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LOCAL RULES OF CIVIL PROCEDURE FOR THE SUPERIOR COURTS OF JUDICIAL DISTRICT 6A

HALIFAX COUNTY, C.S.C.

RULE 1: GENERAL RULES

- BY _____
- 1.1 The purpose of these Rules is to institute a case management plan for Halifax Superior Court Division, in compliance with Rule 40 (a), *North Carolina Rules of Civil Procedure*; and Rule 2(a), *General Rules of Practice for the Superior and District Courts*; and provide for the orderly, prompt and just disposition of civil matters.
 - 1.2 The administration of the case management plan shall be delegated to and under the control of the Superior Court Judicial Assistant (SCJA) in accordance with these rules and under the supervision of the Senior Resident Superior Court Judge (SRSCJ), Six-A Superior Court District.
 - 1.3 These rules are not complete in every detail and may not cover all circumstances but, in the event a particular situation is not addressed, the SCJA is authorized to act in her best discretion, subject to consultation with the SRSCJ.
 - 1.4 These rules and procedures, and all amendments hereafter, shall be filed with the Clerk of Superior Court of Halifax County.
 - 1.5 The Clerk of Court shall provide a copy of these rules to all members of the Halifax County Bar and deliver to any unrepresented party upon filing a complaint.
 - 1.6 The Local Rules of Civil Procedure for the Superior Courts of Judicial District 6A shall be posted on WWW.NCCOURTS.ORG by the SCJA.

RULE 2: CALENDARING OF CASES FOR TRIAL

- 2.1 All Civil Superior Court cases filed in Halifax County after January 1, 2013, **must have** mediated settlement conference in accordance with the Supreme Court Rules, 341 NC 746-757. (1995)

EXCEPT:

1. Declaratory judgment actions;
 2. Administrative appeals
 3. Actions in which a party is seeking the issuance of an extraordinary writ; and
 4. Appeals from the revocation of a motor vehicle operator's license.
 5. Money owed / collection on accounts.
- 2.2 Within twenty-one (21) days after relieving AOC-CV811 (Attachment 1) any party claiming that the action is not subject to mediation shall present a letter

stating the reasons for the claim to the SCJA with copies to all parties. Any party claiming otherwise shall immediately notify the SCJA in writing of the reasons for their objection with copies of all parties. (See Rule 1B(1), Supreme Court Rules.)

- 2.3 All Counsel and/or unrepresented party shall select a mediator, pursuant to N.C.G.S. § 7A-38.1(h) using Form AOC-CV-812 "Designation of Mediator". (Attachment 2) In the event counsel and/or any unrepresented party fail to designate a mediator, then the SCJA shall make such selection.
- 2.4 All communication with the court concerning mediated settlement conferences in the Sixth – A Judicial District should be addressed to:

Denise W. Cherry
Superior Court Judicial Assistant II
PO Box 66
Halifax, NC 27983
252-593-3016
252-593-3013
denise.w.cherry@nccourts.org

- A. The Clerk of Court may grant one Extension of Time to Set Mediation. Any subsequent extensions must be granted by the SRSCJ.

- 2.5 Within 30 days of the Mediator's Report (AOC-CV-813) (Attachment 3) advising that the matter has reached an impasse, the SCJA shall send a Trial Scheduling Notice (TSN) (Attachment 4) to all counsel of record and/or any unrepresented party having been served in the case (by US mail or by placing it in counsel's personalized courthouse mailbox.

