

**GENERAL RULES OF COURT AND  
CASE MANAGEMENT PLAN**

**FOR THE SUPERIOR COURT, 18TH JUDICIAL DISTRICT  
NORTH CAROLINA  
AS AMENDED EFFECTIVE FEBRUARY 1, 2016**

**PROMULGATED PURSUANT TO THE GENERAL RULES OF PRACTICE  
FOR THE SUPERIOR AND DISTRICT COURTS OF NORTH CAROLINA**

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Subject to and in compliance with the provisions of Rule 40(a), Rules of Civil Procedure and G. S. 7A-146 and Rule 2 of the General Rules of Practice for the Superior and District Courts as adopted by the Supreme Court of North Carolina:

## 1.0 GENERAL RULES

**1.1** The purpose of these rules is to provide for the orderly, just and prompt disposition of matters to be heard in the Superior Courts of Guilford County as required by amended Rule 2, General Rules of Practice. They are to be construed to avoid technical delay and to promote prompt disposition of pending cases.

**1.2** The Clerk of Superior Court (“the Clerk”) and the Trial Court Coordinator (“the TCC”)<sup>1</sup> will maintain a supply of the printed rules and the required associated forms and furnish them to attorneys and pro se parties upon request. The Trial Court Coordinator will arrange for these Rules to be available online at [www.nccourts.org](http://www.nccourts.org).

**1.3** The trial divisions of the Superior Court of Guilford County have been established in Greensboro and High Point pursuant to N.C. Gen. Stat. § 7A-42. Venue and change of venue will be governed by this statute and the North Carolina Rules of Civil Procedure. The TCC in High Point is responsible for civil cases in the High Point Division and the TCC in Greensboro responsible for civil cases in the Greensboro Division. The addresses and telephone numbers of the TCCs are:

Greensboro: Superior Court Judges Chambers  
Guilford County Courthouse  
201 South Eugene Street, 4<sup>th</sup> Floor  
Greensboro, NC 27401

P.O. Box 3008  
Greensboro, NC 27402

(336) 412-7909

High Point: Superior Court Judges Chambers  
Guilford County Courthouse  
505 East Green Drive, 4<sup>th</sup> Floor  
High Point, NC 27261

P.O. Box 2434  
High Point, NC 27261-2434

(336) 801-5370

**1.4** These rules are not complete in every detail and will not cover all situations. If the rules do not cover a specific situation, the TCC is authorized to act after consultation with the Senior Resident Superior Court Judge<sup>2</sup> or judge presiding during a session in which the particular case is before that court.

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<sup>1</sup> Unless otherwise indicated, reference to the TCC means the TCC for the respective division (Greensboro or High Point) in which the case is pending.

<sup>2</sup> Hereinafter “Senior Resident,” and including the Senior Resident’s designee if the Senior Resident is unable to consider the matter. In such circumstance, if the Senior Resident does not expressly identify a designee, then the designee is the next most senior Resident Superior Court Judge of the 18<sup>th</sup> Judicial District.

## **2.0 TIME TO TRIAL**

**2.1** The North Carolina Supreme Court expects 90% of all civil cases in Superior Court to be resolved within a year of filing. See Court Performance Management System at [www.nccourts.org](http://www.nccourts.org). The following goals and expectations are established in an effort to meet the Supreme Court's standards.

**2.2** Simple two or three-party cases should be resolved no later than 10 months from filing.

**2.3** Relatively simple cases with cross-claims, counter-claims, third-party claims or unnamed defendants should be resolved no later than 12 months from filing.

**2.4** Medical negligence cases with two sets of attorneys should be tried no later than 12 months from the filing of the first Answer; with three to four sets of attorneys, no later than 18 months from the filing of the first Answer; and with more than four sets of attorneys, no later than 21 months from the filing of the first Answer.

**2.5** Virtually all cases should be resolved no later than two years from the filing of the first Answer.

**2.6** Any case which cannot feasibly be tried within 12 months of filing should have a Discovery Scheduling Order ("DSO") in place. The burden is on counsel to seek a DSO as set forth in Rule 3.2 *infra*. All DSOs must include a trial date consistent with these rules.

## **3.0 DISCOVERY and PLEADINGS**

**3.1** Discovery shall begin promptly as permitted by Rule 8 of the General Rules of Practice or court order. Answers, third-party complaints, cross-claims, counterclaims and answers/replies thereto shall be filed promptly. Discovery should be completed in such time as to meet the time-to-resolution rules (Local Rule 2.0 *et seq.*). Unreasonable delay in the closing of the pleadings will not be permitted to delay trial. Parties may not agree to an open-ended extension of time to answer or file any pleading, and then use the failure to file such pleading as a reason to delay trial.

**3.2** If additional time for discovery, to add additional parties, or to close pleadings is needed, any party may move promptly, before the Administrative Hearing, for a Discovery Conference and a DSO. Motions for DSOs and proposed DSOs are to be delivered to the TCC at or before the Administrative Hearing. The TCC will present the motion to a presiding or Resident Judge for consideration and a hearing, if needed. (See Local Rule 7). No Consent DSO will be entered unless it is first reviewed by the TCC and presented to the court. Any such Order is subject to the approval of the Senior Resident.

**3.3** The Court expects counsel to conduct discovery in good faith and to cooperate and be courteous with each other in all phases of the discovery process. Depositions are to be conducted in accordance with the following guidelines:

a. A witness may not be directed or requested not answer a question, except upon objection on grounds of privilege or limitation on the scope of discovery previously directed by order, or to preserve the right to move for a protective order (see sub§ (f), *infra*).

b. An objection should state the basis for objection succinctly. Argument concerning the basis should be reserved for hearing. An objection should not suggest an answer to a witness.

c. Except as provided herein, during a deposition, counsel for the witness may not engage the witness in a private, off-the-record conference, except for the purpose of determining whether to assert a privilege. The parties and a witness may agree on a schedule of regular recesses. In the absence of agreement, a “default” 15 minute recess may be taken every 90 minutes, a recess may be taken for meals and overnight. Counsel for the witness may engage the witness in a private, off-the-record conference during a recess, except that such conference is not permitted when a question is pending when a recess is taken.

d. When a document is presented to a witness during a deposition, a copy of the document is to be provided to all parties present. The witness may not confer with his or her counsel privately about the document prior to responding to questions about it, except as provided in sub§ (a), *supra*.

