

NORTH CAROLINA
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
File No. _____

Plaintiff
v.

Defendant

FINAL PRE-TRIAL ORDER
(EQUITABLE DISTRIBUTION)

THIS MATTER having been duly calendared for Pretrial Conference pursuant to the Case Management Rules of the 18th Judicial District on this date, and having discussed with the parties, or their counsel (or those who were present at the scheduled conference), the status of the case and the remaining steps necessary to bring this matter to a conclusion, the Court makes the following

THIS MATTER was heard by the undersigned Presiding Judge during a Final Pre-Trial Conference upon pleadings seeking a determination of marital or divisible property and an equitable distribution of such property and debts as shall be determined to be marital or divisible;

IT APPEARING TO THE COURT that the parties have reached agreement on certain facts and on certain issues and have delineated the areas of agreement and disagreement; the parties, by their signatures affixed hereto, stipulate agreement with the facts and issues represented herein as agreed upon; the parties further stipulate that the facts and issues represented herein as being in dispute are accurately reflected and are the only issues to be determined by the Court; the parties warrant and avow that they have disclosed the existence of all separate, marital and divisible property, to which he or she may have claim at the date of valuation of marital property (regardless of to whom such property may be titled or in whom actual ownership may be designated) and said disclosure has been full and honest and is free from taint of fraud.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED and stipulated as follows:

1. The Court has jurisdiction over the parties and subject matter of this action.
2. Plaintiff and Defendant were married on _____, _____.
3. Plaintiff and Defendant separated on _____, _____.
4. The date of valuation is _____, _____.
5. An equal division is an equitable division. An unequal division is an equitable division.
6. Schedules attached hereto list all of the property owned by the parties at the date of separation. (Note: Use only the applicable schedules.)
7. Schedule 1 is a list of all documents, reports and other exhibits may be admitted without authentication:
8. Schedule 2 is a list of all other documents Plaintiff intends to introduce at trial. A copy has been provided to opposing counsel (or party, if unrepresented).
9. Schedule 3 is a list of all other documents Defendant intends to introduce at trial. A copy has been provided to opposing counsel (or party, if unrepresented).
10. The parties shall submit affidavits or signed reports of expert witnesses to be called at trial to opposing counsel (or party, if unrepresented) no later than one week prior to the start of the session wherein the

case is scheduled for hearing (except upon “good cause shown....” Seven (7) days from receipt thereof, counsel for each party shall advise the other of any stipulations that can be entered with regard to the contents of the affidavit or reports (to avoid having the witness present at trial).

- 11. Schedule 4 is a list of the names and addresses of all known witnesses the Plaintiff may offer at the trial.
- 12. Schedule 5 is a list of the names and addresses of all known witnesses the Defendant may offer at the trial.
- 13. This matter is set for trial during the session of _____.
- 14. The estimated length of trial time is _____.
- 15. No later than 24 hours before trial, counsel for the parties shall label, number and list all trial exhibits, and shall exchange exhibit lists, and supplement copies of exhibits and witness lists. A copy of each list shall be provided to the Judge when the case is called for trial.

This the _____ day of _____, 20_____.

DISTRICT COURT JUDGE PRESIDING

CONSENTED TO:

Plaintiff

Plaintiff's Attorney

Defendant

Defendant's Attorney

_____, being first duly sworn, deposes and says that he is the Plaintiff Defendant in the foregoing action, that he has read the foregoing FINAL PRE-TRIAL ORDER (EQUITABLE DISTRIBUTION) and knows the contents thereof to be true of his own personal knowledge except for those matters and things alleged therein upon information and belief, and as to those matters and things, he believes same to be true.

(Signature of Husband)

Sworn to and subscribed before me this
the ____ day of _____, 20__.

NOTARY PUBLIC
My commission expires: _____

Assistant/Deputy Clerk of Court

_____, being first duly sworn, deposes and says that she is the Plaintiff Defendant in the foregoing action, that she has read the foregoing FINAL PRE-TRIAL ORDER (EQUITABLE DISTRIBUTION) and knows the contents thereof to be true of her own personal knowledge except for those matters and things alleged therein upon information and belief, and as to those matters and things, she believes same to be true.

(Signature of Wife)

Sworn to and subscribed before me this
the ____ day of _____, 20__.

NOTARY PUBLIC
My commission expires: _____

Assistant/Deputy Clerk of Court