- A. All counsel and/or unrepresented party shall select (or request) a trial date prior to the deadline specified in the TSN.
- B. In the event counsel and/or any unrepresented party fail to select a trial date, then the SCJA shall make such selection.
- C. A Discovery Scheduling Order (DSO) (attachment 5) will be issued by SCJA after a trial date has been selected. Deadlines in all cases shall be as follows (**unless the SRSCJ allows an amended DSO, or the parties execute a Consent DSO to be approved by SRSCJ**).
1. Written discovery – 60 days prior to trial
 2. Expert witness disclosure – 60 days
 3. Discovery depositions – 30 days
 4. Completion of discovery (except *de bene esse* depositions) – 30 days
 5. Close of pleadings – 15 days
 6. Dispositive motions – 15 days

- 2.6 Four weeks prior to each civil session a Final Trial Calendar (FTC) shall be published by the SCJA. The FTC shall be distributed to counsel by posting on the web at **WWW.NCCOURTS.ORG**. Attorneys are required to subscribe to receive civil calendars. Printed calendars will not be mailed to attorneys or their clients after January 1, 2013. Distribution to any served but unrepresented party shall be mailed by the SCJA.
- 2.7 In the event a case is not reached at the session requested, counsel and/or any unrepresented party shall select another trial date pursuant to **Rule 2.5 A**. If counsel and/or any unrepresented party fail to select, then the SCJA will calendar the case on the next published FTC or soon thereafter.
- 2.8 If a case is settled after placement on any FTC, counsel and/or any unrepresented party shall notify the SCJA (within 48 hours of settlement) and advise who will prepare and present judgment and/or dismissal, and submit within 15 within days. (See Rule 6.1)

RULE 3: CONTINUANCES

- 3.1 The continuance of a calendared case shall be granted only pursuant to Rule 40, *North Carolina Rules of Civil Procedure*, upon good cause shown and upon such changes and conditions as justice may require.
- 3.2 The SCJA, under the supervision of the SRSCJ, shall have exclusive authority to continue a calendared case prior to the first day of civil session.
- 3.3 Opposing counsel and/or any unrepresented party must be notified of the request for continuance prior to the delivery of the request to the SCJA.
- 3.4 A request for continuance must be received by the SCJA, in writing, at least 5 days prior to the first day of the civil session, if applicable.
- 3.5 A request for continuance shall state the specific reason(s) for the request and the proposed new trial date. Such request shall be copied and mailed to all opposing counsel and/or any unrepresented party. Counsel and/or any unrepresented party shall make their best efforts to agree upon a new trial date. The SCJA shall honor the requested date, if practicable.
- 3.6 Any opposing counsel and/or unrepresented party may, in writing, consent or object to a request for continuance.
- 3.7 The SCJA shall, in writing, promptly rule on any request for continuance, notwithstanding the consent of the parties. Counsel and/or any unrepresented party may, by written motion, appeal the ruling of the SCJA to the SRSCJ. Such motion shall state specifically that the request for continuance was originally denied by the SCJA in addition to any other reason.

- 3.8** Absent permission from all adverse parties and/ or any unrepresented party, any ex parte request for continuance is improper and shall not be allowed, except for good cause shown. (See Rule 5)

RULE 4: MOTIONS

- 4.1** The SCJA shall calendar all motions for hearing.
- 4.2** Counsel and/or any unrepresented party shall file a written "Notice of Hearing" (NOH) with the SCJA in compliance with the minimum statutory notice requirement provided in the *North Carolina Rules of Civil Procedure* or not later than 3 business days prior to a requested date if all counsel and/or any unrepresented party waive the minimum statutory notice requirement, and consent thereto.
- 4.3** The NOH shall specify the name and address of all counsel and/or any unrepresented party. A copy of the NOH shall be served upon all opposing counsel and/or any unrepresented party, and shall serve as due notice.
- 4.4** At least 5 business days prior to the session, duly noticed motions shall appear on a printed calendar. *Only attorneys with case on the motion calendar will receive a calendar via email or fax.*
- 4.5** In order to remove a motion before the session begins, the moving party must notify the SCJA, in writing, but only after obtaining the written consent of all counsel and/or any unrepresented party. The better practice would be to communicate via email with all parties, including the SCJA.
- 4.6** Failure to duly calendar a motion under these rules shall not be used as a basis for a continuance from a future trial calendar.