e. On motion, the court may limit the time permitted for a deposition. If a deponent or other party impedes or delays the examination, the court shall allow additional time if needed for a fair examination. Impeding, delaying or otherwise interfering with the fair examination of the deponent may result in imposition of an appropriate sanction, including reasonable expenses and attorney’s fees incurred as a result thereof.

f. On motion of a party or a deponent, and upon a showing that the examination is being conducted in bad faith or in such manner as unreasonably to annoy, embarrass, or oppress the party or deponent, or unreasonably to impede, delay or otherwise interfere with a fair examination, any Resident or other Superior Court Judge authorized to hold court in this district at the time may order that the deposition be suspended or terminated, limit the scope of the examination or take other appropriate action as provided in Rule 26(c) of the Rules of Civil Procedure. The motion shall suspend the deposition pending ruling. An order suspending the examination may be resumed only upon the order of a Resident or other Superior Court Judge authorized to hold court in this district at the time. The provisions of Rule 37(a)(4) of the Rules of Civil Procedure apply to the award of expenses incurred in relation to the motion. Requests for court intervention pursuant to this Rule shall be directed to the TCC pursuant to Local Rule 6 *infra*.

g. Counsel and pro se parties are to refrain from long “speaking” objections and arguments on the record during the taking of depositions, and from name-calling, insults and questioning the professional competence of other lawyers or judges.

**3.4** Interrogatories, requests to produce documents and requests for admission should be served at least 70 days before trial. Motions to extend the time to respond to discovery that would extend the time to within 20 days of the trial date or after the date for completion of discovery pursuant to a DSO may be submitted only to the Senior Resident.

**3.5** Amendments or changes to DSOs, and motions for Discovery Conferences and proposed DSOs are to be submitted to the Senior Resident, by delivery to the TCC.

**3.6** Failure to undertake, answer or otherwise complete discovery in a timely manner, and unreasonable delay in bringing discovery disputes to the attention of the court, are not grounds for delaying trial. Issues of scheduling discovery should be anticipated as ordinary risks of litigation, and will not be considered grounds for delaying trial.

**3.7** In a case alleging medical negligence or malpractice subject to Rule 9(j) of the Rules of Civil Procedure:

a. The plaintiff and the defendant are to exchange copies of all available and relevant medical records no later than 10 days after the defendant answers. The parties are under a continuing duty to make relevant medical records available to all other parties, and each party is required to comply with this rule even if other parties do not so comply and in the absence of any formal discovery requests.

b. Expert witness disclosures are to include at least three possible dates and times for the deposition of each expert witness within the time frame allowed by the DSO. Counsel shall be prompt in responding to inquiries concerning and cooperative in the scheduling of depositions, consistent with the terms of the DSO.

c. To reduce delays and minimize costs, the parties are encouraged to exchange detailed affidavits of expert witnesses, to agree to time limits for expert depositions, such as ninety minutes per deposition, and to take non-local expert depositions via telephone, video conferencing or similar method.

**3.8 [Note: Rule 26(b)(4) was rewritten effective for cases filed on and after October 1, 2015. See Session Laws 2015-153. The new rule substantially changes pre-trial discovery of expert witnesses, including times for identifying such witnesses and disclosing their written reports or opinions. The rule permits modification of the prescribed times by order. These Local Rules and the forms prescribed for use in this District are in exercise of this authority.]<sup>3</sup>**

Absent agreement by all parties or court order, all discovery seeking identification of expert witnesses shall be served at least 100 days before trial and shall be answered at least 60 days before trial. Late requests or disclosures, even if agreed upon, will not delay trial, and absent agreement expert witnesses not timely disclosed upon request shall not be allowed to testify. In all cases commenced on or after October 1, 2015, an answer to an interrogatory submitted pursuant to N.C. Gen. Stat. § 1A-1, Rule 26(b)(4)(a)(3) must include the information required by N.C. Gen. Stat. § 1A-1, Rule 26(b)(4)(a)(2)(I-VI).

**3.9** Any party contending that any part of Local Rule 3.3, 3.4, 3.7, or 3.8 is inappropriate in a particular case may seek relief from the Senior Resident by motion explaining why the Local Rule should not be applied and offering an alternative plan for promptly moving the case towards resolution.

## **4.0 MEDIATION**

**4.1** All eligible cases will be ordered into Mediation upon the filing of a responsive pleading or dispositive motion.

**4.2** The parties are expected to comply with the Supreme Court's rules governing mediated settlement conferences. Counsel and parties are to cooperate with the mediator in scheduling mediated settlement conferences. Sanctions will be imposed if appropriate.

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<sup>3</sup> Added effective February 1, 2016.

**4.3** Designations of mediator are to be submitted to the TCC. Motions concerning mediation are to be filed with the Clerk and a copy provided to the TCC.

**4.4** The Mediated Settlement Conference should be completed at least 45 days before trial. The Court will consider requests for short extensions which do not delay trial. A request for extension should be made in writing using **Appendix E** attached hereto.

**4.5** Requests to dispense with mediation are not favored and will not be allowed absent extraordinary circumstances.

**4.6** Litigants are encouraged timely to select a mediator appropriate for the case. Selection of a mediator will be addressed at the Administrative Hearing, if one is held, and if the parties agree to a mediator at that hearing, then the TCC will note the agreement in an Administrative Order. If the parties do not agree on a mediator, the TCC will appoint one. A motion to substitute a different mediator will only be allowed if the appointed mediator has a conflict or is otherwise unable to conduct the mediation.

**4.7** If parties wish to delay discovery until after mediation, then they should promptly schedule the mediated settlement conference and apply for an order sending the case to mediation at the agreed time. Failure to complete discovery while “waiting on” mediation is not good cause to delay setting a case for trial or for continuing a trial.

**4.8** Mediators who do not live or practice in Guilford County and who wish to be appointed to mediate cases in which the parties do not select a mediator must annually so advise the TCC by letter between April 1 and May 1 of each year, for the upcoming Fiscal Year beginning July 1.

## **5.0 MOTIONS AND NON-JURY MATTERS**

**5.1** Non-jury civil matters may be calendared by submission of a Calendar Request form, the form of which is attached hereto as **Appendix A**. The form is to be submitted to the TCC and served on all other parties.

**5.2** A Calendar Request must be submitted for each motion filed with the court, including motions contained within other pleadings and preliminary injunctions and other motions scheduled by a Superior Court Judge. Any motion filed is presumed to be ready for hearing.

