

NORTH CAROLINA
WAYNE COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. ___ CVD _____

Plaintiff

VS

**ORDER ENTERED AT
FINAL PRE-TRIAL CONFERENCE**

Defendant

THIS MATTER COMING ON TO BE HEARD upon pre-trial conference before the undersigned Presiding Judge upon pleadings seeking a determination of marital property and an equitable distribution of such property 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 that he or she agrees with the facts and issues classified as agreed upon and stipulates that the facts and issues classified 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 that he or she has disclosed the existence of all property, both separate and marital, to which he or she may have 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 or 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 _____.

3. The Plaintiff and Defendant are the parents of _____ children whose names and birth dates are as follows: _____

_____.

4. The date Plaintiff and Defendant separated _____.

5. The date of valuation is _____.

6. An equal division is an equitable division. (This statement should be eliminated if not agreed upon.)

7. Schedule A is a list of marital property upon which there is agreement as to value and distribution (as between Plaintiff and Defendant).

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

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

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

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

12. Schedule F is a list of Plaintiff's contentions why equal division is not an equitable division. (Use only if Plaintiff in this action and you do not seek equal division.)

13. Schedule G is a list of Defendant's contentions why equal division is not an equitable division. (Use only if Defendant in this action and you do not seek an equal division.)

14. Plaintiff and Defendant have added additional schedules needed to state other issues to be decided by the Court. They are labeled _____

_____.

15. The parties shall submit affidavits of expert witnesses intended to be called at trial to counsel for the opposing party no later than _____.

Seven (7) days from the receipt of such affidavit, counsel for each party shall advise the other as to whether stipulations can be entered into concerning the

admission of the respective expert witnesses' affidavits or whether the experts will need to be present at trial to testify.

16. The Presiding Judge shall rule on the following:

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

READ AND CONSENTED TO:

PLAINTIFF

DEFENDANT

PLAINTIFF'S ATTORNEY

DEFENDANT'S ATTORNEY

PLAINTIFF'S ATTORNEY

DEFENDANT'S ATTORNEY

This the _____ day of _____, 20____

JUDGE PRESIDING

EQUITABLE DISTRIBUTION FINAL PRE-TRIAL ORDER

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

							Judge Only	
No.	Item of Marital Property (Number each Item)	DOS Value	Present Value (as of _____)	Possession of P or D	P Wants	D Wants	To be P's	To be D's
Sub-Totals (or Total) →								

EQUITABLE DISTRIBUTION FINAL PRE-TRIAL ORDER

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

No.	Item of Marital Property (Number each Item)	DOS Value	Present Value (as of _____)	Possession of P or D	P Wants	D Wants	Judge Only	
							To be P's	To be D's
Sub-Totals (or Total) →								

EQUITABLE DISTRIBUTION FINAL PRE-TRIAL ORDER

Schedule E: Disagree on Whether Item is Marital Property

No.	Item of Marital Property (Number each Item)	P's Value	D's Value	Statement of Issue	P Wants	D Wants	Judge Only	
							To be P's	To be D's
Sub-Totals (or Total) →								

EQUITABLE DISTRIBUTION FINAL PRE-TRIAL ORDER

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

EQUITABLE DISTRIBUTION FINAN PRE-TRIAL ORDER

Schedule G: Defendant's Contentions Why Equal Division is not an Equitable Division

EQUITABLE DISTRIBUTION FINAL PRE-TRIAL ORDER

Schedule K: Total in Children's Accounts

No.	Item of Marital Property (Number each Item)	DOS Value	Present Value (as of _____)	Possession Of P or D	P Wants	D Wants	Judge Only	
							To be P's	To be D's
	Sub-Totals (or Total) →							

EQUITABLE DISTRIBUTION FINAL PRE-TRIAL ORDER

Schedule L: Withdrawals

No.	Item of Marital Property (Number each Item)	P's Value	D's Value	Possession Of P or D	P Wants	D Wants	Judge Only	
							To be P's	To be D's
	Sub-Totals (or Total) →							