RULE 5: CALENDAR CALL AND APPEARANCE OF ATTORNEYS

- 5.1** The Presiding Judge shall call the calendar on the first day of the session, and thereafter as he/she may deem necessary.
- 5.2** Duly calendared cases shall be called in order which they appear, unless otherwise determined by the Presiding Judge.
- 5.3** Attorneys shall attend calendar call for each term of Halifax County Superior Court unless any matter in which the attorney is involved is moot, settled, or continued.

- 5.4 When an attorney is notified to appear for the setting of a calendar, pre-trial conference, hearing of a motion, or for trial, he/she must, consistent with the ethical requirements, appear or have a partner, associate, or another attorney familiar with the case present.

RULE 6 DELINQUENT CASES

- 6.1 When any case has been settled, dismissed, ends in a jury verdict, or ends in a judge's order, the attorney and/or any unrepresented party has 15 days to submit proper pleadings to the Court. If pleadings are not submitted within that time, the case shall be deemed delinquent. (See to Rule 2.8)
- 6.2 After a case is determined delinquent, the SCJA shall re-calendar the case on the next motion calendar. The Presiding Judge (or the SRSCJ) shall have discretion to dismiss the case or to impose any appropriate sanction allowable by law. (See Rule 13)

RULE 7 PRE-TRIAL PROCEDURE

- 7.1 **Rule 7**, *General Rules of Practice for the Superior and District Courts* shall control pre-trial conferences and pre-trial orders. A pre-trial order must be filed before the beginning of the scheduled session.

RULE 8 ADMINISTRATIVE CALENDARS

- 8.1.1 The SCJA shall, as necessary, prepare and schedule administrative calendars (during jury and non-jury sessions) in order for the SRSCJ, or the Presiding Judge, to review the status of any delinquent, complex, aged, or non-disposed case. The judge shall have discretion to summarily resolve any issue which caused the case to appear on such administrative calendar.
- 8.2 The SRSCJ shall preside over all Administrative Calendars.
- 8.3 The SRSCJ shall take appropriate action to insure prompt disposition of any pending motions or other matters necessary to move the case toward a conclusion.
- 8.4 The SCJA shall post the administrative calendars to WWW.NCCOURTS.ORG. (See Rule 2.6)

RULE 9 BANKRUPTCY CASES

- 9.1 Counsel of record for any party and/or any unrepresented party who has filed a petition for relief under the United States Bankruptcy Code, shall file with the Clerk of Superior Court a "Motion to Stay Proceedings," accompanied by a file-stamped copy of a "Certificate of Bankruptcy Filing" or Stay Proceeding" from

the bankruptcy court having jurisdiction. A copy of the motion shall be served on the Clerk of Court and the SCJA. Upon receipt, the SCJA shall prepare an "Order to Close the File" (Attachment 6), stating the reason for closing the case. Nothing shall prohibit a case from being re-opened, at any time, for good cause shown.

RULE 10 INACTIVE CASES

- 10.1** Inactive cases do not require monitoring, calendaring, or review. A case may be declared inactive by filing a Consent Motion with the SCJA, executed by, and served upon, all counsel of record and/or any unrepresented party. Upon filing, the SRSCJ (by the SCJA) shall order the Clerk of Superior Court to close and remove the case from the county's active docket (Attachment 7).
- 10.2** The SCJA shall also petition the court, from time to time, to declare as inactive, certain cases that are on appeal, cases in which there have been no activity over 180 days, cases in binding arbitration, cases removed to federal court, or cases in bankruptcy. Nothing shall prohibit a case from being re-activated, at any time, for good cause shown.