**5.3** No Motion may be calendared until it has been filed. Motions and non-jury matters will be calendared and heard as follows:

a. **High Point Division:** All motions in the High Point Division will be heard during the regularly scheduled civil or mixed jury sessions, unless scheduled at other appropriate times by the TCC. Motions will be scheduled for hearing on Monday mornings and will be heard at that time and at such other times during the session as shall be determined by the presiding judge.

b. **Greensboro Division:** All motions in the Greensboro Division will be heard during non-jury civil sessions which will be held at least monthly and at such other times deemed appropriate by the Senior Resident.

c. Calendar Request for motions shall be filed within the deadlines regularly established for particular motion calendars and available online. Late calendar requests filed after a calendar is published shall be honored only if all parties consent and the presiding judge agrees to add the matter on, or if the court determines that justice requires that the motion be heard.

**5.4** Motions may be heard by consent out of term and in chambers by any presiding or resident judge, subject to the requirements of Local Rule 6 herein.

**5.5** Motions may be heard by telephone by agreement of all counsel and the court.

**5.6** Motion Calendars will be prepared by the TCC and posted online at [www.nccourts.org](http://www.nccourts.org) no later than fourteen days before the day the term begins.

**5.7** Scheduling within the term of court for motions on a published calendar shall be in the manner prescribed by and in the discretion of the presiding judge.

**5.8** All uncontested motions shall be submitted to the TCC for referral to a presiding or resident judge for review and decision, in accordance with Local Rule 6.

**5.9** A party filing any one or more of the following motions must make a good faith effort to determine whether or not the motion will be opposed: (a) motion to amend a pleading or add a party; (b) motion to transfer to Superior Court; and (c) motion for pro hac vice admission. If the Motion is uncontested or consented to, the procedures set forth in Local Rule 6 shall apply.

**5.10** A motion to withdraw as counsel must include a Notice of Hearing and a certificate of service upon the client and all other parties. The motion must include the name and address of substitute counsel, if known, and the current address of the party from whom representation is being withdrawn. No judicial action will be taken on a motion to withdraw as counsel that does not contain this information. If the client and other parties consent, the motion may be resolved in chambers without a hearing. The motion must state whether the withdrawal is likely to have any effect on any upcoming deadlines, hearings or trial date.

**5.11** Motions for pro hac vice admission must include a statement under oath that the statutorily required fee has been paid.

**5.12** A party responding to a complaint, counterclaim, cross-claim or third-party complaint by dispositive motion rather than an answer or reply is immediately to submit a Calendar Request for hearing of the motion. A dispositive motion not promptly scheduled for hearing may be deemed abandoned or scheduled for hearing sua sponte by the TCC. The motion shall not affect discovery unless otherwise ordered by the court.

**5.13** Motions shall be filed and scheduled promptly. Delays in scheduling motions for hearing, particularly after a trial date has been set, may be grounds for denial of any motion which will delay trial. Failure to schedule a motion for hearing may result in the motion being denied or deemed withdrawn without a hearing or in the imposition of sanctions such as, *inter alia*, limiting or prohibiting discovery. Any motion filed after a trial date has been set shall include the date of trial in the motion.

**5.14** When a filed motion no longer requires a hearing, the moving party shall file and serve a notice withdrawing the motion.

**5.15** Motions to Amend Pleadings or Add Parties.

a. A motion to amend or add parties shall be filed promptly so as not to delay trial or scheduling a case for trial, if at all possible. A copy of the motion is to be submitted immediately to the TCC. Once a case is set for trial, all such motions must include the trial date and state whether other parties agree to the relief sought by the motion.

b. If the motion is filed more than two months prior to the trial date, the moving party is to submit a Calendar Request for the hearing on the motion in the normal manner, or a consent order, if appropriate.

c. If the motion is filed within two months of the trial date, it will be submitted to the Senior Resident for consideration. The motion may be decided without a hearing. Except as may be ordered by the court, all other parties are allowed five business days to respond to the motion in writing. Any objection to the motion is to be filed with the Clerk and a copy immediately submitted to the TCC. Consent to the relief sought by the motion may be communicated by letter or email addressed to the TCC.

d. A motion to amend or add parties and responses to the motion filed after a trial date is set shall state the party's position as to whether allowing any part of the relief sought would likely affect the trial date. If any part of the relief sought by the motion is granted and the court does not expressly modify the trial date in its order, then the moving party shall immediately move to continue pursuant to Local Rule 12.

**5.17** When a party has been served with process and has not filed answer or otherwise responded within the time provided by law or rule, the party seeking relief shall promptly seek entry of default and default judgment, and in no event longer than four months from the date of service of process. Failure to comply with this rule may result in dismissal for failure to prosecute.

**5.18** The court in its discretion may decide a motion to amend or add parties filed within two months of the trial date without hearing.

## **6.0 OFF CALENDAR MATTERS: CONSENT OR UNCONTESTED MOTIONS, AND PURPORTED EMERGENCIES**

**6.1** All consent or uncontested matters requiring judicial action or judicial approval and all matters purported to require expedited or emergency hearing shall be filed with the Clerk and a copy submitted to the TCC for scheduling and assignment to a resident or presiding judge. Attorneys and parties are not to submit matters directly to a judge for ruling or approval. Those who write or approach individual judges about such matters should expect to be scolded and rejected.

**6.2** A motions submitted as uncontested or by consent shall so state in the motion, and a proposed order should be submitted with the motion. A consent motion other than to withdraw as counsel may be submitted without signatures of the parties and other attorneys, but a judge considering the motion may require them.

**6.3** A request for expedited or emergency hearing other than pursuant to Local Rule 3.3(f) must be presented in writing to the TCC, and include the reason why such hearing should be granted.

**6.4** The TCC will promptly submit uncontested, consent, and purported expedited or emergency matters to a presiding or resident judge.

**6.5** Consent or contested matters and purported expedited or emergency matters will be attended to promptly as the responsibilities of the judges permit. Counsel and parties should allow sufficient time for the court to give these matters appropriate consideration and make every effort not to wait until the last minute to seek the court's assistance.

**6.6** A motion for continuances of trial or for modifications to a DSO, even if by consent, will be heard only by the Senior Resident.

**6.7** The Court may decide in its discretion not to hold a hearing on a contested emergency motion and to decide the motion on the matters of record.

