

NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

Plaintiff(s),

v.

Defendant(s).

CASE MANAGEMENT ORDER

This Order is entered by the undersigned Trial Court Administrator at the direction of the Honorable Paul C. Ridgeway, Senior Resident Superior Court Judge, to facilitate the fair and efficient disposition of this action by establishing case management deadlines and setting a trial date, pursuant to the General Rules of Practice for the Superior and District Courts, the 10th Judicial District Local Rules for Civil Superior Court (Local Rule) and local policies. This Order supersedes any previous Case Management Orders entered in this case and is subject to further amendment by the Court or upon motion for good cause shown. Failure to comply with the deadlines set out in this Order will not be good cause for continuance of the trial date.

This Order, as well as any subsequent discovery scheduling order or case management orders entered by the Court, will bind all current parties to this action and all parties added hereafter unless the Court orders otherwise.

1. **Trial Date**. This case is hereby set for trial on _____.¹ The parties' estimated length of trial is _____. All parties must therefore be prepared to try the case, in full, within the time requested and must proceed diligently to litigate this case with the expectation that it will be tried as scheduled. This is a firm trial date and requests to continue the trial date must be made by filing a motion to continue pursuant to Local Rule 8 and current local policies.²
2. **Mediation Required by Local Rules**. All persons and entities identified by Rule 4 of the Rules for Mediated Settlement Conference are required by Local Rules and policies (and by this Order) to attend a pre-trial mediated settlement conference in this case unless ordered otherwise by the Court. A separate order to mediation is not necessary.
3. **Mediation Deadline**. Mediation shall be completed ***no later than 60 days prior to the trial date***, unless otherwise set by court order. A change in the trial date will automatically permit a

¹ The North Carolina Supreme Court standards for resolution of cases filed in civil Superior Court are as follows: 90% resolved within one year, 98% within 18 months and 100% within two years. See also, [Local Rule 1.4](#).

² Local Rules, Local Forms, and the most current court policies are available from www.nccourts.gov/WakeTCA.

corresponding extension of the mediation deadline; a separate motion and order are not necessary.

4. **Designation of Mediator by Agreement of the Parties.** Consistent with the MSC Rules, parties who agree to designate a specific certified mediator shall file a *Designation of Mediator by Agreement of the Parties form (AOC-CV-812)*.
5. **Appointment of Mediator by the Court.** Consistent with the MSC Rules, if the parties are unable to agree upon the designation of a certified mediator, the plaintiff or plaintiff's attorney shall notify the court by filing the *Appointment of Mediator by Court Order in Superior Court Civil Action form (AOC-CV-840)*, requesting the appointment of a certified mediator. The Court will not appoint a mediator for the parties without the filing of this request form. Nonetheless, the lack of appointment of a mediator by the Court, or the parties' failure to designate an agreed-upon mediator, *does not excuse* the parties' obligation to conduct a mediated settlement conference by the deadline. Failure to complete the mediated settlement conference as required may result in sanctions against the parties and their counsel.
6. **Mediation Fees and Scheduling.** Pursuant to the MSC Rules 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 as set out in the MSC Rules.
7. **Dispositive Motions.** Pursuant to applicable Local Rules and policies, all dispositive motions must be filed and set for hearing to be conducted ***no later than 30 days prior to the trial date.***
8. **Communication with the Court.** All counsel and self-represented parties, if any, should be included in *all communications* with the Trial Court Administrator's Office and with all other Court personnel when communicating regarding specific cases. See [2019 Formal Ethics Opinion 4 | North Carolina State Bar \(ncbar.gov\)](#).

SO ORDERED on _____.

Kellie Z. Myers
Trial Court Administrator, Tenth Judicial District