RULE 11 PRIORITY, PREMEPTORY, REMANDED, EXCEPTIONAL OR COMPLEX BUSINESS CASES

- 11.1** Counsel shall, in writing, notify the SCJA (as soon as practicable) that priority status and peremptory setting is requested for a case. The authority for such request shall be cited in such notification. Counsel shall copy all opposing counsel and/or any unrepresented party.
- 11.2** The SCJA, on his/her own motion, may grant priority status and peremptorily calendar a case, for good cause shown.
- 11.3** If a priority case is continued, a written request for a new peremptory setting shall be made to the SCJA.
- 11.4** If a case is remanded from the Appellate Division to Superior Court, counsel shall notify the SCJA, in writing, to calendar the case for hearing or trial. After such notice, the SCJA shall calendar the case as soon as practicable, giving deference to scheduling requests from all counsel and/or any unrepresented party.
- 11.5** Any request by counsel and/or any unrepresented party to designate a case "Exceptional" or "Complex Business" under Rule 2.1, *General Rules of Practice for the Superior Court and District Courts*, shall be made within 30 days from the issuance of the DSO to the SRSCJ. Such motions shall be in writing stating the grounds therefore. The motion must include a certification that the movant has in good faith conferred or attempted to confer with all opposing counsel and/or any unrepresented party to obtain consent to the motion.

- 11.6 The SRSCJ may recommend to the Chief Justice that a case or cases be designated as "Exceptional" or "Complex Business"

RULE 12 STATUS CALENDARS

- 12.1 Cases that are pending prior to January 1, 2013, shall be placed on a Status Calendar. The SCJA shall confer with the SRSCJ to consider the need for placement.
- 12.2 After placed on a status calendar, a TSN and DSO will be issued according to **Rule 2.**
- 12.3 Cases without any activity for six months or more will be moved to the Inactive Status. (See Rule 10)

RULE 13 SANCTIONS

- 13.1 Should counsel of record and/or any unrepresented party fail to comply in good faith with any provision of these Local Rules, or the *General Rules of Practice for the Superior Court and District Courts*, the Court may, in its discretion, impose appropriate sanctions.
- 13.2 An order entered in substantial violation of these rules is subject to modification or vacation by the Senior Resident Judge.

These rules shall apply to all pending actions and shall be effective January 1, 2013.

Entered on this the 29 day of November, 2012.



Honorable Alma L. Hinton
Senior Resident Superior Court Judge
Halifax County Judicial District

STATE OF NORTH CAROLINA

File No. _____

_____ County

In The General Court Of Justice
Superior Court Division

Name Of Plaintiff(s)

Name Of Plaintiff's Attorney(s)

**ORDER FOR MEDIATED
SETTLEMENT CONFERENCE IN
SUPERIOR COURT AND
TRIAL CALENDAR NOTICE**

G.S. 7A-38.1; Rules 1 and 2 of Mediated Settlement Conferences

Deadline For Completion Of Mediated Settlement Conference

VERSUS

Tentative Trial Date

Name Of Defendant(s)

Name And Address Of Other Interested Party(ies) And Possible Lienholders

Name Of Defendant's Attorney(s)

Name And Address Of Attorney(s), If Applicable

In accordance with the Rules Implementing Mediated Settlement Conferences, it is ORDERED that this case be referred to a mediated settlement conference, which shall be completed before the deadline shown above.

Within twenty-one (21) days after the date of this Order, the parties may, by agreement, select a certified mediator to conduct their mediated settlement conference. Within twenty-one (21) days after the date of this Order, the plaintiff or plaintiff's attorney shall notify the Court of the selection of a certified mediator. Notice shall be on form AOC-CV-812. (Fillable form <http://www.nccourts.org/Forms/Documents/313.pdf>)

As an aid to mediator selection, the NC Dispute Resolution Commission maintains a list of certified superior court mediators on its web site: www.nccourts.org/Citizens/CPrograms/MS/Mediators/Default.asp (You may search for mediators by name of mediator, by city, or by court district. Once a mediator's name appears on your screen, click on it for a complete contact and availability listing.)

A mediator selected by agreement of the parties shall be compensated at a rate agreed upon between the mediator and the parties. A court-appointed mediator shall be compensated at the rate of \$150 per hour for time spent in the mediated settlement conference, to be billed in quarter hour segments. The conference fee shall be paid as provided for in Rule 7.F. In addition, a \$150 administrative fee shall be paid pursuant to Rule 7.B.