**6.8** Requests to issue subpoenas in out of state cases shall be decided without a hearing.

## **7.0 SCHEDULING CASES FOR TRIAL/CASES READY FOR TRIAL**

**7.1 All Cases Reviewed at 120 Days Post Filing.** Approximately four months after filing, all cases will either be set for trial or hearing or placed on a clean-up calendar for review. The TCC has discretion to determine whether a case is appropriate for (a) entry of Administrative Order setting a trial or hearing date without an Administrative Hearing pursuant to Local Rule 7.2(a); (b) requesting written information concerning scheduling and mediation from the parties, followed by entry of an appropriate order per Local Rule 7.2(b); (c) scheduling an Administrative Hearing pursuant to Local Rule 7.3; (d) placing on a clean-up calendar for review if service has not been obtained; or (e) placing on a non-jury calendar for hearing and disposition.

## 7.2 Entry of Administrative Orders Setting a Case for Trial.

- a. In appropriate cases, the TCC may send to all parties/counsel of record a Tentative Administrative Order which will set the case for trial/hearing and, if appropriate, will initiate the mediation process. If this date is inconvenient or causes scheduling difficulties for any party or lawyer, or is for any reason inappropriate for a particular case, within 10 days of the date of the Administrative Order, a) any party or lawyer may file a calendar request for an earlier trial/hearing date, or b) the parties may submit a Joint Consent Order rescheduling trial/hearing for a date within 3 weeks either way of the originally scheduled date, or c) any party or lawyer may request an Administrative Hearing. If no such action is taken by any party, the Tentative Administrative Order will become final and will be entered by the Court.
- b. In appropriate cases, the TCC may give the parties written notice that a case is ready to be set for trial and for the appointment of a mediator, and request written responses from the parties as to an appropriate trial date and mediator by a date certain. The parties shall use **Appendix D** to respond. The parties may request a scheduling conference with the TCC if the case presents unusual scheduling issues. After receipt of such responses as are provided or after the requested scheduling conference, as the case may be, the TCC will enter an appropriate Administrative Order setting a trial date and addressing other scheduling issues, and an appropriate Mediation Order, taking into account the responses of the parties which were timely delivered. The provisions of Local Rule 7.3 otherwise apply.

## 7.3 Administrative Hearings.

- a. The TCC may schedule any case more than four months old for an Administrative Hearing.
- b. Pro se parties and at least one attorney for each party represented by counsel will receive notice of the hearing at the address in the file. Attorneys should determine in advance of appearing at the Administrative Hearing the availability of witnesses and any potential court or personal scheduling conflict.
- c. At the hearing, the parties shall discuss with the TCC an appropriate trial date, an appropriate mediator, whether expedited trial is appropriate (see **Appendix C**), and any other scheduling matters requiring attention. It is expected that non-jury trials will be scheduled for trial within five months and jury trials within seven months after the hearing. Medical malpractice cases will be scheduled for trial in accordance with Local Rule 2.4.
- d. At the conclusion of the hearing, the TCC will issue an Administrative Order setting the trial date, appointing a mediator or noting the parties' selection of a mediator, and otherwise addressing any scheduling issues requiring attention. The TCC has full authority to act for the Senior Resident in issuing Administrative Orders.
- e. Before the hearing, the parties may submit a consent Response to Administrative Hearing using the form attached as **Appendix D**. Upon submission, and if the trial date is within the times specified in sub§ (c), *supra*, the parties are excused from appearing at the Administrative Hearing.
- f. Before the hearing, a pro se party or attorney for a party represented by counsel may submit to the TCC a Response to Administrative Hearing using the form attached as **Appendix D**, in lieu

of attending the hearing. The preferences of a nonattending party or attorney will be considered, but it may not be possible to accommodate those preferences.

g. Responses to Administrative Hearing, consent and otherwise, must be submitted at least two business days before the hearing date to insure that they are considered.

h. If a case scheduled for Administrative Hearing will not require a trial but is appropriate for resolution based on arguments of counsel or the parties, such as administrative appeals, the parties shall so advise the TCC at the Administrative Hearing or in the response to the hearing. Such matters should be placed on Motions calendars rather than Trial calendars and should be promptly noticed for hearing by the parties. The parties shall also discuss with the TCC whether mediation is appropriate.

**7.4** Attorneys and parties not represented by counsel should alert the TCC at the hearing or in a Response to Administrative Hearing to potential conflicts with their schedules that may affect a trial date. Trial dates will be set with due consideration of the schedules of attorneys and parties, but no assurance is made that all conflicts can be accommodated. Such conflicts will be noted in the Administrative Order upon request.

**7.5** Failure to appear at the Administrative Hearing or to submit a Response to Administrative Hearing when required by these rules will be considered a waiver of schedule conflicts that may affect a trial date. Attorneys and parties who so fail to appear or submit will be bound by the trial date set by the Trial Coordinator, and should not expect to be heard to complain or whine about the trial date selected.

**7.6** Subject to the time-to-trial requirements set out in Local Rule 2, and no later than four weeks prior to the trial date, a request to modify the trial date may be submitted to the TCC. With the consent of all parties, the TCC may modify the trial date as follows: (a) for Greensboro Division cases, one to three terms before or after the date set at the Administrative Hearing; and (b) for High Point Division cases, one to two terms before or after the date set at the Administrative Hearing. All applications for rescheduling shall cite this Rule and shall be by written motion made on state form AOC-CV-221, available online at [www.nccourts.org](http://www.nccourts.org). Otherwise, Local Rule 12 applies.

**7.7** In all other instances, once a case is set for trial by Administrative Order, a continuance will not be granted except for (a) extraordinary and compelling reasons arising after the setting of the trial date, or (b) amendment of the pleadings or addition of parties if justice requires a delay. Failure to complete discovery is not an extraordinary and compelling reason.

## **8.0 TRIAL CALENDARS**

**8.1** At least three weeks before the beginning of the session, the TCC shall prepare the Final Trial Calendar and post it online at [www.nccourts.org](http://www.nccourts.org). Cases will usually be placed on the trial calendar in the order in which they are scheduled for trial.

**8.2** Attorneys should proceed on the assumption that all cases on the Final Trial Calendar will be tried at the scheduled session unless resolved by consent order or dismissal. When there is more than one civil session of court, a case may be called for trial by any presiding judge.

