

STATE OF NORTH CAROLINA
_____ COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
__ CVD __

_____, <i>Plaintiff</i>
v.
_____, <i>Defendant</i>

PRETRIAL ORDER

ORDER ON FINAL PRE-TRIAL CONFERENCE

Pursuant to the provisions of Rule 16 of the State Rules of Civil Procedure, Rule 7, General Rules of Practice, and local rules, a final pre-trial conference was held in the above-entitled cause on the ___ day of _____, 20__.

District Court Judge Presiding: _____
Plaintiff's Attorney: _____
Defendant's Attorney: _____
Anticipated Trial Date: _____
__Red Calendar __Blue Calendar __Special Setting __Other

___(1) It is stipulated that all parties are properly before the court, and that the court has jurisdiction of the parties and of the subject matter.

___(2) It is stipulated that all parties have been correctly designated, and there is no question as to misjoinder or nonjoinder of parties.

___(3) This matter is set to be heard on _____, 20__. The issues to be tried on this date are:

_____.

___(4) In addition to the other stipulations contained herein, the parties hereto stipulate and agree with respect to the following undisputed facts:

_____.

(5) The following is a list of all known exhibits the plaintiff(s) may offer at the trial: (attach additional pages if needed)

(6) It is stipulated and agreed that opposing counsel has been furnished a copy of each exhibit identified by the plaintiff(s), except:

(7) It is stipulated and agreed that each of the exhibits identified by the plaintiff(s) is genuine and, if relevant and material, may be received in evidence without further identification or proof, except:

(8) The following is a list of all known exhibits the defendant(s) may offer at the trial: (attach additional pages if needed)

(9) It is stipulated and agreed that opposing counsel has been furnished a copy of each exhibit identified by the defendant(s), except:

(10) It is stipulated and agreed that each of the exhibits identified by the defendant(s) is genuine, and, if relevant and material, may be received in evidence without further identification or proof, except:

(11) The following is a list of the names and addresses of all known witnesses the plaintiff(s) may offer at the trial:

(12) The following is a list of the names and addresses of all known witnesses the defendant(s) may offer at the trial:

(13) Other than Motions in Limine, there are no pending motions, and neither party desires further amendments to the pleadings, except:

(14) Additional consideration has been given to a separation of the triable issues, and counsel for all parties ___ are ___are not of the opinion that a separation of issues in this particular case would not be feasible.

(15) The parties stipulate and agree that the contested issues properly before the court to be tried are as follows:

___(16) Counsel for the parties announced that all witnesses are available and the case is in all respects ready for trial. The probable length of the trial is estimated to be ___ days.

(17) Counsel for the parties represent to the court that, in advance of the preparation of this order, there was a full and frank discussion of settlement possibilities. Counsel for the plaintiff will immediately notify the clerk in the event of material change in settlement prospects.

(18) Counsel for the parties shall immediately notify one another in the event that a) other witnesses become known or b) other exhibits are discovered after entry of this order. The trial judge shall have the discretion as to whether or when such exhibits may be used or witnesses may be allowed to testify in this matter if not identified within this order upon objection by the opposing party and in accordance with local rules.

(19) Other Stipulations:

Counsel for Plaintiff(s)

Counsel for Defendant(s)

This the ____ day of _____, 20__.

District Court Judge Presiding