V I R G I N I A:

IN THE CIRCUIT COURT OF

 \*

Complainant \*

 \*

vs. \* Case No.

 \*

 \*

 \*

Defendant \*

 ***FIRST REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS***

To:

Pursuant to the Rules of the Court, the undersigned hereby requests the production for inspection and copying of the following categories of documents and things, within twenty-one (21) days of service of this Request. Such documents/things are to be produced at the law offices of the undersigned.

 Definitions and Instructions

A. As used herein, the word "document" and its cognates refers to all writings or other tangible or electronic records including, but not limited to, all correspondence, notes, memoranda, minutes, inventory records, payroll records, logs, work or progress reports, drawings, plans, specifications, contracts, subcontracts, sub-subcontracts, requisitions, purchase orders, ledgers, books or account, time sheets, diaries, expense vouchers, statements, bills, tape or other recordings, files, photographs, depositions, hearing or trial transcripts, and all other writings or other data compilations of any nature or sort from which information can be obtained, whether inscribed by hand or by mechanical, electronic, microfilm, photographic or other means, as well as phonic (such as recording) or visual reproduc­tion of any oral statement, conversation or event.

B. As used herein, the word "document" includes all copies, unless such copies (including notations and marks thereon) are exact duplicates of documents that are produced.

C. "Business entity" shall mean any form of business enterprise, whether or not conducted for profit, including but not limited to sole proprietorships, partnerships, joint ventures, real estate trusts, and corporations.

D. "Gross income" means all income from whatever source derived, as further defined in 26 USC 61 (the Internal Revenue Code).

E. This Request for Production of Documents and Things is continuing in nature, requiring you to supplement your response should circumstances change or should you acquire new or different information during the pendency of this case.

F. If you maintain that the contents of any requested document is privileged, you are to set forth a description of the document, the number of the Request for Production of Documents and Things to which the document is related, the name and address of the present custodian of the document, and the reason why you believe the document is privileged and not subject to discovery.

G. Each document being produced shall be numbered sequentially in the lower right hand corner and your written response shall state what numbered pages are being produced in response to each numbered request.

 DOCUMENTS AND THINGS REQUEST­ED

1. As to every account wherein you have money on deposit, produce all account statements and all checks, drafts, withdrawal slips, and debit memos for the last three (3) years.

2. As to any money or debt that is owed to you, produce all documents referring or relating to the right to payment or receivable identified.

3. As to any securities, stocks, bonds, retirement accounts, produce all account statements for the last three (3) years, and stock and bond certificates referring to or relating to the assets identified.

4. As to any life insurance policies or annuities, produce the declaration sheet, the policy of insurance, all endorsements or amendments thereto, and all documents referring or relating to any encumbrances against the same.

5. In regard to the non-publicly traded business entities in which you have an interest, produce:

a) All partnership (general or limited) and joint venture agreements to which you currently are a participant, or have been a participant at any time in the last three (3) years, including but not limited to prospectus statements, private placement memoranda, and investor suitability statements.

b) All corporate records (articles of incorporation, organizational minutes, bylaws, minute books, stock ledgers, stock purchase agreements, stock sale agreements and shareholder agreements).

c) All documents referring or relating to the assets, liabilities, income and expenses over the last three (3) years.

d) Each Federal, state and local tax return for the last three (3) years.

e) Any appraisals prepared over the last three (3) years showing the market value of each business entity.

f) All documents reflecting the present market value or assessed value of all real, personal and intangible property owned or controlled by any business entity in which you have held a legal or equitable interest over the last three (3) years, including but not limited to Federal, state and local tax assessments, and all documents reflecting copyrights, trade secrets, patents and the values thereof.

g) All leases for real or personal property entered into over the last three (3) years.

6. In regard to any real property in which you have had a legal or equitable interest over the last three (3) years, produce all:

a) deeds conveying a title interest;

b) deeds of trust or mortgages;

c) promissory notes;

d) settlement statements;

e) statements or documents reflecting adjustments to basis for income tax purposes, including any forms reflecting deferred gains upon sales of properties;

f) appraisals and assessments obtained over the last three (3) years; and

g) leases entered into wherein you are the lessor or the lessee.

7. In regards to all personal property with a value of over $500.00 in which you have had a legal or equitable interest over the last three years, produce all documents referring or relating to the personal property identified, including but not limited to all appraisals, assessments, receipts and title documents.

8. In regards to all intangible property in which you have had a legal or equitable interest over the last three years, produce all documents referring or relating to each item identified, including but not limited to all appraisals, assessments, receipts and title documents.

9. In regards to all property with a value of over $500.00 that you have acquired or disposed of since the date of separation, produce all documents referring or relating to each item identified, including but not limited to all appraisals, assessments, receipts and title documents.

10. In regards to all credit accounts wherein you have had signing authority over the last three years, produce all documents referring or relating to each obligation or debt identified.

11. In regards to all employment you have had over the last three years, produce all documents referring or relating to each employment identified, including but not limited to all pay statements, vouchers and stubs, and any other periodic statements received from each employer for the last three (3) years reflecting gross income and all withholdings therefrom and the employee benefit manual.

12. In regards to all pension, retirement or profit sharing benefits which you may have been entitled to receive, produce all documents defining the benefits, and all documents evidencing benefits received over the last three (3) years.

13. In regards to your gross monthly income as defined in Instruction K, produce all documents showing receipt of said income for the last three (3) years and the completed Expense Statement attached hereto.

14. In regards to any depositories wherein you have maintained money, documents or personal property, produce all documents referring or relating to the property in the depository over the last three (3) years.

15. In regard to any expert witnesses you intend to call at the hearing of this matter, produce the curriculum vitae of each expert you intend to call and any written reports submitted or prepared by each expert.

16. In regard to the items which you contend to be your separate property (as stated in your response to the Interrogatories), produce all documents that support each contention asserted in response to said Interrogatory.

17. In regard to the items which you contend to be mixed property (as stated in your response to the Interrogatories), produce all documents that support each contention asserted in response to said Interrogatory.

18. In regard to the items which you contend to be marital property (as stated in your response to the Interrogatories), produce all documents that support each contention asserted in response to said Interrogatory.

19. In regards to the factors and circumstances surrounding or contributing to the dissolution of the marriage, produce all documents that support your statement of the factors and circumstances.

20. As to any witnesses identified in response to these interrogatories, produce all documents referring or relating to this divorce action prepared by the individuals identified.

21. If you contend that the party propounding these interrogatories should not have custody of the minor children, produce all documents that support such contention.

22. Produce all of your Federal, state and local tax returns, schedules, W-2s, 1099s, wage and income statements for the last three (3) years.

23. Produce all loan applications, financial statements and statements of net worth prepared by you or prepared on your behalf over the last three (3) years.

24. Produce your three most recent pay statements, vouchers and/or stubs, and/or periodic statements received from your employer(s) reflecting gross income and all withholdings therefrom.

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*Counsel for Complainant*

***CERTIFICATE OF SERVICE***

I hereby certify that a true copy of the foregoing was sent this \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_ by: \_\_\_\_\_\_\_\_ regular mail, postage pre-paid

\_\_\_\_\_\_\_\_ facsimile

\_\_\_\_\_\_\_\_ electronic mail

\_\_\_\_\_\_\_\_ hand delivery

To:

 *Counsel for \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

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 Brien A. Roche, Esq.