**8.3** When a case is settled, all attorneys of record **MUST** notify the TCC within twenty-four (24) hours, and complete and submit to the TCC a Case Settlement Report substantially similar to **Appendix B**. If the case is on a published calendar, then paperwork sufficient to close the case must be filed by the later of the last day of the session for which the calendar was published or the date specified in the Case Management Report approved by the presiding judge or the TCC.

## **9.0 CALENDAR CALL AND WEEKS OF COURT**

**9.1** On the first day of each civil trial session, (Monday, unless it is a holiday), and subject to the discretion of the trial judge, the business of the court will be conducted in the following manner:

(a) High Point Division:

Morning session - 10:00 a.m.

1. Calendar shall be called
2. Motions will be heard
3. Pre-trial conferences will be conducted
4. Jury selection for the first case will be conducted if practicable

Afternoon session - 2:00 p.m.

Trial of first case will begin

All motions not reached or conferences not conducted during the morning session will remain on a stand-by status and shall be disposed of at other times during the week in the discretion of the presiding judge.

(b) Greensboro Division:

Morning session - 10:00 a.m.

1. Calendar shall be called
2. Pre-trial conferences will be conducted and motions affecting cases for trial will be heard
3. Jury selection for the first case will be conducted if practicable

Afternoon session - 2:00 p.m.

Trial of first case will begin

All motions not affecting cases for trial will ordinarily be heard during non-jury sessions in accordance with Local Rule 5 *supra*. If motions not affecting cases for trial have been added to the calendar, they will be heard at the convenience of the Court.

**9.2** Generally cases shall be called for trial in the order in which they appear on the Final Trial Calendar. However, after the first case is tried or resolved, cases may be called for trial in such order as the presiding judge determines is appropriate.

**9.3** A signed Pre-Trial Order is to be submitted to the TCC on the Tuesday before trial. If a party does not provide the required information, the Pre-Trial Order should be submitted as a proposed order, leaving blanks for the required information for each party that did not provide it earlier. The submission should be accompanied by a description of the efforts made to obtain the information from parties that did not provide the required information. The presiding judge may impose appropriate sanctions for failure to comply with this rule.

**9.4** If a case is not reached for trial or results in a mistrial, then it will be re-calendared as follows:

- a. In the High Point Division, on the next civil calendar, ordinarily the next month.
- b. In the Greensboro Division, no later than 3 p.m. on Friday of that week pro se parties and attorneys for parties represented by counsel are to communicate with the TCC concerning an appropriate date to reschedule the case for trial. The TCC will thereafter enter an appropriate order rescheduling the case for trial. Failure to communicate with the TCC will be considered a waiver of any conflicts with the date chosen by the TCC, and Local Rule 7.5 (the “No Whining” rule) otherwise applies.

## **10.0 PEREMPTORY OR PRIORITY SETTINGS**

**10.1** When the North Carolina General Statutes provide for a priority setting, all parties are mutually and individually responsible for bringing this fact to the attention of the TCC within 30 days.

**10.2** Once a case has received a preemptory setting as first for trial and so ordered by the Court with the consent of all parties, it should be continued from the session at which it is ordered to trial only in rare, exceptional circumstances.

**10.3** When a case has been preemptorily set first for trial with the consent of all parties, and the case is continued from the session at which it was ordered for trial for any reason other than (1) counsel being in trial in another case which carried over from the previous week; (2) a conflict with the North Carolina Supreme Court, North Carolina Court of Appeals, or a United States federal court; or (3) serious medical emergency involving counsel or a party, then the case will not ordinarily again be granted a priority setting, but will be set, in the discretion of the court, at any subsequent session without any designated priority.

## **11.0 CLEAN-UP CALENDARS**

**11.1** At any appropriate time, the TCC may prepare a Clean-Up Calendar for cases in which no progress has been noted. The Clean-Up Calendar may contain any cases which in the opinion of the Senior Resident or TCC may be a proper subject of inquiry as to their status, and may include, without limitation, cases in which no service has been obtained, cases in which settlement has been reported but pleadings sufficient to close the case have not been filed, and any case that does not appear to be moving towards disposition.

**11.2** The judge presiding during a Clean-Up Calendar will determine if a trial will be required and enter an order setting a trial date or other appropriate action. A copy of the order is to be submitted to the TCC before the close of the week of the Clean-Up Calendar. If the presiding judge does not set a trial date, then the TCC may do so.

**11.3** If the case is dormant without discernable activity, no summons appears to have been issued, the summons has expired, or the case has abated or appears to have been abandoned or discontinued, the judge presiding may take any necessary action to remove the case from the active calendar, including dismissal for failure to prosecute or other appropriate reason. Counsel and pro se parties are obligated to attend hearings on clean-up calendars, and failure to attend may result in dismissal for failure to prosecute without further notice.

## **12.0 CONTINUANCE POLICY**

**12.1** Continuance requests are presumptively disfavored, except under the circumstances set forth in Local Rule 7.6. However, when compelling reasons for continuance are presented which would affect the fundamental fairness of the trial process or when a continuance clearly is in the interests of justice, a continuance may be granted in the exercise of judicial discretion. In addition to other factors, the appropriate judicial official shall consider the following when deciding whether to grant or deny a motion for continuance.

- the age of the case;
- any failure of the parties to move the case towards disposition
- the status of the trial calendar for the week;
- the order in which the case appears on the trial calendar, including whether the case is preemptorily scheduled;
- the number of previous continuances;
- the extent to which counsel had input into the scheduling of the trial date;
- the due diligence of counsel in promptly filing a motion for continuance as soon as practicable;
- whether the reason for continuance is a short lived event which could resolve before the scheduled trial date;
- the length of the continuance requested, if applicable;
- the position of opposing counsel;
- whether the parties themselves consent to the continuance;
- whether the Court has recently allowed an amendment to the pleadings or the addition of a party, which change requires additional discovery;
- present or future inconvenience or unavailability of witnesses/parties; and
- any other matter that promotes the ends of justice.

Reasons that should not be considered a valid basis for allowing a continuance motion include: first time scheduling of the case for trial; potential conflicting scheduling of other trials in other courts; failure to complete discovery; failure to obtain depositions or evidence needed for trial; whether counsel of record has received payment; difficulty scheduling the mediation; failure to schedule dispositive motions in a timely manner, failure to file answer or other pleadings the deadline for which has long since passed; and voluntarily switching counsel on the eve of trial. Late disclosure of experts is not a reason to delay trial but may be a basis for sanctions. See Local Rule 3.8.

