

NORTH CAROLINA  
ALAMANCE COUNTY

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
\_\_\_\_\_CVD\_\_\_\_\_

\_\_\_\_\_  
Plaintiff  
  
vs.  
  
\_\_\_\_\_  
Defendant

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INITIAL EQUITABLE DISTRIBUTION  
PRETRIAL CONFERENCE, DISCOVERY  
and  
SCHEDULING ORDER

THIS CAUSE was heard before the undersigned Judge for an Initial Pretrial Discovery and Scheduling Conference in the above captioned equitable distribution matter; and the Court makes the following

FINDINGS OF FACT

1. The Plaintiff was present and represented by \_\_\_\_\_.
2. The Defendant was present and represented by \_\_\_\_\_.
3. The ED complaint of the Wife Husband was filed on \_\_\_\_\_.
4. The ED counterclaim of the Wife Husband was filed on \_\_\_\_\_.
5. The parties stipulate that they are husband and wife, having been duly married on \_\_\_\_\_.
6. The parties stipulate that they separated on \_\_\_\_\_ and that shall be the date of separation for purposes of equitable distribution.  
The parties  do not stipulate to the date of separation.  
The plaintiff contends that the date of separation is \_\_\_\_\_ and the defendant contends that the date of separation is \_\_\_\_\_. The Court will conduct an evidentiary hearing and will make a finding regarding the date of separation with such hearing to be held on \_\_\_\_\_.
7. The ED Inventory Affidavit of Wife has not been filed; or was filed on \_\_\_\_\_.
8. The ED Inventory Affidavit of Husband  has not been filed; or was filed on \_\_\_\_\_.
9. Each party’s Inventory Affidavit was timely served upon the opposing party OR  
Plaintiff’s Inventory Affidavit was not timely served AND  
May be served no later than \_\_\_\_\_ OR  
Will be excluded from evidence  
Defendant’s Inventory Affidavit was not timely served AND  
May be served no later than \_\_\_\_\_ OR  
Will be excluded from evidence
10. The parties may file and serve amendments to their ED Inventory Affidavits. These amendments shall be received by the opposing party by the Wednesday prior to trial. The parties shall update their Inventory Affidavits as they acquire additional information
11. Discovery  has  has not been completed. Discovery shall be completed no later than noon on \_\_\_\_\_.
12. All necessary appraisals  have have not been completed, and copies of all written appraisals  have  have not been attached to the parties Inventory Affidavits.
13. Either party may wish to offer testimony of an expert witness at trial with regard to various matters at issue including valuation of assets. A written report of any such expert shall be exchanged by the Final Pretrial Conference.
14. Appointment by the Court of appraiser(s) has  has not been requested by Wife Husband.

15. The parties  agree upon a financial mediator. See Form AOC-CV-825. The parties  have not agreed upon a financial mediator and are requesting the Court to appoint a financial mediator. See Form AOC-CV-825.
16. An interim allocation of martial assets  has  has not been requested by  Wife  Husband.
17. An advance distribution award  has  has not been requested by  Wife  Husband.
18. The parties  have  have not agreed to an equal division of the net marital estate.

CONCLUSIONS OF LAW

1. This Court has personal jurisdiction of the parties and subject matter jurisdiction of this matter and has the authority to enter the order as hereinafter set out.
2. This Order will expedite the resolution of this equitable distribution matter.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

1. The Court appoints \_\_\_\_\_ to conduct an appraisal of \_\_\_\_\_. The valuation date(s) shall be: \_\_\_\_\_. Costs of the appraisal are allocated as follows: \_\_\_\_\_.
2. The Court appoints \_\_\_\_\_ as financial mediator. See Form AOC-CV-825. Financial mediation shall be completed on or before \_\_\_\_\_.
3. On or before noon on \_\_\_\_\_, wife shall file and serve the following: \_\_\_\_\_.
4. On or before noon on \_\_\_\_\_, husband shall file and serve the following: \_\_\_\_\_.
5. The parties shall cooperate to ensure that all appraisals are completed on or before \_\_\_\_\_.
6. A final pretrial order shall be prepared by  Wife  Husband and shall be delivered to the opposing party on or before noon on \_\_\_\_\_.
7. A copy of this order shall be delivered to each expert witness hereby appointed by the Court.
8. A copy of each expert witness's report shall be filed with the Court and furnished to counsel for each of the parties.
9. A final pretrial conference is set for \_\_\_\_\_.
10. Trial of this matter is set for \_\_\_\_\_.
11. Motions for continuances shall be in writing (using form ALA-ED-300), and shall be granted only for good cause.
12. The parties shall promptly notify the Court if a settlement is reached.
13. The Court reserves the right to reallocate the fees and costs of any expert witness following trial.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
District Court Judge Presiding