All persons required by Rule 4.A(1) to attend the conference shall be physically present unless such physical presence is excused pursuant to the agreement of all parties and persons required to attend and the mediator or by an order of the Senior Resident Superior Court Judge, upon motion of a party and with notice to all parties and persons required to attend and the mediator.

The mediator shall schedule the date, time and location of the conference and timely notify all attorneys and unrepresented parties. The conference shall be completed by the deadline for completion set forth above and the mediator shall report the results on form AOC-CV-813 to the Court within ten (10) days after the conference is completed.

Date Of Order

Name Of Senior Resident Superior Court Judge (Type Or Print)

Signature Of Senior Resident Superior Court Judge

TENTATIVE CALENDARING NOTICE

[This section is optional, to be used at the discretion of the Senior Resident Superior Court Judge; however, mediated settlement shall not delay other proceedings, including trial (Rule 3E).]

Parties are notified of the following tentative calendaring schedule adopted by the Court. Final calendar notices will be provided through a published calendar, should settlement not be reached.

Tentative Date For Hearing Of Motions

STATE OF NORTH CAROLINA

File No. _____

CountyIn The General Court Of Justice
Superior Court Division

Name Of Plaintiff(s)

Name And Address Of Plaintiff's Attorney (Or Pro Se Plaintiff's Address)

Telephone No.

FAX No. (if applicable)

Plaintiff's Attorney's Email Address (Or Pro Se Plaintiff's Email Address)

VERSUS

Name Of Defendant(s)

Name And Address Of Defendant's Attorney (Or Pro Se Defendant's Address)

Telephone No.

FAX No. (if applicable)

Defendant's Attorney's Email Address (Or Pro Se Defendant's Email Address)

**DESIGNATION OF MEDIATOR IN
SUPERIOR COURT CIVIL ACTION****NOTICE:**

Plaintiff's attorney should check and fill out only one of the two Sections, **sign below**, and return to the Senior Resident Superior Court Judge within 21 days after the date of the Order for Mediated Settlement Conference **and distribute copies as noted below**

G.S. 7A-38.1; Rule 2 of Mediated Settlement Conferences

Trial Date

Date Of Order Referring Matter To Mediation

Deadline For Completion Of Mediated Settlement Conference

Tentative Trial Date

☐ **SECTION 1 - NOTICE OF SELECTION OF CERTIFIED MEDIATOR BY AGREEMENT**

The above named case was referred to a mediated settlement conference. The parties have selected the mediator named below who has agreed to serve in this case and is certified pursuant to the Rules Of Mediated Settlement Conferences.

Name And Address Of Certified Mediator

Telephone No.

FAX No. (if applicable)

Mediator's Email Address

The parties and the mediator have agreed upon the mediator's rate of compensation as follows: *(specify all terms of the compensation agreement.)*

NOTE: As an aid to mediator selection, the NC Dispute Resolution Commission maintains a list of certified superior court mediators at www.ncdrc.org. Click on "List of Mediators" from the left-hand menu then click on "Mediated Settlement Conference Program." You may search for mediators by name or by judicial district. Once a mediator's name appears on your screen, click on it for a complete contact and availability listing.

☐ **SECTION 2 - MOTION FOR COURT APPOINTMENT OF MEDIATOR**

The above named case was referred to a mediated settlement conference.

After a full and frank discussion, the parties have been unable to agree upon the selection of a mediator and move the Senior Resident Superior Court Judge to appoint a certified mediator to conduct their conference.

Date

Name Of Attorney (Or Pro Se Party)

Signature Of Attorney (Or Pro Se Party)

ATTACHMENT 2

Original-File Copy-Senior Resident Superior Court Judge or his/her designee
Copy-Plaintiff Copy-Defendant Copy-Mediator

ORDER OF APPOINTMENT

The parties having reported their failure to agree upon the selection of a mediator or the parties having failed to notify the Court of their selection or nomination of a mediator within twenty-one (21) days after this case was ordered to mediation, the Court appoints the following certified mediator to conduct the mediated settlement conference.