**12.2** Motions to continue shall be filed as soon as the need for the continuance becomes clear.

**12.3** Before the opening of court for the session in which the case is calendared, all applications for continuance shall be directed to the TCC in the appropriate division (Greensboro or High Point), who will bring them to the attention of the Senior Resident for decision. Following the opening of court for the session in which the case is calendared, any application for continuance shall be made to the presiding judge of the court in which the case is calendared. Only matters which arose after the close of business on Friday before trial shall be grounds for continuance by the presiding judge.

**12.4** All applications for continuance shall be by written motion made on state form AOC-CV221, available at [www.nccourts.org](http://www.nccourts.org). A party seeking a continuance must make all reasonable efforts to confer with all other parties before seeking the Motion to Continue and the Motion must state explicitly the position of all other parties as to the Motion to Continue. Motions which are not expressly consented to by all other parties shall provide at least three dates within the next two months at which the case could be rescheduled. Consent or unopposed motions shall provide at least one date within the next two months at which the case can be rescheduled. Consent of all parties does not mean the motion will be granted. Requests to amend DSOs which contemplate a delay in trial also require a Motion to Continue.

**12.5** A copy of the completed form AOC-CV-221 must be served on all counsel of record and/or unrepresented parties before presentation of the motion to the Court and must be served by hand, by facsimile, or electronically, or such other method as insures receipt on the day the motion is filed.

**12.6** Opposing counsel and unrepresented parties shall have a period of three (3) working days following service of the motion to communicate in writing objections to the motion for continuance to the moving party and the TCC. Objections not raised within this time period are deemed waived. If the Motion is filed in the week immediately preceding trial, opposing counsel and unrepresented parties may communicate the fact of an objection orally to the TCC and shall file a written objection as soon as practicable.

**12.7** Once a case has been set for trial, no party or attorney is to thereafter schedule any vacation, elective medical procedure, secured leave, or business trip which would be advanced as a basis to seek a continuance. All parties and attorneys have a continuing duty to take affirmative steps to obtain the testimony by deposition or otherwise of any party or witness who becomes unavailable subsequent to the Order of the Court setting a trial date and have an affirmative duty to respect the Order of the Court setting the date for trial and not to undertake to schedule any matter or event which would conflict with or abort the Court Ordered trial date. Should any attorney choose to undertake employment in any matter or engage in any activity which will conflict with his or her availability for trial as ordered by the Court, another member of the firm must be ready, willing and able to carry on in the case without delay and appear for trial at the scheduled time. Cases may be rescheduled by consent pursuant to Local Rule 7.6.

**12.8** It is acknowledged that occasionally parties will be added or pleadings will be amended such that a trial date must be changed. When such circumstance arises, any party may seek a modification of the trial date in the manner otherwise set forth in this Rule. However, the circumstance is not grounds for modification per se. If allowed, the continuance will be for the shortest time fairness allows.

**12.9** A case will not ordinarily be continued without setting another trial date. When a presiding judge grants a motion for continuance, the parties shall immediately notify the TCC and provide alternate dates for rescheduling the trial. The TCC will issue a new trial date as soon as practicable.

Failure to communicate with the TCC constitutes a waiver of any scheduling problems with the new trial date. Parties who were first for trial and whose case is continued should not expect to receive another first setting.

### **13.0 BANKRUPTCY**

**13.1** When a party files bankruptcy while a case is pending or becomes aware that another party has so filed, then that party is immediately to provide a certified copy of the bankruptcy filing to the TCC and to the Clerk. Any requests to continue, hold or in any other way delay disposition of a case due to bankruptcy of one of the parties must be accompanied by certification of the bankruptcy filing of stay of proceeding from the United States Bankruptcy Court having jurisdiction.

**13.2** The TCC will refer the case to the Senior Resident for evaluation whether execution of the case should be stayed in whole or in part.

**13.3** Cases in which a party is in bankruptcy ordinarily will be placed on inactive status and the file closed. Upon completion of the bankruptcy proceedings or the lifting of the stay, any party may seek to reopen the case by filing an appropriate motion.

### **14.0 EXPEDITED TRIAL PROCEDURE**

**14.1** Parties are encouraged to consider and use an expedited or alternative trial procedure in appropriate cases. A form order is attached hereto at **Appendix C** for the consideration of litigants, but parties are not limited to this form order. The Court will entertain other proposals which are designed to reduce delays and speed resolution of cases. Expedited trial agreements may be presented at the Administrative Conference for consideration by the TCC. All other such requests shall be heard by the Senior Resident.

### **15.0 INACTIVE STATUS**

Cases which have been ordered to or are undergoing binding arbitration, which are on appeal or otherwise have long-term issues which prevent final resolution, or which have other circumstances which prevent trial, may be placed on inactive status and closed by Order of the Senior Resident. Such cases may be reopened by the Senior Resident upon motion of any party for good cause shown.

### **16.0 SANCTIONS**

**16.1** Should counsel or a pro se litigant fail to comply in good faith with any provision of these local rules, or the General Rules of Practice, the court may, in its discretion, impose appropriate sanctions.

**16.2** An order entered in substantial violation of these rules is subject to modification or vacation by the Senior Resident without notice to the parties.

### **17.0 NOTICE**

**17.1** All calendars will be posted online at [www.nccourts.org](http://www.nccourts.org) no later than 14 days before the first day of the court session.

**17.2** No case shall be placed on a calendar as a result of a calendar request unless that calendar request has been served on all parties. If a case is placed on a calendar for trial by the court, then a copy of the scheduling order shall be provided by the Clerk to all parties. Administrative Orders, Notices of Administrative Hearings, and Mediation Orders shall be provided by the Clerk to all parties/counsel of record. Paper copies of calendars will not be provided in hard copy to attorneys with cases on the calendar. Attorneys should sign up for email calendar notification at [www.nccourts.org](http://www.nccourts.org). An attorney who does not have access to a computer may seek a variance from this policy by written application to the Senior Resident.

**17.3** Counsel and litigants may provide an email address to the court's chambers and the court's assistants will use reasonable efforts to provide email notification when cases are placed on trial and clean-up calendars; due to staffing shortages, the court's assistants will usually not provide email notice when cases are placed on motions calendars. Counsel should not rely on receiving this notice and should keep the court advised of any email address changes. Parties and counsel are encouraged to use email calendar notification available at [www.nccourts.org](http://www.nccourts.org).

