FORM # 15

NORTH CAROLINA **20A JUDICIAL DISTRICT** **COUNTY OF STANLY**	**IN THE GENERAL COURT OF JUSTICE** **DISTRICT COURT DIVISION** **CASE NUMBER_____**

_____	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	**EQUITABLE DISTRIBUTION**
	)	**PRETRIAL ORDER**
_____	)	
	)	
Defendant.	)	

THIS MATTER COMING ON TO BE HEARD for a final pretrial conference before the undersigned Presiding Judge upon pleadings seeking a determination of marital property and an equitable distribution of such property and debts as shall be determined to be marital;

AND IT APPEARING that the parties have reached agreement on certain facts and on certain issues and have delineated the areas of agreement and disagreement;

AND IT APPEARING that by their signatures affixed hereto, each party stipulates agreement with the facts and issues represented as agreed upon and stipulates that the facts and issues represented as being in dispute are accurately reflected and that there are no other issues to be determined by the Court;

AND IT FURTHER APPEARING that each party by signing this Pre-Trial Order warrants and avows having disclosed the existence of all property, both separate and marital, to which he or she may have had a 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. 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. AN EQUAL DIVISTION IS AN EQUITABLE DIVISION. (THIS STATEMENT SHOULD BE ELIMINATED IF NOT AGREED UPON.)

3. Schedule A is a list of marital property upon which there is agreement as to value and distributions.

4. Schedule B is a list of marital property upon which there is an agreement as to distribution and disagreement as to value.

5. Schedule C is a list of marital property upon which there is agreement as to value and disagreement as to distribution.

6. Schedule D is a list of marital property upon which there is disagreement as to distribution and disagreement as to value.

7. Schedule E is a list of items about which there is disagreement as to whether the item is marital property.

8. Schedule F is a list of plaintiff's contentions for an unequal division in his/her favor. (Use only if plaintiff in this action seeds an unequal division.)

9. Schedule G is a list of defendant's contentions for an unequal division in his/her favor. (Use only if defendant in this action seeds an unequal division.)

10. Schedule H is a list of marital debts of the parties showing the present amounts due and any amounts paid by the parties since their separation.

11. Schedule I is a list of post-separation changes in values and plaintiff's contentions as to how these changes should be treated.

12. Schedule J is a list of post-separation changes in values and defendant's contentions as to how these changes should be treated.

13. Schedule K is a list of divisible property.

14. Plaintiff and defendant have added any additional schedules needed to state any other issues to be decided by the Court. They are labeled Schedule _____, _____, etc.

15. The Presiding Judge shall rule on the following:

    a. What is the value of the items on Schedule B?
    b. Which party shall be the owner of the items on Schedule C?
    c. What is the value of and which party shall be the owner of the items on Schedule D?
    d. Are the items on Schedule E marital property and if so, what are their values?
    e. If the parties do not agree that equal is equitable, the Judge shall rule on an equitable distribution of marital assets and debts.
    f. The judge shall rule on issues raised in the Supplemental Schedules attached hereto.

16. This matter is set for trial for _____.

17. The estimated length of trial time is _____.

18. The following documents, reports and other exhibits may be admitted without authentication:

_____

_____

19. No later than 24 hours before trial, counsel for the parties shall label, number and list all trial exhibits, and shall exchange exhibit lists, copies of exhibits and witness lists. A copy of each list shall be provided to the Judge when the case is called for trial.

20. The parties shall update their equitable distribution affidavits as they acquire additional pertinent information.

This the _____ day of _____, _____.

_____
Judge Presiding

CONSENTED TO:

_____	_____
Plaintiff	Defendant
_____	_____
Attorney for Plaintiff	Attorney for Defendant

Equitable Distribution Pretrial Order

Schedule A: Marital Property: Agree on Value and Distribution

Item of Martial Property (Number each Item)	Net Value	Possession P or D	To be Plaintiff's	To be Defendant's

Equitable Distribution Pretrial Order

Schedule B: Marital Property: Agree on Distribution; Disagree on Value

Item of Martial Property (Number each Item)	P's Net Value	D's Net Value	To be P's Or D's	Possession of P or D	Judge Only Net Value

Equitable Distribution Pretrial Order

Schedule C: Marital Property: Agree on Value; Disagree on Distribution

Item of Martial Property (Number each Item)	Net Value	Possession P or D	P Wants	D Wants	Judge Only	
					To be P's	To be D's

Equitable Distribution Pretrial Order

Schedule D: Marital Property: Disagree on Distribution; Disagree on Value

Item of Martial Property (Number each Item)	Net Value Per P	Net Value per D	Possession P or D	Wants P or D	Judge Only Net to be Value P's	D's

Equitable Distribution Pretrial Order

Schedule E: Disagree on Whether Item is Marital Property

Item of Martial Property (Number each Item)	Value Per P	Value per D	Short Statement of Issue	Judge (Only if Martial Prop.)	
				To Be P's	To Be D's

Equitable Distribution Pretrial Order

Schedule F: Plaintiff's Contentions Why Equal is Not Equitable.

Equitable Distribution Pretrial Order

Schedule G: Defendant's Contentions Why Equal is Not Equitable.

Equitable Distribution Pretrial Order

Schedule H: Marital Debts

CREDITOR	Date of Sep. Value	Paid by Plaintiff	Paid by Defendant	Present Balance

Equitable Distribution Pretrial Order

Schedule I: Post Separation Changes in Values and
How Plaintiff Contends These Changes Should be Treated

Item of Martial Property (Number each Item)	Value at Date of Sep.	Value at Date of Trial	Short Statement of Contentions as to how Value Change should be treated.

Equitable Distribution Pretrial Order

Schedule J: Post Separation Changes in Values and
How Defendant Contends These Changes Should be Treated

Item of Martial Property (Number each Item)	Value at Date of Sep.	Value at Date of Trial	Short Statement of Contentions as to how Value Change should be treated.

Equitable Distribution Pretrial Order

Schedule K: List of divisible property.