Name And Address Of Certified Mediator

Telephone No.

FAX No. (if applicable)

Mediator's Email Address

NOTICE TO MEDIATOR: *The mediator shall be responsible for reserving a place and making arrangements for the conference and giving timely notice to all attorneys and unrepresented parties of the time and location of the conference. The mediated settlement conference shall be completed by the completion deadline set forth above, and the mediator shall report the results of the conference to the Court within ten (10) days after the conference is completed.*

Date

Name Of Senior Resident Superior Court Judge (Type Or Print)

Signature Of Senior Resident Superior Court Judge

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date a copy of the foregoing Designation of Mediator in the Superior Court Civil Action was served on the above-selected mediator and the parties at the addresses below by placing a copy of the same in the United States Mail, postage prepaid. (Please provide names and addresses for the mediator and parties served in the spaces below. Attach additional sheets if necessary.)

Mediator

Party Or Attorney

Party Or Attorney

Party Or Attorney

Party Or Attorney

Party Or Attorney

Party or Attorney

Party Or Attorney

Date

Name Of Party (Type Or Print)

Signature Of Party or Party's Attorney

STATE OF NORTH CAROLINA

File No.

County

In The General Court Of Justice
Superior Court Division

Name Of Plaintiff(s)

VERSUS

Name Of Defendant(s)

Name And Address Of Mediator

REPORT OF MEDIATOR IN SUPERIOR COURT CIVIL ACTION

G.S. 7A-38.1; Rules 6.B.(4) Of Mediated Settlement Conferences

Telephone No.

FAX No. (if applicable)

1. The undersigned mediator reports the following results of a mediated settlement conference either ☐ ordered or ☐ voluntarily conducted in this case:
 - a. Conference ☐ was held. ☐ was not held.
 - b. If held, date conference was completed: _____
 - c. If not held, the reasons were: _____
2. If the case was reported settled prior to or during a recess of the conference, provide the name of the person(s) who reported the case settled: _____
3. The parties reached an: ☐ agreement on all issues. ☐ impasse.
4. ☐ If the case was settled, then, as required by MSC Rule 6.B.(4)(b), mediator has advised the parties that MSC Rule 4.C. requires that closing documents be filed with the court within 30 days of settlement (or 90 days if a State or political subdivision is involved) or before expiration of the mediation deadline, whichever is longer. The following closing document is to be filed:
 - a. ☐ consent judgment. ☐ voluntary dismissal with prejudice. ☐ voluntary dismissal without prejudice.
 - b. Name, address, email and telephone number of party or attorney who is to file the closing document:

Name: _____

Address: _____

Telephone number: (____) ____ - ____ Email Address: _____

5. Names of those who attended the conference:

Affiliation (e.g., party, attorney, insurance company representative, lien holder or other).


Name

Original-File Copy - Senior Resident Superior Court Judge or his/her designee Copy-Plaintiff Copy-Defendant

Name

Affiliation (e.g., party, attorney, insurance company representative, lien holder or other).

MEDIATOR'S FEE

	Court-Appointed Mediator	Party-Selected Mediator
ADMINISTRATIVE FEE (MSC RULE 7.B. or as privately agreed with party-selected mediator)	\$ 150.00	\$
MEDIATION FEE (MSC RULE 7.B.): (\$150.00 per hour for time spent in conference for court-appointed mediator, billed in quarter hour segments, or privately set fee for party-selected mediator.)	\$	\$
Total Time Spent In Mediated Settlement Conference(s): _____ Hours _____ Minutes		
POSTPONEMENT/CANCELLATION FEE (MSC RULE 7.E or as privately agreed with party-selected mediator)	\$	\$
TOTAL FEE 	\$	\$

All fees of the mediator have been paid except as follows:

Name Of Party Owning Balance	Address Of Party	Amount Of Balance
		\$
		\$
		\$
		\$

Name of any party filing motion for relief from obligation to pay mediator's fee: (Please attach motion for relief.)