**17.4** Clean-up Calendars occur regularly throughout the year. Parties and counsel should sign up for email calendar notification available at [www.nccourts.org](http://www.nccourts.org) to insure notice, or may avoid cleanup calendars by promptly moving the case towards disposition and complying with all promises to the court regarding paperwork.

## **18.0 MISCELLANEOUS**

**18.1 Pro Hac Vice.** Motions to be admitted Pro Hac Vice must be accompanied by the fee required by the North Carolina General Statutes. Motions not accompanied by the fee will be denied without notice. Should a motion not accompanied by the fee be inadvertently allowed, the Order allowing the admission will be revoked without notice.

**18.2 Business Court.** Cases subject to statutory removal to the Business Court will not be transferred without payment of the fee required by the North Carolina General Statutes. Efforts to remove such cases without paying the required fee will be denied without notice, and should such an effort be inadvertently allowed, the Order allowing the removal will be revoked without notice.

**18.3 Removal to Federal Court.** When a party removes a case to Federal Court, counsel for that party shall contemporaneously provide a copy of the pleading to that effect to the TCC.

**18.4 Cases Initiated Other Than By Complaint.** Upon initiating any matter in civil Superior Court by the filing of any pleading which is not a Complaint, (*i.e.*, Will Caveat, Administrative Appeal, Certiorari), the party so initiating shall provide a copy of this pleading to the TCC. Upon refileing a case previously dismissed pursuant to Rule 41, the plaintiff shall provide a copy of the new complaint to the TCC, along with a reference to the first case number.

**18.5 Notice of Appearance.** Any attorney filing a Notice of Appearance, Substitution of Counsel, or similar document, shall provide a copy to the TCC

**18.6 Service.** A party filing a lawsuit is expected to promptly undertake reasonable efforts to obtain service. If personal service is not obtained within five months after undertaking reasonable

efforts, the party shall seek service by publication. Failure to undertake reasonable efforts to obtain service or to keep summonses alive will result in dismissal for failure to prosecute.

**18.7 Rule 2.1 Requests.** All requests for complex case designation pursuant to Rule 2.1 of the General Rules of Practice shall be determined by the Senior Resident. These motions should be filed at or before the Administrative Hearing. Any party filing a pleading with the Business Court asserting jurisdiction there shall provide a copy to the TCC.

**18.8 Remands from Appellate Courts.** Upon remand of a case from an appellate court, the prevailing party before the appellate court shall notify the TCC of the remand within thirty days.

**18.9 Voluntary Dismissals.** If a party files a voluntary dismissal of a case, claim, or party and the case is on a calendar within the next ten days, the party filing the dismissal shall deliver a filed copy to each opposing party and to the TCC on the date the dismissal is filed, by facsimile, hand-delivery or electronic transmission.

**18.10 Matters for the Senior Resident Judge.** To summarize, matters which must be heard by the Senior Resident include:

- (a) Motions for DSOs filed after a case is set for trial. (Local Rule 3.5)
- (b) Amendments or changes to DSOs (Local Rule 3.5)
- (c) Violations of Local Rule 3.7 and Motions to Dispense with Local Rules 3.3, 3.4, and 3.7 (Local Rule 3.7 and Local Rule 3.9)
- (d) If trial is within 2 months, all Motions to Amend the Pleadings or to Add Parties (Local Rule 5.15).
- (e) Motions to continue trials, except on the day of trial. (Local Rule 6.6, 12.3) [Please deliver to TCC in appropriate division, i.e., Greensboro or High Point]
- (f) All motions for expedited trial filed after the Administrative Hearing (Local Rule 14.1)
- (g) All matters concerning scheduling of trials, inactive orders, and mediation orders.
- (h) Local Rule 2.1 Recommendations (Local Rule 18.7)

**18.12 Copies to TCC.** To summarize, copies of the following pleadings must be delivered to the appropriate TCC (Greensboro for Greensboro Division cases, High Point for High Point Division cases):

- (a) Requests for Discovery Scheduling Conferences and proposed Discovery Scheduling Orders (Local Rule 3.2) and amendments thereto (Local Rule 3.5).
- (b) Designation of Mediator or any pleading concerning mediation (Local Rule 4.3)
- (c) Calendar Requests (Local Rule 5.1)
- (d) Motions to Amend the Pleadings or Add a Party if trial is within two months and objections and consents thereto (Local Rule 5.16).
- (e) Uncontested Motions (Local Rule 5.9 and Local Rule 6)
- (f) Consent Motions (Local Rule 6)
- (g) Consent Responses to Administrative Hearing (Local Rule 7.3)
- (h) Individual Party Responses to Administrative Hearing (Local Rule 7.3)
- (i) Requests to move a trial date one or two weeks either way, up to six weeks before trial (Local Rule 7.6)
- (j) Case Settlement Reports (Local Rule 8.3)

- (k) Pretrial Orders on Tuesday before Trial (Local Rule 9.3)
- (l) Motions to Continue (Local Rule 12.3)
- (m) Certified Copies of Initial Bankruptcy Filings (Local Rule 13.1)
- (n) Removal to Federal Court Petitions (Local Rule 18.3)
- (o) Will Caveats, Petitions, Administrative Appeals, and any other pleading initiating a Superior Court case which is not a complaint (Local Rule 18.4)
- (p) Copies of complaints refiling cases dismissed per Local Rule 41 (Local Rule 18.4)
- (q) Notice of Appearance by Counsel, Substitution of Counsel, or other similar pleadings (Local Rule 18.5).
- (r) Pleadings seeking mandatory Business Court Jurisdiction (Local Rule 18.7)
- (s) Decisions remanding a case from an appellate court to the Superior Court (Local Rule 18.8)
- (t) Voluntary Dismissals filed within ten days of a scheduled court date (Local Rule 18.9)

**GUILFORD COUNTY SUPERIOR COURT  
REQUEST TO CALENDAR**

**GREENSBORO**   
**HIGH POINT**

FILE # \_\_\_\_\_ CvS \_\_\_\_\_

\_\_\_\_\_  
(PLAINTIFF)  
  
Vs  
  
\_\_\_\_\_  
(DEFENDANT)

Approximate  
Hearing Time:  
Day(s): \_\_\_\_\_  
Hour(s): \_\_\_\_\_  
Minute(s): \_\_\_\_\_

