing just and proper to do so, the Court finds as follows:

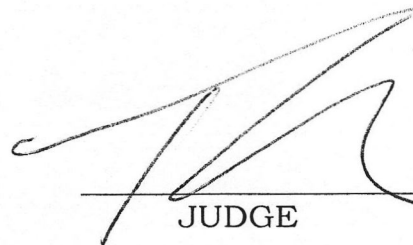
1. The preferred venue exists in this action in the Circuit Court of Fairfax County, Virginia, pursuant to Section 8.01-261(15)(c) of the Code of Virginia, 1950, as amended, since the cause filed herein by plaintiff seeks injunctive relief to be done in Fairfax County, Virginia;

2. That permissive venue for this cause exists in the Circuit Court of Fairfax County, Virginia, pursuant to Section 8.01-262(1), (3), and (4) of the Code of Virginia, 1950, as amended since the defendant resides and has his

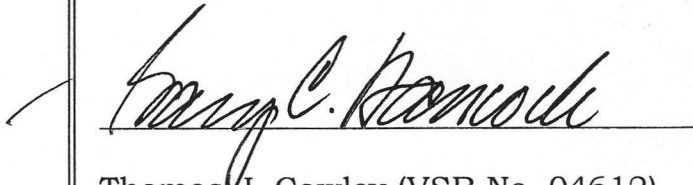
principal place of employment in Fairfax County, Virginia, and since the defendant regularly conducts affairs or business activity in Fairfax County, Virginia, and since this cause of action arose in Fairfax County, Virginia.

WHEREFORE, the Court sustains and grants the defendant's Objection to Venue and Motion to Transfer Venue and for Costs, and does **ADJUDGE, ORDER, and DECREE** that this action be, and hereby is, transferred to the Circuit Court of Fairfax County, Virginia, for all further proceedings.

The Clerk shall provides certified copies of this order to the plaintiff and to counsel for the defendant.

  
JUDGE

WE ASK FOR THIS:




Thomas J. Cawley (VSB No. 04612)  
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(540) 980-5264 (facsimile)

Counsel for Defendant Roger D. Vanderhye

SEEN AND OBJECTED TO:

A handwritten signature in dark ink, appearing to read 'Wesley C. Smith', is written over a horizontal line.

Wesley C. Smith, Plaintiff

A TRUE COPY

TESTE: MAETTA H. CREWE, CLERK

BY: tendy Dowdy, Jr