

# STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice  
Superior Court Division

Name Of Plaintiff

Name Of Plaintiff's Attorney(s)

VERSUS

Name Of Defendant

Name Of Defendant's Attorney(s)

## MOTION FOR AN ORDER TO USE SETTLEMENT PROCEDURE OTHER THAN MEDIATED SETTLEMENT CONFERENCE IN SUPERIOR COURT CIVIL ACTION

G.S. 7A-38.1; Rules 1(c)(2) and 10(a) of the  
Rules for Mediated Settlement Conferences and Other  
Settlement Procedures in Superior Court Civil Actions

Name And Address Of Neutral Selected

Deadline For Completion Of Settlement Procedure (for court use only)

Telephone No. Of Neutral Selected

The parties to the action move the Court to order ☐ a neutral evaluation; ☐ non-binding arbitration;  
☐ non-binding summary jury trial; ☐ non-binding summary bench trial; ☐ the following alternative settlement procedure  
authorized by local rule in this district: \_\_\_\_\_

The parties have selected the neutral named above to conduct their settlement procedure and that person has agreed to serve. The  
parties and the neutral have agreed upon the following compensation to be paid the neutral:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### SIGNATURE

Date Name Of Plaintiff's Attorney (or Pro Se Plaintiff) Signature Of Plaintiff's Attorney (or Pro Se Plaintiff)

Date Name Of Defendant's Attorney (or Pro Se Defendant) Signature Of Defendant's Attorney (or Pro Se Defendant)

### FINDINGS

The Court, having considered evidence and the statements of counsel, finds:

1. The parties ☐ have ☐ have not agreed upon an alternative settlement procedure other than mediated settlement conference, the neutral to conduct that procedure, and the neutral's compensation.
2. The procedure selected by the parties ☐ is ☐ is not appropriate for the case and the parties.

### ORDER OF APPOINTMENT

1. The settlement procedure requested by the parties is ☐ approved. ☐ denied.
2. The appointment of the neutral named above is hereby ☐ approved. ☐ denied.

Date Of Order Name Of Judge (type or print) Signature Of Judge

**NOTE:** All parties and attorneys are required to attend an alternative settlement procedure using remote technology, unless the conference is to be conducted in person, by agreement or by order of the Senior Resident Superior Court Judge. The neutral shall make an effort to schedule the conference at a time that is convenient to the parties, and must conduct it no later than the deadline for completion set out above. The neutral shall report the results of the conference to the Court on form AOC-CV-813 within ten (10) days after the conference is completed. Neutrals conducting a procedure established by local rule shall be compensated in accordance with those rules. The neutral's fees shall be paid at the conclusion of the conference.

Original-Court Copy-Neutral Copy-Plaintiff Copy-Defendant