WEEK YOU ARE REQUESTING: \_\_\_\_\_ (Subject to Available Court Time)

TRIALS: JURY  NON-JURY  COURTROOM: 3H  3G  3D   
HIGH POINT: WASHINGTON COURTOOM 434   
COURTROOM: 3H

MOTIONS:

List each motion below:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

DO YOU REQUIRE A COURT REPORTER? YES  NO   
HAVE YOU CONFERRED WITH ALL PARTIES INVOLVED? YES  NO   
HAVE ALL PARTIES AGREED TO THE DATE YOU ARE REQUESTING? YES  NO

<p align="center"><b>CERTIFICATE OF SERVICE</b></p> <p>This is to certify that the undersigned has this date served this pleading upon all other parties to this case by:</p> <p><input type="checkbox"/> depositing a copy enclosed in a post paid, properly addressed wrapper in a post office or official depository under the exclusive care and custody of the United States Postal Service,</p> <p><input type="checkbox"/> handing it to an attorney or to the party,</p> <p><input type="checkbox"/> leaving it at the attorney's office with a partner or employee,</p> <p><input type="checkbox"/> sending it to the attorney's office by a confirmed telefacsimile transmittal for receipt by 5:00 P.M. Eastern Time on a regular business day, as evidenced by a telefacsimile receipt confirmation,</p> <p><input type="checkbox"/> having the Sheriff serve the parties</p> <p>DATE OF SERVICE: _____</p>	<p><b>PRINT OR TYPE YOUR NAME:</b></p> <p><b>STATE BAR NUMBER:</b></p> <p><b>SIGN YOUR NAME:</b></p> <p><b>YOUR ADDRESS:</b></p> <p><b>TELEPHONE NUMBER:</b></p> <p><b>ARE YOU THE:</b> PLAINTIFF <input type="checkbox"/> DEFENDANT <input type="checkbox"/> UNNAMED DEFENDANT <input type="checkbox"/></p>
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LIST BELOW THE NAMES AND ADDRESSES OF THOSE SERVED	
Name:	Attorney For:
Address:	
Name:	Attorney For:
Address:	

**Appendix A**

STATE OF NORTH CAROLINA  
COUNTY OF GUILFORD

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
\_\_\_ CvS \_\_\_

\_\_\_\_\_  
Plaintiff(s),

v.

REPORT OF  
CASE SETTLEMENT

\_\_\_\_\_  
Defendant(s),

This matter is presently scheduled for trial or hearing on \_\_\_\_\_. The parties through counsel hereby report to the Court that this case has been resolved in its entirety and there is nothing left to be heard. The parties represent to the Court and agree that:

The parties will prepare and present a Consent Order to the Court no later than \_\_\_\_\_ which will resolve all pending issues.

The parties will prepare and present a Consent Judgment to the Court no later than \_\_\_\_\_ which will resolve all pending issues.

The Plaintiff will file a Voluntary Dismissal of all claims no later than \_\_\_\_\_.

The Defendant will file a Voluntary Dismissal of all counterclaims/cross-claims/third party claims no later than \_\_\_\_\_.

\_\_\_\_\_

\_\_\_\_\_  
This \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

\_\_\_\_\_  
Plaintiff/Counsel for Plaintiff

\_\_\_\_\_  
Defendant/Counsel for Defendant

Appendix B

STATE OF NORTH CAROLINA  
COUNTY OF GUILFORD

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
\_\_\_ CvS \_\_\_

\_\_\_\_\_  
Plaintiff(s),  
  
v.

CONSENT ORDER  
FOR EXPEDITED TRIAL

\_\_\_\_\_  
Defendant(s),

This matter is before the Court for scheduling purposes. The parties hereto have consulted and hereby represent to the Court that:

1. The parties will exchange trial exhibits and witness lists within \_\_\_ days of the date of this Order.
2. Each side is limited to \_\_\_ Interrogatories and \_\_\_ Requests to Produce Documents, which if used shall be filed within \_\_\_ days of the date of this order. No extensions of time to answer will be sought or allowed.
3. Each side may take the deposition of the other named party. The deposition of the plaintiff will be taken on \_\_\_\_\_ and the deposition of the defendant will be taken on \_\_\_\_\_. No other depositions will be taken.
4. The case will shortly be ready for [ ] jury [ ] non-jury trial. \_\_\_\_\_ is an agreeable date to all parties for trial.
5. All counsel, parties, and witnesses are available for trial on this date.
6. [ ] The parties agree on \_\_\_\_\_ as mediator.  
[ ] The Court waives mediation in this case.
7. [ ] The parties agree to limit peremptory strikes to \_\_\_ per side; to limit opening statements to \_\_\_ minutes per side; to summary presentation of evidence by counsel, except for live testimony by \_\_\_\_\_, with plaintiff's evidence totaling \_\_\_ hours and defendant's evidence totaling \_\_\_ hours; and to limit closing arguments to \_\_\_ minutes per side.
8. [ ] The parties further agree to a jury of [ ] six [ ] eight [ ] ten persons.
9. [ ] The parties waive a jury trial and agree to trial by the judge.

It is therefore ORDERED that:

1. The case is scheduled for trial on \_\_\_\_\_.
2. The Clerk shall provide a filed copy of this Order to all counsel of record and any pro se parties.

This \_\_\_ day of \_\_\_\_\_, 200\_\_.

/s/ Catherine C. Eagles  
Senior Resident Superior Court Judge Presiding

/s/ Amanda Leazer/Faye Byrd  
Trial Court Coordinator

WE CONSENT:

\_\_\_\_\_  
Plaintiff/Counsel for Plaintiff

\_\_\_\_\_  
Defendant/Counsel for Defendant

Appendix C



NORTH CAROLINA  
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
CVS

Plaintiff(s),

vs.

Defendant(s).

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REQUEST FOR EXTENSION OF DEADLINE FOR MEDIATED SETTLEMENT  
CONFERENCE AND ORDER

1. Name of party/mediator requesting extension:
2. Name of mediator (if not making request):
3. Trial date:
4. Reason(s) for request:
5. Date requested:

I certify that this request has been served on all other parties/counsel and (if applicable) the mediator.

Date:

Signed by:

\*\*\*\*\*

Request is \_\_\_\_\_ (a) granted and new deadline is \_\_\_\_\_. \_\_\_\_\_ (b) denied.

For the Court: \_\_\_\_\_  
Trial Court Coordinator

Appendix E