I have filed this report with the Court as required within ten (10) days after conclusion of the conference or within ten (10) days of being advised by a party that this case settled before the date scheduled for mediation or during a recess of the conference.

Date	Name Of Mediator (Type Or Print)	Signature Of Mediator
------	----------------------------------	-----------------------

STATE OF NORTH CAROLINA

► File No. _____
In the General Court of Justice
Superior Court Division

Halifax County

Name of Plaintiff(s)

VERSUS

Name Of Defendant(s)

**TRIAL SCHEDULING NOTICE
(TSN)**

Name of Defendant's Attorney

Local Rule 2.5

- A. All counsel and/or any unrepresented party shall select a trial date.
- B. In the event counsel and/or any unrepresented party fail to select a trial date prior to the deadline specified below, then the SCJA shall make such selection.
- C. The continuance of a calendared case shall be granted only for good cause shown.
- D. All selections shall be submitted to the SCJA at the address or email below.

PLEASE CHOOSE FROM THE FOLLOWING 2013 TRIAL DATES

Signature

Date

DEADLINE FOR SELECTION: November 5, 2012

Denise W. Cherry

Judicial Assistant

PO Box 66

Halifax, NC 27839

Email: denise.w.cherry@nccourts.org

Phone; (252) 593-3016 Fax: (252) 593-3013

Halifax County

In The General Court of Justice
Superior Court Division

Name of Plaintiff(s)

Name of Plaintiff's Attorney(s)

VERSUS

[
[**DISCOVERY SCHEDULING ORDER**
[**(DSO)**

Local Rule 2.5(C)

Name of Defendant(s)

Name of Defendant's Attorney(s)

DISCOVERY SCHEDULING ORDER

(unless the SRSCJ allows an amended DSO, or the parties execute a Consent DSO with approval from SRSCJ):

1. Written discovery - 60 days (prior to trial)
2. Expert witness disclosure - 60 days
3. Discovery depositions - 30 days
4. Completion of discovery (except *bene esse* depositions) - 30 days
5. Dispositive motions - 15 days
6. Close of pleadings - 15 days

TRIAL DATE

All calendared cases will be considered ready for trial whether or not counsel appear for the calendar call.
Judge will determine the order the cases will be heard before the court after calendar call.

Date of Order

Alma L. Hinton
Senior Resident Superior Court Judge

STATE OF NORTH CAROLINA

FILE NO.

Halifax County

In The General Court of Justice
Superior Court Division

Name of Plaintiff(s)

VERSUS

ORDER TO CLOSE FILE

Name Of Defendant(s)

Local Rule 9

It appearing to the undersigned Judge that this action is no longer an active lawsuit, that a trial of the case will probably not be necessary, and that the ends of justice will be best served by declaring the case inactive and removing it from the trial docket;

And the following circumstances support such conclusions:

IT IS THEREFORE ORDERED that this case file be closed and the action be removed from the trial docket, without prejudice to the rights of any party to move the court to re-open the file if further action becomes appropriate or necessary.

This the _____ day of _____, 20__.

Alma L. Hinton
Senior Resident Superior Court Judge

CC:

ATTACHMENT 6

STATE OF NORTH CAROLINA

FILE NO.

Halifax County

In The General Court of Justice
Superior Court Division

Name of Plaintiff(s)

VERSUS

**DECLARATION OF
INACTIVE STATUS**

Name Of Defendant(s)

Local Rule 10

It appearing to the undersigned Judge by the attached consent that all counsel and/or any unrepresented party agree that it is in their mutual best interest and will promote justice for the above captioned case to be declared inactive and removed from the county's active docket.

IT IS THEREFORE ORDERED that this case file be closed by the Clerk of Superior Court and the action be removed from the trial docket, without prejudice to the rights of counsel and/or any unrepresented party to move the court to re-open the file if further action becomes appropriate or necessary.

This the ____ day of _____, 20__.

Alma L. Hinton
Senior Resident Superior Court Judge

CC:

ATTACHMENT 7